

Individual Decision

The attached report will be taken as
Individual Portfolio Member Decision on:

Friday, 22nd January, 2016

Ref:	Title	Portfolio Member(s)	Page No.
ID3030	Annual Equalities Report	Councillor Marcus Franks	3 - 14



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Individual Executive Member Decision

Annual Equalities Report - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	22 January 2016
Portfolio Member:	Councillor Marcus Franks
Date Portfolio Member agreed report:	11 January 2016
Forward Plan Ref:	ID3030

1. Purpose of the Report

- 1.1 To set out the detail of the annual equalities report, required to be published in January 2016.

2. Recommendation(s)

- 2.1 To approve for publication the attached annual equalities report.

3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** Publishing our equality objectives and our progress against them will fulfil our legal requirement to make this information public on an annual basis each January
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Consultation Responses

Members:

Leader of Council:	Councillor Roger Croft
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster
Ward Members:	n/a

Opposition Spokesperson: n/a

Local Stakeholders: DES Board

Officers Consulted: Including Everyone Board

Trade Union: n/a

5. Other options considered

5.1 None

6. Executive Summary

6.1 The Equality Act 2010 sets out a number of general and specific duties required to be undertaken by public authorities. Included in the specific duties is a requirement to prepare a number of specific and measurable equality objectives, and publish an update on progress against these annually each January.

6.2 The Corporate Including Everyone Group agreed a set of objectives drawn directly from the Council Strategy. Following the refresh last year of the Council Strategy, the objectives were reviewed and now reflect measures taken from the current strategy as well as some carried over from the previous strategy.

6.3 Under each objective are a number of measurable activities, some of which are linked directly to the Council's performance measurement framework and others that have been developed by the Corporate Including Everyone Board.

6.4 The Equalities Annual Report (shown at Appendix A) provides a brief update on our progress against each activity and is proposed for publication on the Council's website in January 2016. Please note that some data is still awaited and this will be inserted prior to publication.

7. Conclusion

7.1 That the attached report, for publication by 31 January 2016 (following the insertion of the missing data) be approved.

8. Appendices

8.1 Appendix A – Annual Equalities Report

8.2 Appendix B – Equalities Impact Assessment

Individual Executive Member Decision

Annual Equalities Report – Supporting Information

West Berkshire Council Equality Objectives and Activities 2015 – 16 Annual Report

Introduction

Following the introduction to the Equality Act 2010, public authorities are required to comply with the general equality duty and specific equality duties as set out below:

General Duty

In exercising our functions, West Berkshire Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The nine protected characteristics are as follows: Age; Disability; Gender Reassignment; Marriage & Civil Partnership, Pregnancy & Maternity; Race; Religion & Belief; Sex; Sexual Orientation.

Specific Duties

In summary, the council is required to:

1. Publish information to demonstrate our compliance with the general equality duty. This needs to be done annually in January each year. This information must include information relating to people who share a protected characteristic who are employees or others affected by our policies and practices. (Employee information is published in the Annual Employee Report. Details of where this can be found are included below.)
2. We must prepare and publish one or more objectives that act to further any of the aims of the general equality duty. This must be done at least every four years, beginning in 2012. The objectives must be specific and measurable.

The Council's equality objectives are drawn from the West Berkshire Council Strategies for 2014-18 and 2015-19, where equality is core to the way in which we plan and deliver our services.

The following table sets out the council's equality objectives and supporting activities, and provides a summary of our progress over the last year.

West Berkshire Council Equality Objectives Progress Update at December 2015

Equality Objective 1: Ensure our workforce is reflective of our communities (from Council Strategy 2014/15)

Performance Measure (i): On an annual basis, review % of council staff with protected characteristics compared to census data.

Annual Data: Data in the WBC Annual Employment Report 2015, which relates to data from 2014-15, has not been analysed by all 9 protected characteristics set out in the Equality Act 2010. This is because only a small set of the employee workforce have answered these questions either through the application process or through MyView. Where possible, equality and diversity data has been compared to that available for the district population from the 2011 Census and the full report can be accessed via the following link: <http://info.westberks.gov.uk/CHttpHandler.ashx?id=34897>

The report shows that three quarters of the work force was female, with only a quarter being male, which is typical for a unitary authority and the figure has remained stable for many years. 79% of employees were aged 35-64, with an older workforce again being typical of local government. 3.75% of employees were aged under 25 and 3.04% were 65 and over. The number of young people were very low when compared to the general population of 11% of young people aged 15-24 and the council is endeavouring to improve this by providing 20 apprenticeships per annum across a range of council services

The percentage of employees who declared themselves to have a disability (3.49%) was a slight increase on last year and also slightly higher than the proportion of working age (16-65) residents in the Census who reported that their day to day activities were limited 'a lot' by disability (3.2%). The percentage of employees who declared themselves of Black Minority Ethnic (BME) origin (4.07%) was slightly lower than the figure for the Census (5%).

Performance Measure (ii): Produce a breakdown of responses for the protected characteristics within the employee attitude survey 2015/16 to see if any specific areas requiring action are highlighted.

Annual Update: The responses from the Employee Attitude Survey 2015 have been broken down to provide a comparison between responses from staff with a declared disability compared to those without. This has shown that the percentage scores for staff with a disability are lower than those without in a number of areas such as satisfaction with working conditions, their perceived value by the organisation and the support they received when they first joined the council. This information helped to inform a recent report entitled 'A Corporate Approach to Disability under the Equality Act 2010' which set out the case for a corporate budget for staff reasonable adjustments. This was agreed by Operations Board in December 2015 and due to be implemented from April 2016.

Performance Measure (iii): Produce data showing representation of protected characteristics in more senior roles within the council.

Annual Data for 2014/15: Data in the WBC Annual Employment Report 2015 shows that 83.73% of jobs on the lowest WBC grades (B-F) are occupied by woman. However, only 64.17% and 26.32% of middle and senior managers respectively (defined as grades K upwards to the Chief Executive) are female. As women occupy 76.47% of all jobs in the council, this shows that proportionately more female employees are employed in lower paid jobs in the council, and proportionately more men are employed in higher paid jobs.

Senior managers are defined as the Chief Executive, Corporate Directors and Heads of Service - a total of 19 employees (1.23% of the total workforce). There is a stark contrast between the 26.32% of senior managers who are female and the percentage of the total workforce that is female. However, the senior management group is very small and has a relatively low turnover. It is hard to draw conclusions about the reasons for the disparity, which may be historical and relate to recruitment and/or retention issues. All senior managers are aged between 45 and 64. This reflects the level of experience required for these jobs.

Just over 4% of all employees declare themselves as being of black minority ethnic (BME) origin. 47.62% of BME employees are in the lowest grade group (B-F) compared to 40.53% of all employees in the council; this dropped to 0% for senior management jobs. This small, stable group of senior managers makes it hard to draw conclusions about the reason for lack of representation at this level. If just one member of this group was BME the percentage (5.26) would be higher than that for the district population in the Census. No apprentices employed in this period were BME.

With regard to the 3.49% of employees declaring themselves to have a disability, the percentage of employees in each grade group with a disability was fairly evenly distributed and comparable to the proportion of total employees in each grade band.

Just over 91% of part time employees are women. This is likely to be because women are more likely to take on caring responsibilities for children or other dependants, alongside paid work. 54.86% of part time workers are in the lowest graded jobs (B-F); this compares to 40.53% of all council employees who are in this pay band

No senior managers' work part time; however, 22.92% of middle managers work part time. The lack of part-time working at a senior level may reflect the difficulty of carrying out higher level management duties on a part time basis, or that the higher percentage of men working in these roles are less likely to want to work part time. It is positive to see such a high percentage of middle managers who are able to work flexibly.

The full Annual Employment Report can be accessed at <http://info.westberks.gov.uk/CHttpHandler.ashx?id=34897>.

Equality Objective 2: Endeavour to minimise discrimination, harassment and victimisation and advance equality of opportunity for employees and all members of our communities (from Council Strategy 2014/15)

Performance Measure (i): Document the number of employees and Members who have taken part in mandatory equality and diversity training at least every 3 years.

Full day equality and diversity training is available for staff and managers and an online refresher course is also provided. At 30/9/15, 65% of managers and 72% of staff had undertaken the training. The training also became mandatory for Members from April 2015 and at 31/12/15, 71% of Members had attended.

Performance Measure (ii): Report performance data on council employees' positive and negative experiences relating to discrimination, harassment and victimisation. (Action: Look at information held by HR in relation to grievances, disciplinary actions and exit interviews.)

Between April and December 2015 there were 5 instances where disciplinary action was taken against employees and 2 grievances were made by employees. However, there were no cases of potential discrimination ie where the employee was pregnant or BME etc.

During the same period, of the 131 employees who left the council, 23 took part in an online exit interview during which there were 84% positive responses to key questions and 16% negative responses.

Performance Measure (iii): Report proportion of Stage 2 Equality Impact Assessments (EIAs) undertaken during 2015-16 for all new and revised policies/ services entered into the executive cycle in order to check whether there will be any potential adverse impacts on people with protected characteristics.

The Equality Impact Assessment (EIA) guidance was updated during September 2015 and the process was revised. As a result, in October 2015 the committee report template for the executive cycle was amended to include a stage 1 EIA template. Therefore all authors are now required to undertake an assessment of whether the policy or service will have an impact on any of the 9 protected characteristics. If the stage 1 EIA identifies that there will be an impact, a stage 2 EIA will be undertaken and published on the council's website.

During 2014-15 the requirement for a stage 2 EIA was identified in 16% of reports going to Full Council and 11% of reports going to Executive. During the first 9 months of 2015-16, the number of stage 2 EIAs has remained static at 16% for Full Council but had increased to 27% for Executive. In addition, of the 48 savings proposals identified for 2016-17, 52% of authors identified the need for a stage 2 EIA to be undertaken, following consultation with the public.

Performance Measure (iv): Report percentage of organisations with contracts over £100,000 whose compliance with the council’s Equality Policy has been reviewed on an annual basis.

Annual Update: A process is currently being put in place, which will include criteria for an annual review and it is anticipated that this data will be available by September 2016. The Environment Director, who chairs the Procurement Board, will be raising the need for the annual review with managers at a future Board meeting. In addition, a Long Form Equalities Clause has been developed by Legal Services and is being inserted into contracts where the service has a large number of employees with protected characteristics. Training is also being provided on procurement and contracts.

Equality Objective 3: Implement new ways of working to develop communities to be more resilient in meeting the needs of vulnerable people **(from Council Strategy 2015/19)**

Performance Measure (i): Number of volunteers obtained through the village agents’ volunteer scheme, focusing on, targeting rural areas and adult social care users. (Public Health Target – 18)

Quarter 1 Update	Quarter 2 Update	Quarter 3 Update	Quarter 4 Update
20	Data due mid Jan	Data due mid Jan	

Performance Measure (ii): Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application

Quarter 1 Update	Quarter 2 Update	Quarter 3 Update	Quarter 4 Update
100%	100%	Data due mid Jan	

Performance Measure (iii): Number of volunteers that have received restorative practice training

Quarter 1 Update	Quarter 2 Update	Quarter 3 Update	Quarter 4 Update
5	62	Data due mid Jan	

Equality Objective 4: Close the education attainment gap for vulnerable pupils **(from Council Strategy 2015/19)**

Performance Measure (i): Size of the educational attainment gap – reduce to 22%

Annual Target: Data due mid Jan

Performance Measure (ii): Year 1 Phonics: Proportion of pupils eligible for free school meals achieving expected level in Phonics decoding - 51% in 2014/15

Annual Target: Data due mid Jan

Performance Measure (iii): KS4: Proportion of children eligible for free school meals who achieve 5+ A*-C grades at GCSE inc English & Maths – 33% in 2014/15

Annual Target: Data due mid Jan

Background Papers: None

Subject to Call-In:Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: No specific wards**Strategic Aims and Priorities Supported:**

The proposals will help achieve the following Council Strategy aims:

- BEC – Better educated communities**
- P&S – Protect and support those who need it**
- MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- BEC1 – Improve educational attainment**
- BEC2 – Close the educational attainment gap**
- HQL1 – Support communities to do more to help themselves**
- MEC1 – Become an even more effective Council**

Officer details:

Name: Rachel Craggs
Job Title: Principal Policy Officer (Equalities & Diversity)
Tel No: 01635 519441
E-mail Address: Rachel.craggs@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

Name of policy, strategy or function:	Annual Equalities Report
Version and release date of item (if applicable):	
Owner of item being assessed:	Rachel Craggs
Name of assessor:	Rachel Craggs
Date of assessment:	29/12/15

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	To provide an update on the council's Equality Objectives 2015-19
Objectives:	To ensure the council is meeting its Equality Objectives
Outcomes:	To ensure that equality is core to the way in which the council plans and delivers its services.
Benefits:	To ensure the council is treating its staff in an equitable way and is providing an equitable service to the communities it serves

<p>2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>
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Group Affected	What might be the effect?	Information to support this.
Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation	This report, whilst pertaining to equalities within the council, presents a summary of information gathered by different areas within the council. Any pieces of work being reported on would be subject to their own individual assessment.	The Equality Objectives were included in the council Strategies for 2014-18 or 2015-19 and consultation was undertaken on them prior to their inclusion.
Further Comments relating to the item:		

3. Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Not required

Name: Rachel Craggs

Date: 29/12/15

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