

Individual Decision

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

Wednesday 22nd February 2017

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Annual Equalities Report - Summary Report

Committee considering report: Individual Decision on 22 February 2017

Portfolio Member: Councillor Marcus Franks

Report Author: Rachel Craggs

Forward Plan Ref: ID3212

1. Purpose of the Report

1.1 To request agreement of the Annual Equalities Report. This will enable the Council to fulfil its duty under the Equality Act 2010, which requires local authorities to publish information annually that demonstrates compliance with the general equality duty.

2. Recommendation

2.1 To agree the Annual Equalities Report.

3. Implications

3.1 **Financial:** No implications as the Equality Objectives have already been agreed.

3.2 **Policy:** Local authorities are required to publish information to demonstrate compliance with the General Equality Duty in January each year.

3.3 **Personnel:** No implications.

3.4 **Legal:** Publication of the Annual Equalities Report on the Council's website ensures that the Council meets its duty under the Equality Act 2010.

3.5 **Risk Management:** The Council will be in breach of the Equalities legislation if the information to demonstrate compliance with the General Equality Duty is not published.

3.6 **Property:** No implications.

3.7 **Other:**

4. Other options considered

4.1 No other options have been considered to be relevant.

5. Executive Summary

5.1 Following the introduction of the Equality Act 2010, public authorities are required to comply with the General Equality Duty and Specific Equality Duties.

The General Equality Duty requires the Council to have due regard, when exercising its functions, 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 Specific Equality Duties require the Council to:-

- Publish information to demonstrate our compliance with the general equality duty in January each year.
- Prepare and publish one or more objectives that act to further any of the aims of the general equality duty at least every four years, beginning in 2012.

5.2 The Council's Equality Objectives have either been drawn from the West Berkshire Council Strategy 2015-19 or have been developed by the Including Everyone Board (IEB), which is chaired by the Corporate Director for Environment.

5.3 In order to meet the requirements of the Specific Equality Duties, the Annual Equalities Report has been developed setting out progress with the Council's Equalities Objectives and the work of the IEB. However, to enable the report to include the quarter 3 data and be agreed at Individual Executive Member Decision, it will not be published until 23 February 2017. A comment to this effect has been posted on the Council's website and a copy of the report is attached at Appendix B.

6. Conclusion

6.1 The Annual Equalities Report will be published on the Council's website after it has been agreed by Individual Member Decision on 22 February 2017.

7. Appendices

7.1 Appendix A – Equalities Impact Assessment

7.2 Appendix B – Annual Equalities Report

Appendix A

Equality Impact Assessment - Stage One

What is the proposed decision that you are asking the Corporate Board to make:	To agree the Annual Equalities Report prior to publication on the council's website		
Summary of relevant legislation:	The Equality Act 2010 requires public authorities to publish information to demonstrate compliance with the general equality duty in January each year.		
Does the proposed decision conflict with any of the Council's key strategy priorities?	No		
Name of assessor:	Rachel Craggs		
Date of assessment:	8 February 2017		
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 proposed decision and who is likely to benefit from it?			
Aims:	The report sets out the council's progress with its Equality Objectives and the achievements of the Including Everyone Board		
Objectives:	To keep residents updated on progress within the council in order to:- (i) eliminate discrimination, harassment and victimisation. (ii) advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.		
Outcomes:	Residents are aware of the council's commitment to equality.		
Benefits:	Equality will be seen as core to the way in which the council plans and delivers its services.		
2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.			
Group Affected	What might be the effect?	Information to support this	
Age	The Annual Equalities Report sets out progress	The Annual Equalities Report.	

	with the Council's Equalities Objectives and the work of the Including Everyone Board. Therefore it will have a positive effect on this group.	
Disability	As above	As above
Gender Reassignment	As above	As above
Marriage and Civil Partnership	As above	As above
Pregnancy and Maternity	As above	As above
Race	As above	As above
Religion or Belief	As above	As above
Sex	As above	As above
Sexual Orientation	As above	As above
Further Comments relating to the item:		
None		
3 Result		
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?		No
Please provide an explanation for your answer: Because the report will have a positive impact.		
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?		No
Please provide an explanation for your answer: As above		
4 Identify next steps as appropriate:		
Stage Two required	No	
Owner of Stage Two assessment:	N/A	
Timescale for Stage Two assessment:	N/A	

Name: Rachel Craggs

Date: 8 February 2017

West Berkshire Council Equality Objectives and Activities 2016 – 17 Annual Equalities Report

Introduction

Following the introduction of 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 its functions, the 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 and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

Specific Duties

In summary, the council is required to:

1. Publish information to demonstrate compliance with the general equality duty in January each year. This must include information relating to people who share a protected characteristic who are employees or others affected by its policies and practices. Employee information is published in the Annual Employee Report. Details of where this can be found are included below.
2. 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 and the objectives must be specific and measurable.

The council's equality objectives have either been drawn from the [West Berkshire Council Strategy 2015-19](#) or have been developed by the council's Including Everyone Board (IEB), which is chaired by the Corporate Director for Environment. Equality should be core to the way in which the council plans and delivers its services and the

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IEB's role is to ensure that the council meets its legal requirements under the Equality Act 2010.

The IEB includes representatives from the Communities, Environment and Resources Directorates, the Executive Portfolio Member for Community Resilience and Partnerships, Legal Services, Human Resources, Facilities and the Staff Disability Network. The work of the IEB during 2016 has included the following:-

- An annual corporate capital budget of £10,000 has been established for reasonable adjustments for staff with disabilities to ensure they are not substantially disadvantaged when undertaking their jobs. It is a requirement under the Equality Act 2010 to provide reasonable adjustments and prior to the creation of the corporate budget, the cost of these were met by the individual services where the member of staff was working.
- The Equality in Employment Policy has been refreshed and is now incorporated into the council's [Equality Policy](#) which is available on the council's website.
- An Equalities Procurement Checklist has been introduced and is now included in the annual contract management for all contracts over £100,000, with an audit of compliance being undertaken on an annual basis.
- A Model School Equality Policy has been developed and made available to West Berkshire schools. It sets out how equality and diversity will be integrated into schools' core priorities and functions to ensure they are part of core business both as a provider of education and as an employer.
- A Prayer Room is now available for use by staff at the council offices in Market Street, Newbury. It is a shared facility with the Chairman of Council's office. Prayer Rooms will now be considered at the council's offices at West Street House and Turnham's Green.
- A Disability Staff Network event was held earlier in the year to enable staff to raise any problems they were experiencing. As a result, the learning from this is being incorporated into the classroom based and e-learning equality and diversity training.
- A commitment has been given to raise the issue of deaf awareness amongst staff and for action to be taken.
- Accessibility difficulties experienced by staff with visual impairments to the council's e-learning packages have been taken up with the e-learning provider and it is anticipated that a solution will be found.
- The Stage 1 and Stage 2 templates for Equality Impact assessments have been strengthened following legal advice and comments from the High Court on a recent challenge. An enhanced guidance for staff regarding report writing and equalities issues has been put in place.

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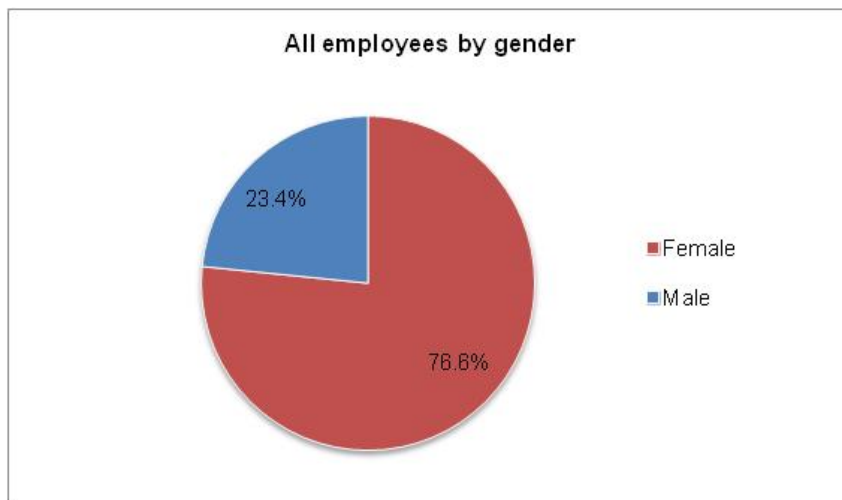
- Equalities training for the council's Members has been provided in-house.

The council's equality objectives are monitored regularly by the IEB, and a summary of progress from April to December 2016 can be found below.

West Berkshire Council Equality Objectives Progress Update

Equality Objective 1: Ensure our workforce is reflective of our communities

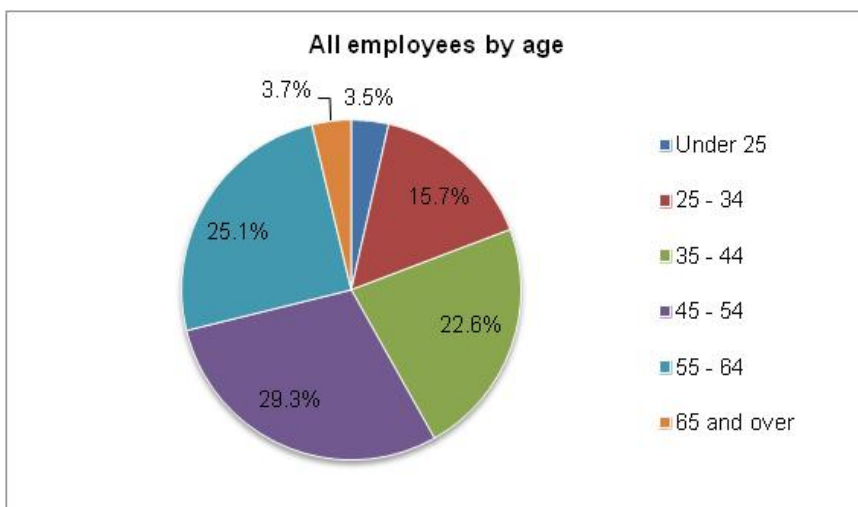
Performance Measure (i): On an annual basis, review % of council staff with protected characteristics compared to Census data



A high proportion (76.6%) of female employees is typical for a unitary authority. This figure has remained stable for many years and is over representative when compared to Census data, which shows a roughly equal gender split.

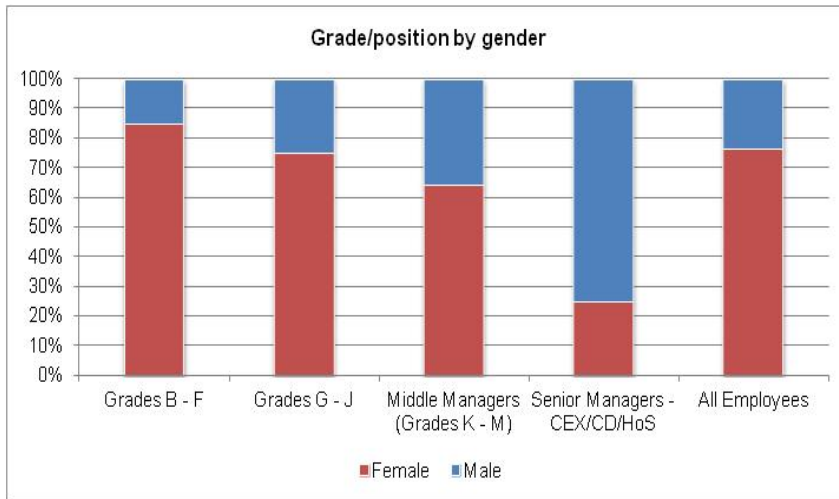
The percentage of employees who declare they have a disability (3.3%) is a very slight decrease on last year. It is slightly higher than the proportion of working age (16-65) residents in the latest Census who report their day to day activities are limited 'a lot' by disability (3.2%)

The percentage of employees who declare themselves BME (5%), which is equal to the figure for the district population based on the Census (5%). This is the first time the council has reported a BME workforce that equals the proportion in the population.



The age profile for the council shows that 77% of employees were aged between 35 and 64. An older workforce is typical of local government. 3.54% of employees were aged under 25 and 3.74% were 65 and over. The age profile of the workforce has remained relatively stable over the last five years.

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As women occupy 76.6% of all jobs in the council, this shows that proportionately more female employees were employed in lower paid jobs and proportionately more men were employed in higher paid jobs.

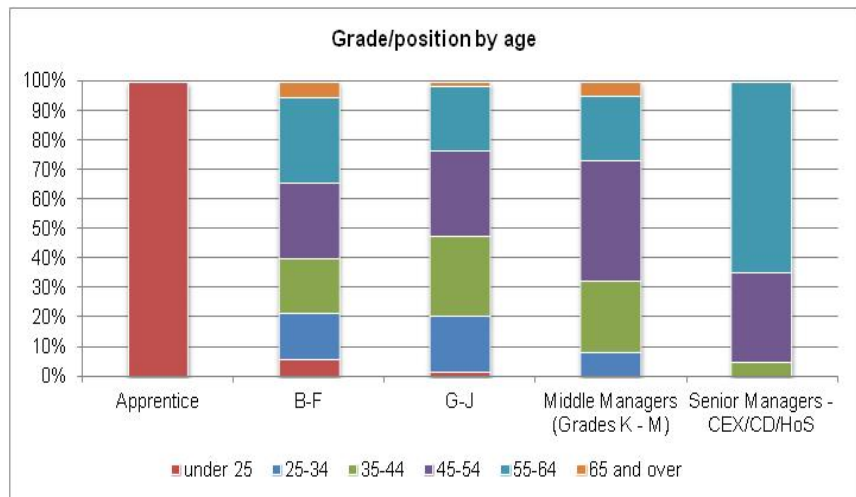
There are 20 Senior Managers, which is 1.31% of the total workforce. There is a stark contrast

between the percentage of senior managers who are female (25%) and the percentage of the total workforce that is female (76.59%). However, the senior management group is very small and has a low turnover, so it is hard to draw conclusions about the reasons for the disparity.

5% of all employees declare themselves as being of black minority ethnic (BME) origin. 44.2% of BME employees are in the lowest grade group (B-F) compared to 39.7% of all employees in the council; this drops 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. No apprentices employed in this period were BME.

With regard to the 3.3% of employees declaring themselves to have a disability, the percentage of employees in each grade group with a disability is fairly evenly distributed and comparable to the proportion of total employees in each grade band.

95% of senior managers are aged between 45 and 64. This reflects the level of experience required for these jobs.

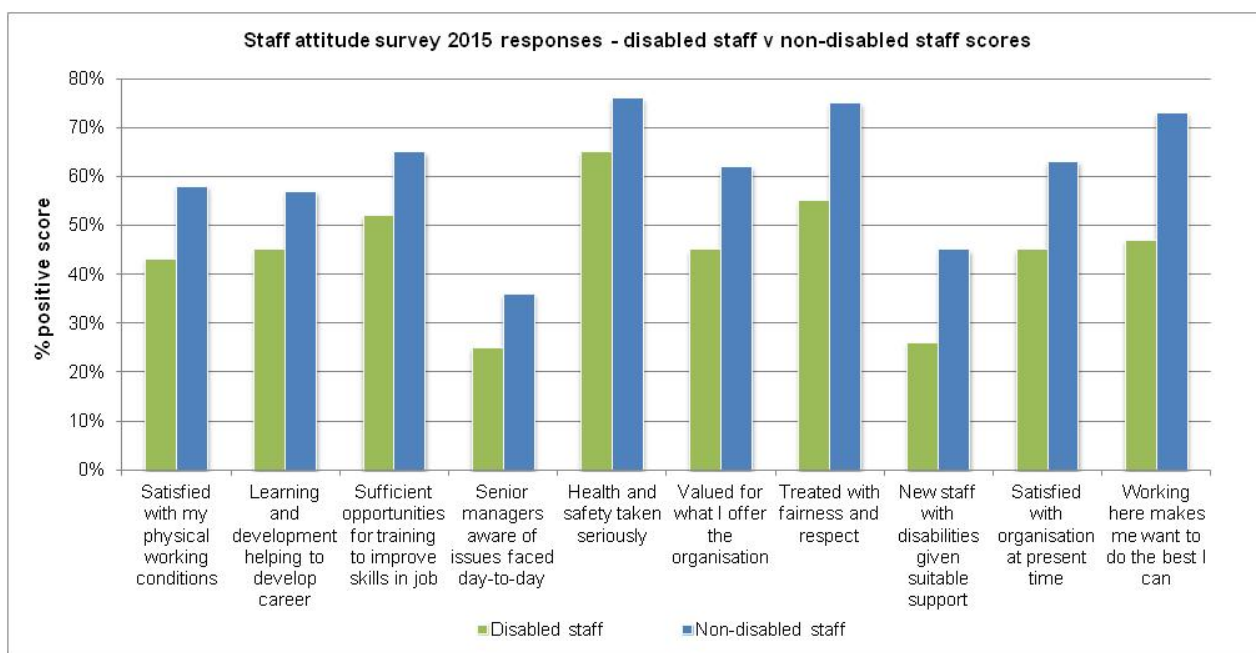


Source: [West Berkshire Council's Annual Employment Report 2015/16](#)

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Performance Measure (ii): Produce a comparison of responses from staff with a disability in the employee attitude surveys for 2015/16 and 2018/19 to monitor the effect of the work of the Including Everyone Board with the Disability Staff Network.

As the next employee attitude survey is not being undertaken until 2019, data from the 2015/16 survey is provided in the graph below, which shows the variances between responses received from staff with and without a disability.



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

Equality Objective 2: Endeavour to minimise discrimination, harassment and victimisation and advance equality of opportunity for employees and all members of our communities

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.

Classroom based equality and diversity training is no longer mandatory for staff. However, it is mandatory for them to attend the e-learning training if they do not attend the classroom course. It is still mandatory for managers to attend the classroom based training followed by the e-learning refresher. Mandatory training is also provided in-house for Elected Members.

The graph shows the percentage of staff, managers and Elected Members who have



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completed the training in the required time period as at the end of Q3 2016/17.

Performance Measure (ii): Produce comparison data for responses to question 44 in the Employee Attitude Surveys for 2015/16 and 2018/19 'I would feel free to report bullying/harassment without worrying that I would be treated in a negative way'

As the next Employee Attitude Survey is not taking place until 2018/19, comparison data is provided below for this measure from the 2012/13 and 2015/16 surveys.



Data shows that there has been a 2% decrease in the number of employees saying that they would feel free to report bullying and harassment without worrying that they would be treated in a negative way.

The variance between disabled and non-disabled staff's positive scores remains, however it has reduced from 13% to 8%, with disabled staff positive scores lower than non-disabled staff.

Performance Measure (iii): Carry out an audit of the council's committee reports at the end of December 2016 to check that all Stage 1 Equality Impact Assessment (EqIA) templates have correctly identified when a Stage 2 EqIA is required

The audit undertaken of reports to Full Council, Executive and Individual Executive Member Decisions for the period April to December 2016 showed that all of the 68 reports submitted, correctly identified whether an EqIA was required.

In some cases, it may have been helpful for more detailed information to have been provided in the Stage 1 EqIA in order to support the decision and this is being followed up with the reports' authors as appropriate.

Performance Measure (iv): Carry out an audit at year end to check that all contractors with contracts over £100,000 have completed the annual equalities procurement checklist

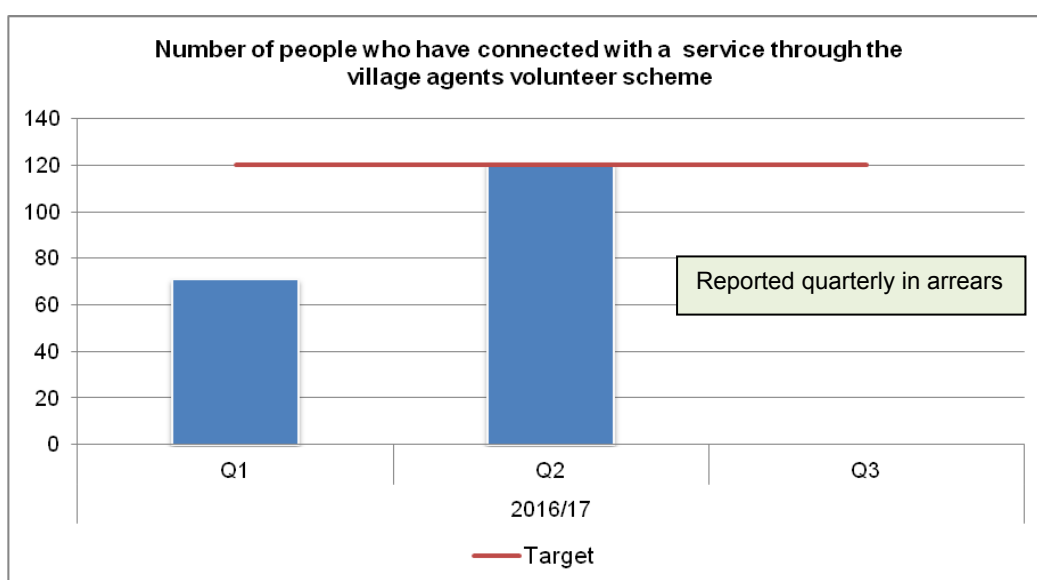
Following agreement by the council's Procurement Group in June 2016, an Equalities Procurement Checklist was sent to all managers with contracts over £100,000, along with a request for it to be incorporated into other contract management review documents and completed annually. An audit of compliance will be conducted in April 2017.

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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): Tackle loneliness and social isolation by increasing the number of people who have connected with a service through the village agents volunteer scheme

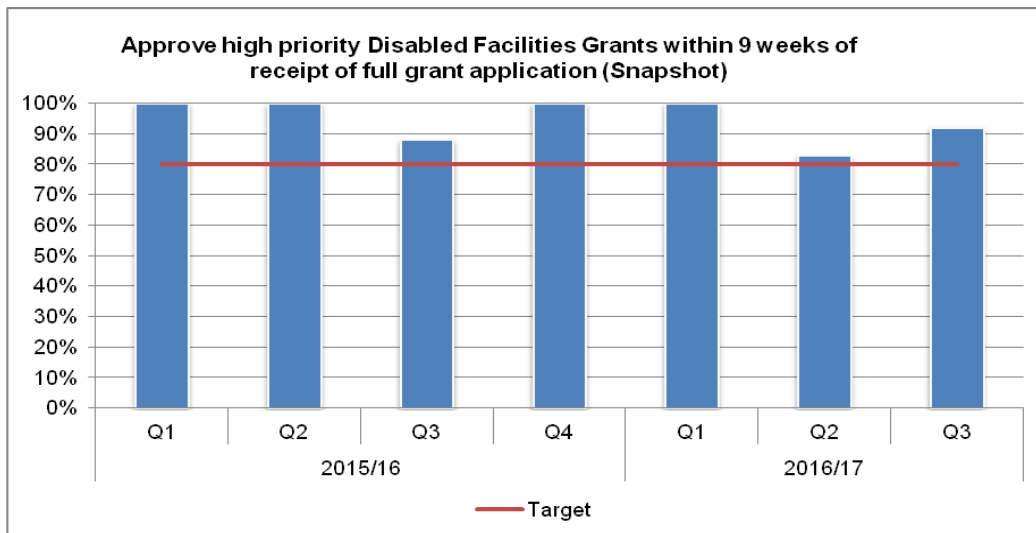
This measure has replaced the original Council Strategy measure 'Number of volunteers obtained through the village agents' volunteer scheme, focusing on, targeting rural areas and adult social care users'. As the graph below demonstrates, the target to connect 120 people with a service was achieved during Q2.



Performance Measure (ii): Approve 80% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application

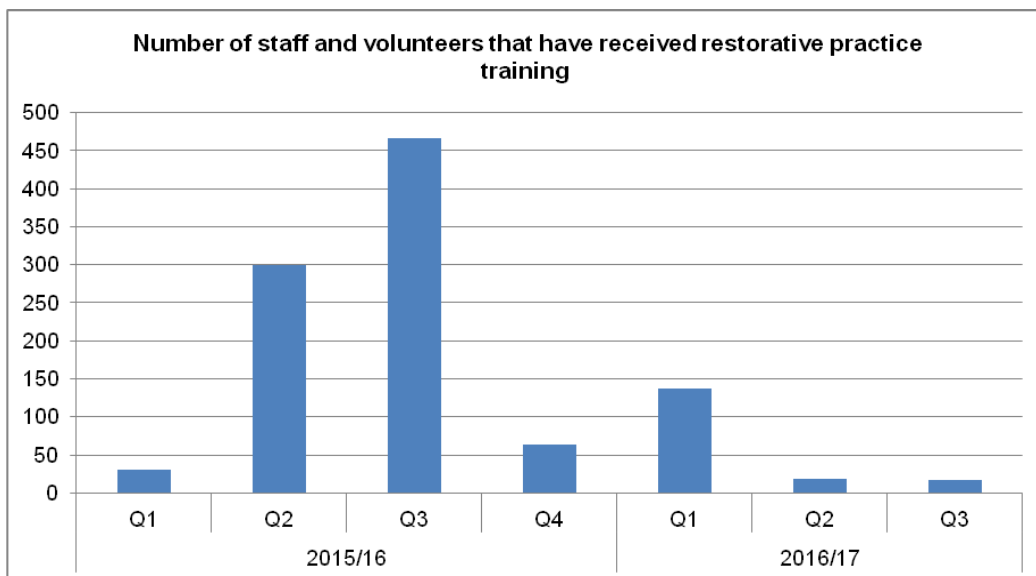
The data shows that this target has been either met or exceeded over the last 7 quarters.

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

The graph shows that the number of volunteers and staff receiving restorative practice training has reduced substantially. This is because the volunteers who wished to be trained and the staff requiring it have been trained and the project is now developing a 'train the trainer' approach to provide a more sustainable workforce.



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

Performance Measure (i): Reduce the educational attainment gap at Key Stage 2 (KS2) to 22 percentage points

The educational attainment gap was measured as 18 percentage points in 2015/16.

However in 2016, the Department for Education introduced new accountability measures, which removed the levels and purely measures whether the students meet

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the expected standard or not. However, the standard is now more difficult to achieve and so it is not directly comparable to the previous measure. Therefore it is not possible to provide any 2016/17 data and an alternative measure will be sought.

Performance Measure (ii): Year 1 Phonics: Proportion of pupils eligible for free school meals (FSM) achieving expected level in Phonics decoding

55% at end of 2014/15	54% at end of 2015/16
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Performance Measure (iii): KS4: Proportion of children eligible for free school meals (FSM6) who achieve 5+ A*-C grades at GCSE inc English and Maths

At the end of 2014/15, the proportion of children eligible for free school meals who achieved 5+ A*-C grades at GCSE including English and Maths was 33%.

This measure is now no longer being reported against and the new measure is 'To improve on 2015 rankings for disadvantaged pupils in KS4 for 2016'. The 2015/16 data will be available during Q4, however it is not comparable as it measures the average attainment across 8 subjects, and how that compares to others nationally who had similar prior attainment.

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