

# **Annual Review of Equality 2014**



**October 2014**

# **Dudley Metropolitan Borough Council**

## **Annual Review of Equality 2014**

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## **1. Introduction**

- 1.1 The annual review of equality provides a wide range of information about Dudley Council's work to advance equality. The review has been produced for a number of years well before any legal requirements to publish equality information were introduced, but currently contributes to meeting the specific public sector equality duties (PSED) under the Equality Act 2010. These require the publication of information demonstrating how the council meets the general duty under the Act. Other information about how the council is meeting the duty is published on its website at [www.dudley.gov.uk/community-and-living/equality-diversity](http://www.dudley.gov.uk/community-and-living/equality-diversity). In particular, the annual review reports on progress with the council's equality objectives, which are published in the council's equality scheme 2012-15, and provides an update on council employment data.
- 1.2 The annual review presents an opportunity for elected members to scrutinise the council's progress on equality. It is circulated to the scrutiny committee which has the responsibility for council-wide equality work – the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee – and submitted to the Cabinet for approval.
- 1.3 Directorates also produce annual reports on their equality actions set out in their equality action plans or strategic plans. These can be found on the council's equality web pages as well.

## **2. National developments in law and policy**

- 2.1 Following a few years of significant change, there have been no major developments in equality legislation over the last year. The completion of the Government's review of the public sector equality duty (PSED) which reported in September 2013, noted in last year's annual review, has resulted in no new proposals to amend legislation. Instead, the Government has begun exploring the opportunities for encouraging behaviour change by means other than equality legislation.
- 2.2 More minor changes have been put in place through the Enterprise and Regulatory Reform Act 2013 which has removed from the Equality Act 2010 the third party harassment clause (whereby employers were liable for harassment of their employees by third parties, such as customers) and changed the information gathering process for employment tribunals. The 2013 Act also requires the government to add caste to the protected characteristic of race in the Equality Act 2010. The Equality and Human

Rights Commission published research in the spring into the nature and extent of caste discrimination in Britain, which is due to be followed by Government consultation on the content of legislation to take place in the autumn.

- 2.3 The first marriages under the Marriage (Same Sex Couples) Act 2013 took place on 29<sup>th</sup> March 2014.
- 2.4 With the Government not proposing any changes to the PSED, the duty as it stands continues to be tested through the courts with more challenges to public authorities' decisions during the year. The frequency and level of success of such legal challenges has reduced to some extent as public authorities have become much more aware of and have responded appropriately to their responsibilities under the law. The Government carried out a consultation during 2013/14 on further changes to the judicial review process, including a call for suggestions as to how to settle disputes relating to the PSED without resorting to judicial review. Most responses to this indicated support for continuing to deal with PSED challenges through judicial review and the Government has not followed this up with any proposals.

### **3. Local priorities**

- 3.1 The council's equality scheme 2012-15 was approved in March 2012. The scheme sets out the council's approach to equality and how it meets the requirements of the Equality Act 2010. The scheme sets out some background facts and figures about people with protected characteristics in the borough, describes officer and member roles and responsibilities and outlines processes in relation to equality work. It identifies key equality issues for the borough, challenges for equality and the council's statutory equality objectives.
- 3.2 The scheme is due for review during the current year and this review will need to be carried out in the context of the continuing budget reductions, the changing role of the council and the senior management and directorate restructuring. 2015 will also see the next General Election, the outcome of which may signal some significant changes to equality policy nationally that will have an impact on what the council needs to do locally.
- 3.3 The issues and challenges set out in the scheme in March 2012 are in the main still relevant but will need revisiting and the council objectives arising from them updating. One significant change since 2012 is the transfer of the Office of Public Health to the council which provides opportunities for the

council to play a much greater role in addressing with partners the challenges around health inequalities. The equality issues and challenges identified in March 2012 were relating to:

- the needs of an ageing population
- high and rising unemployment levels amongst young people
- child poverty and troubled families
- the impact of welfare reforms
- health inequalities
- the impact of the Localism Act and the development of 'Our Society in Dudley'
- respect and dignity – hate crime, harassment and domestic abuse
- council employment issues, including implementing the pay and grading review, improving recruitment and retention of disabled employees, improving training and employee competencies

#### **4. Equality scheme objectives**

- 4.1 The published equality objectives are set out in full at appendix 1. These were selected on the basis of action that the council could reasonably take to address some of the issues and challenges highlighted in paragraph 3.3 above, recognising that national policy and the economy, together with other organisations, would have a substantial influence over and above the role the council could play in addressing these issues. The following paragraphs provide a summary of progress and achievements against these objectives.

##### **Narrowing the gap in educational achievement (objectives 1 and 2)**

- 4.2 In this information about narrowing the gap the 'attainment gap' refers to the difference between the numbers of pupils gaining five or more GCSEs at grade A\*-C including English and Maths and those who do not. The overall Dudley pupil average attainment at this level has been broadly in line with the England average since 2010. The ability of the local authority to influence school performance has, however, reduced significantly over the last few years with declining resources, and increases in the number of academies and school independence.
- 4.3 Attainment for looked after children (LAC) in Dudley has been higher than in England since 2010 but for the first time in four years Dudley LAC were broadly in line with England LAC in 2013. Provision of educational support for LAC, both through schools, and private tuition, was judged to be good with outstanding features in 2012. Since that time resources for private tuition have

been significantly reduced due to the withdrawal of funding by the HSBC bank.

- 4.4 The attainment gap between pupils eligible for Free School Meals (FSM) and their peers has remained largely consistent since 2011 at around 33%. School inspections focus closely on the progress of this group and it is increasingly a contributory factor to some schools receiving adverse judgements.
- 4.5 Pupils with Special Educational Needs include both pupils that have a statement and those that have been identified by schools as in need of extra support. As a consequence there are inconsistencies in the number and characteristics of children that are identified as having SEN from school to school. The attainment gap for pupils who have been included has decreased slightly since 2011 but remains close to 50% (49.2%) in 2013.
- 4.6 Additional funding (on average c £1000 per annum) is provided to schools for 'disadvantaged' children (eligible for pupil premium i.e. for FSM or LAC for six months). School inspections focus closely on how effectively this money is used to support the target group and it is increasingly a contributory factor to some schools receiving adverse judgements. The attainment gap has decreased from 53.8% in 2011 to 49.2% in 2013. Actual attainment for this group has risen in this period from 23.1% of cohort in 2011 to 25.4% in 2013.
- 4.7 Looking at attainment by ethnic groups, Indian ethnic group attainment is consistently higher than overall Dudley performance. Pakistani ethnic group attainment is consistently lower than the overall Dudley performance. Gypsy, Roma and Traveller and Yemeni ethnic groups' attainment is consistently lower than the overall Dudley performance but there has been some improvement for the Yemeni group in 2012 and 2013. Other ethnic groups' attainment varies throughout the five year period since 2009.
- 4.8 Girls continue to outperform boys in gaining five or more GCSEs at grade A\*-C including English and Maths. White disadvantaged boys are the largest underperforming group in the borough.

#### **Affordable housing provision (objective 3)**

- 4.9 There is an on-going programme to deliver affordable housing provision across the borough, through partnerships with Registered Providers and in-house provision. 115 affordable completions were completed during the year against a target of 94 affordable homes for the full year (2013/14). Completions included additional general needs housing at Friars Gate, Dudley - as part of the ongoing delivery of this project; St James Mews, Dudley;

Himley View, Pensnett; and Coombs Road, Halesowen; delivering a range of house types including 2 and 4 bed houses. Four bungalows for people with learning disabilities were also completed in the last quarter of the financial year.

- 4.10 The future delivery programme includes completion of the Borough's third extra care scheme at the former Cradley High School site by March 2015. This will deliver 100 affordable homes for older people. Work is ongoing on the inclusion of some apartments for persons with dementia at the fourth extra care scheme in Stourbridge. The design will incorporate the Stirling School of Architecture standards for accommodation for people with dementia. It is anticipated that the scheme will be on site by March 2015.
- 4.11 The former Gibbs Road House has now been demolished and construction work has commenced on its replacement – a new direct access homeless scheme with move-on accommodation which will offer greater opportunities for residents to benefit from training and to develop new skills. The new scheme will be operational from early in the next financial year (2015/16).
- 4.12 The council's bid to the Care and Support Specialised Housing Fund to build 14 apartments for people with learning disabilities was successful and work is in progress to deliver the two schemes by June 2015. A bid to the Homes and Communities Agency to convert Arcal Lodge, Sedgley, the former council residential care home, into 14 new affordable homes has also been successful. This will help to meet needs in the borough for smaller homes and, in particular, accommodation suitable for people with disabilities and older people. It is anticipated that this scheme will be completed by May 2016.
- 4.13 A total of £13.4m to deliver over 100 new council homes over the 4 year period to 2017/18 has also been included within the council's capital programme. This programme is being funded from Housing Revenue Account resources and right to buy receipts as part of the council's commitment to the Government's one for one replacement. Two schemes are already under way and feasibility studies are being carried out on a number of other potential sites.

#### **Welfare reforms and financial inclusion (objective 4)**

- 4.14 A range of action continues to be taken to advise and support people affected by welfare reforms or who may be facing financial difficulties. For example, the council's housing services provides a housing support drop-in service, which is available to anyone who needs assistance to maintain their independence. Advice and guidance is available at these sessions about

many issues, ranging from budgeting and finances, welfare benefits, completing a range of application forms and available local resources. This service provides individuals with the opportunity to speak to someone about their problems in an informal setting.

- 4.15 The council's energy advice team supported Fuel Poverty Awareness Day on Friday 28 March by encouraging residents to be aware of the issue of fuel poverty and to seek advice and support from its Dudley energy advice line. The free advice line is a dedicated telephone helpline, run by impartial energy experts for the council, to help residents keep their homes affordably warm.
- 4.16 During 2013/14 the council absorbed the 10% reduction in Government subsidy with the localisation of council tax benefit, costing around £2.4 million. As noted in the 2013 annual review, given budget pressures, this decision to fund fully the reduction was not likely to be sustainable into the future. The council in December 2013 agreed that the council tax reduction scheme be amended from 1 April 2014 with a 20% cut in the resulting level of the reduction, but that a transitional arrangement of an 8.5% cut in the calculated reduction apply at least until 31st March 2015 with full protection from any scheme changes being given to pensioners (required by law), war pensioners, disabled adults and children, and lone parents with a child under 5 years.
- 4.17 The council recognises the impact that poverty has on people's life chances, and the contribution that may be made by changes in welfare provision. The range of action is being translated into a strategy for tackling poverty which is currently being drafted.

#### **Localism and 'our society in Dudley' (objective 5)**

- 4.18 The council, alongside Dudley Council for Voluntary Service, has been working with a number of community groups interested in community asset transfer or sharing resources, for example, community centres. This is providing a range of different communities with the opportunity to run and develop their own facilities, and is proving a more fruitful avenue for communities to pursue than the new rights under the Localism Act 2011. As required under the Act, a process is in place to deal with any nominations for assets of community value received<sup>1</sup>. There has been little interest locally in nominating assets of community value.

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<sup>1</sup> Voluntary and community organisations and parish councils can nominate an asset to be included in a 'list of assets of community value'. If the owner of a listed asset then wants to sell the asset a moratorium period will be triggered during which the asset cannot be sold. This is intended to allow community groups time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of that period.



- 4.19 Similarly, the Right to Challenge gives community groups, parish councils and local authority employees the right to submit an “expression of interest” in taking over and running a local authority service, for which a window has opened for 2 months of each year (May and June), but again there has been little interest.
- 4.20 A new strategy for community engagement is being drawn up, together with some actions, which should support the aspirations of the council in becoming a community council in ensuring that the council engages closely with its different communities. Tools and guidance for engagement are being updated.

#### **Hate crime (objective 6)**

- 4.21 Work continued during the year through the community safety partnership Safe and Sound on tackling hate crime which has been highlighted as a partnership priority, with, for example, agreements in place for the prompt removal of hate motivated graffiti. A regional hate crime group of local authority leads shared information and good practice across the region.
- 4.22 The police (including on-line reporting through the ‘True Vision’ site), Dudley Council Plus and Victim Support are the major reporting facilities for hate crime in the borough, and further third party reporting centres have been added during the year, including St Thomas’s Network, Halesowen Yemeni Community Centre and Baitul Ghafoor Mosque, Halesowen. The Dudley Safe and Sound website had been improved with a specific reporting facility on the home page and is updated as new reporting centres are designated. The True Vision site provides downloadable materials such as posters, particularly useful for those setting up the third party centres.
- 4.23 The ‘Safe Places’ scheme, supported by the council and other partners within Safe and Sound, led by Dudley Voices for Choice (a local user-led voluntary organisation of people with a learning disability), now includes 27 locations across the borough. Initially set up to develop effective reporting mechanisms for disabled people, expanding the support to other groups is being discussed.
- 4.24 The Directorate of Children’s Services has updated the process for schools to report racist incidents and a number of initiatives such as ‘Show Racism the Red card’ events and anti-bullying debates were held over the year with the community safety team, including tackling issues such as on-line bullying.

- 4.25 The use of civil remedies such as restorative justice options as a response to hate crime are being explored where appropriate. Training has been rolled out and an evaluation of outcomes would be considered as these options are delivered.

#### **Domestic abuse (objective 7)**

- 4.26 A number of campaigns continue to be run to highlight domestic abuse. 'Domestic abuse isn't always obvious', which is intended to tackle underreporting amongst particular groups, has been running for over two years. It includes information cards and a YouTube video and has received interest both from the Home Office and the United Nations.
- 4.27 The Home Office changed the definition of domestic abuse during 2013 to include 16-18 year olds. As many young people suffering from abuse do not recognise that they are being abused, raising their awareness of what it constitutes is an important step. The Home Office has funded all local authorities for training to take on awareness raising around child sexual exploitation, sexual violence and honour-based violence and an officer in the community safety team is taking on this part-time role.
- 4.28 Work on tackling child sexual exploitation is also being carried out through the safeguarding children arrangements. Councils in the West Midlands county, along with the police and other organisations, are working together to raise the profile of child sexual exploitation. The 'See Me, Hear me' campaign was launched in June 2014 aiming to protect children at risk by increasing people's understanding of child sexual exploitation and how to spot the warning signs in a child's behaviour. There will be targeted resources, such as information packs, aimed at parents, schools, relevant businesses and the children and young people themselves, and a website has been developed at [www.seeme-hearme.org.uk](http://www.seeme-hearme.org.uk)
- 4.29 Other developments include the Community Safety Team and the Office of Public Health in the Chief Executive's Directorate commissioning a new domestic abuse support service which has replaced the independent domestic abuse advisers from 1 July. The Home Office now had a scheme in place to provide some funding for victims who had 'no recourse to public funds'<sup>2</sup>. Locally, links had been made with the Asian Women's Centre to try to deal with some local cases. The Multi-agency Risk Assessment Conference (MARAC) meets every two weeks to deal with domestic abuse cases with the highest risks involved. MARAC was dealing with an increase in cases of

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<sup>2</sup> Condition attached to someone's permission to be in the UK preventing them accessing support or a safe place to stay

women from ethnic/religious backgrounds which had in the past had low reporting rates.

#### **Council employment issues (objectives 8-11)**

- 4.30 Recruitment to the council's workforce has fallen significantly over the last few years due to vacancy management and posts being deleted in order to meet budget savings. There has therefore been limited opportunity to address the objective to tackle underrepresentation in the council's workforce which had been set before the impact of public expenditure cuts had taken effect. The recruitment process has been reviewed and new guidance issued alongside the introduction of Talentlink during 2013. The current human resources strategy is coming to an end and will be reviewed during the year.
- 4.31 Looking at redundancies, the equality impact assessments of the budget process relating to staffing changes have shown little disproportionate impact on the percentages of employees from BME groups or who have a disability. Detailed employment data is presented in section 6 of the review.
- 4.32 A 'disability confident' campaign to promote the employment of people with a learning disability and or autism has been led by the council's Employment Plus Team with Dudley Voices for Choice. Related literature has been incorporated into the recruitment information. 'Job carving' (customising and swapping job duties) is to be included to help with employment opportunities for people with learning disabilities.
- 4.33 Having been in place for 12 months, the attendance management is subject to a review and, along with other key stakeholders including managers and trade union representatives, the employees with disabilities group has been consulted about its operation. The introduction of more flexible working as part of the council's Transforming our Workplace programme, reducing and making better use of offices in Dudley, has the potential to help with the retention of staff, particularly those who have caring responsibilities or disability or health-related issues. A workplace wellbeing programme has been piloted aimed at healthier lifestyles and reductions in absence.
- 4.34 There has been a need over the last two years to tackle the looming gap in senior management in terms of addressing future leadership requirements as the effects of redundancies and the restructuring of senior management are felt. A leadership development programme has been run for staff on the grades just below assistant director. Adjustments were made to the recruitment process to the programme to ensure a more diverse range of participants. In terms of leadership training, the next step is to look at the tier

covering grades 7-12. This will have a focus on the emotional impact of managers' actions and decisions. The aim is to launch this middle management leadership programme later in the year.

- 4.35 Following the collective agreement on the new grading and pay structure being implemented from 1 April 2012, nearly all remaining appellants had their appeals heard by the end of 2013, save for a small number due, for example, to long-term sickness absence.
- 4.36 The availability of e-learning courses on equality, which have covered all directorates and are available to elected members to complete, has been extended for a further year until April 2015. Face to face equality training sessions (based on the online package) are being held for employees without regular access to a PC and a 'workbook' approach is being piloted as a way of meeting ongoing equality training needs. E-learning courses, though, continue to be complemented by more traditional training, briefings and resources on the equality intranet pages for employees and members, such as an introductory briefing on equality responsibilities during the induction training programme for the 2014 intake of new members.

## **5. Other equality scheme issues**

- 5.1 As in recent years considerable effort was made to ensure the decisions made around the budget for 2014/15 complied with the requirements of the public sector equality duty through undertaking consultation and equality impact assessments of relevant proposals.
- 5.2 The annual BME community engagement event was held in November 2013 and focussed on the budget proposals for 2014/15, giving members of the community the opportunity to ask questions and to take part in the budget consultation, as well including presentations on the ongoing welfare reforms and opportunities for developing social and community enterprises in the borough.
- 5.3 The equality scheme identified the high levels of unemployment amongst young people as a pressing issue. The council has worked with the Construction Youth Trust which has run eight courses in the borough since June 2013, reaching 135 people in the 16 to 30 age group, directly targeting areas where there is a high level of disadvantaged young people. The courses have been followed by work experience placements with partners, including Lovells and Midland Heart. Many of the trainees have gained work

within the industry, including apprenticeships with the council, entered education and gained qualifications.

- 5.4 Dudley Council for Voluntary Service and the council ran a campaign during Volunteers Month in June to encourage 100 organisations to commit to providing volunteering opportunities for young people. The campaign was a response to the low number of volunteering opportunities that exist locally for 15- 25 year olds, compared to the number of young people who wish to boost their CVs by volunteering.
- 5.5 Other notable achievements include the council's Telecare Service, which supports older and disabled people to live at home independently through providing remote care linked to a 24 hour monitoring service, receiving the highest level of accreditation from the Telecare Services Association following an assessment against its integrated quality standard.
- 5.6 The council supported the 'Dementia Friends' campaign launched by Public Health England and the Alzheimer's Society in June to help frontline staff to develop an understanding of dementia. Staff can complete an online training course to help them to recognise when a customer has dementia so they can provide a better service to them when they visit council buildings, such as libraries.
- 5.7 Carers Quest, a national drive to identify and support carers who are unaware of what support is available to them, was promoted during Carers Week in June. Both the Carers network, which offers advice and information to carers, and Dudley libraries pledged to work with local partners in the voluntary sector to identify 500 carers who are unaware of what support is available to them.
- 5.8 An LGBT employees network was established within the council during the year for the first time to provide support and contacts. The employees with disabilities group also continues to play a role in supporting and promoting the interests of disabled employees.

## **6. Employment monitoring data**

- 6.1 The presentation and analysis of employment monitoring data assists the council in assessing the extent to which it is providing fair employment opportunities for all groups. It also provides evidence in reporting progress with relevant equality objectives, alongside its wider public sector equality duties. The specific duty to publish equality information does not specify exactly what must be included although the Equality and Human Rights Commission has provided some guidance on what it would expect to see published.
- 6.2 Since 2011/12 there has been a year on year reduction in the number of council employees. The programme of voluntary redundancies, a relatively small number of compulsory redundancies, alongside vacancy management has helped to achieve the required budget reductions which the council is having to implement. The council (including schools), as of 1 April 2014, employs around 2000 fewer people than in April 2010. As a result of budget decisions taken during 2013/14, there have been 115 voluntary redundancies approved to date (23<sup>rd</sup> September 2014). 12 employees at risk of compulsory redundancy were redeployed or redundancy bumped into posts vacated by voluntary redundancy. Compulsory redundancies were reduced through this means to 16 to date, although currently a number remain at risk.
- 6.3 Managers and employees faced with redundancy situations continue to be offered a range of support through the 'supporting people through budget savings' intranet site and the 'facing the future programme', a package of learning and development activities.
- 6.4 Employment data summary reports are provided quarterly for Cabinet members and directors.

### **Workforce profile**

- 6.5 A summary of the council's workforce broken down by directorates, including schools, sex, disability, white/BME groups and part-time employees as at 1<sup>st</sup> April 2014 is set out at Appendix 2(a).
- 6.6 Appendices 2(b) and 2(c) provide a grade breakdown of this data, showing higher paid employees at grade 9 and above (principal officer grades – salaries of about £28,900 and above - approximately the highest paid 20% of the workforce), excluding schools, and employees in the lower grades below grade 9 respectively.

- 6.7 Appendix 2(d) shows the workforce profile by age and Appendix 2(e) a more detailed directorate breakdown by ethnic group.
- 6.8 Comparative information for other authorities which was provided by the former Audit Commission has not been available since 2007/08.

### **Sex**

- 6.9 The sex breakdown of the workforce is shown at Appendix 2(a). The council's workforce remains at around 75% female. Excluding schools it is lower at 66%, having altered little over the past few years. This is a common picture for similar local authorities, but differs from the national economy where a higher proportion of men than women are employed. Professions such as teaching and care, which contribute large numbers to the public sector workforce, continue to employ high proportions of women and so explain a good deal of the difference between sectors. The proportion of women employed remains particularly high in the Directorate of Children's Services and in schools at over 80%. Where there are more traditionally male occupations in the Directorate of Urban Environment, there is a sizeable majority of male employees (64%).

### **Race**

- 6.10 Table 1 shows the percentage of BME employees in the council's workforce including and not including schools.<sup>3</sup> For the whole council including schools, 6.6% of the workforce is from a BME background. Taking schools out of the equation, the figure for BME employees in the workforce is 8.7%. There has been a significant year on year rise in this figure for many years.
- 6.11 Figures from the 2011 Census show that the BME population of the borough has increased from the 2001 Census figure of 6.3% to 10%, although it should be noted that there is a significantly higher proportion of the population of below working age from a BME background (18% of under 16s in 2011)<sup>4</sup>.
- 6.12 The more detailed breakdown (Appendix 2 (a)) shows some variation between directorates in the proportion of employees from BME communities with Children's Services and Chief Executive's the highest at 11% or more and Urban Environment and schools the lowest at just over 4%. Appendix 2(e) provides a breakdown of employees by individual ethnic groups.

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<sup>3</sup> The 16 ethnic origin categories in the 2001 Census have been used for the council's employment monitoring. BME communities are defined as the 13 non-white groups using these categories

<sup>4</sup> The 2011 Census used revised ethnic origin categories so the results were not derived on exactly the same basis as in the 2001 Census.

## Disability

6.13 Table 2 shows that the proportion of council employees who have stated that they have a disability in the workforce (not including schools) has remained the same at 3.2% as in the previous year. More detailed statistics are shown at Appendix 2(a). The equality impact assessments of the effect of the budget

**Table 1. Dudley MBC percentage employees from ethnic minority communities**

Year	Percentage of employees from BME communities	
	including schools	excluding schools
2013/14	6.6%	8.7%
2012/13	6.4%	8.4%
2011/12	6.2%	8.2%
2010/11	6.2%	7.8%
2009/10	6.0%	7.4%

Notes to table 1: those for whom ethnic origin is not known are excluded from the analysis. BME communities are defined as the 13 non-white groups using the 2001 Census categories.

**Table 2. Dudley MBC percentage of employees with a disability**

Year	Percentage of employees with a disability	
	including schools	excluding schools
2013/14	1.9%	3.2%
2012/13	1.8%	3.2%
2011/12	1.9%	3.3%
2010/11	2.0%	3.4%
2009/10	1.7%	2.8%

Note to table 2: disability is as defined in the Equality Act 2010; figures represent those employees who have indicated that they have a disability on the HR system.



cuts on employees have in the past shown a slightly higher proportion of redundancies of employees with a disability than those without, although this may be explained by the older age profile of voluntary redundancy requests with older workers more likely to have a disability than younger ones.

### **Age**

- 6.14 The age profile of the workforce is set out at Appendix 2(d). Nationally, the default retirement age of 65 was phased out between 6<sup>th</sup> April and 1st October 2011. Previously to this, the council had raised its retirement age to 70 in response to age discrimination legislation that had come into force in October 2006. This saw initially an increase in the numbers of employees aged 65 or over. In more recent years it is hard to discern any clear trends in the age profile of the workforce, either with younger employees or with older employees.

### **Other protected characteristics**

- 6.15 There has been a further increase in employees providing their sexual orientation, although these are still in a small minority. A small majority of employees has provided their religion or belief and, although it is not possible to draw significant conclusions from this level of data, the figures do not suggest a position much out of line with the background adult population of the borough. The large majority of recruits provide their religion or belief so this figure should increase. Employees are reminded annually about updating the information held on them, but it is not a requirement to provide this information. Once a decision is made about the future of the personnel and payroll system there is proposed to be a push to encourage more employees to provide the data.

### **Recruitment**

- 6.16 Vacancies are advertised externally on [www.wmjobs.co.uk](http://www.wmjobs.co.uk), the portal for public sector jobs across the region, accessible through the council's website. People looking for jobs can sign up for alerts by email. The new Talentlink recruitment system which simplifies the process involved has been introduced. The retraining and redeployment policy for employees when they can no longer continue in their existing posts for reasons (e.g. restructuring, capability or ill-health), other than misconduct continues to operate, especially to provide opportunities for continuing employment for staff at risk of redundancy through budget pressures.
- 6.17 Appendix 3 provides a summary of overall recruitment activity for the council, including schools, by race, sex, disability, religion or belief and age during

2013/14. Tables 3, 4 and 5 show the percentage at each stage of the recruitment process for candidates from a BME background, women and disabled people respectively, compared with the previous four years. The Job Centre Plus's 'positive about disabled people' scheme (two ticks symbol) commits the council to shortlist disabled candidates who meet the essential criteria for a post. The trend over the last few years for the success rates of BME applicants in being taken on by the council to be below those for people from white groups continued in 2013/14. However, the trend over the previous four years for women to be more successful than men reversed in 2013/14.

**Table 3. Recruitment analysis – percentage BME groups**

Year	Applied	Shortlisted	Appointed
2013/14	20.9%	16.9%	12.6%
2012/13	19.1%	17.0%	12.5%
2011/12*	18.4%	16.7%	11.7%
2010/11	17.9%	15.9%	13.2%
2009/10	18.0%	20.3%	13.7%

Notes to table 3: for the analysis those for whom no ethnic origin is recorded are included in the white groups

\*Amended figures from those originally published in annual review 2012

**Table 4. Recruitment analysis – percentage women**

Year	Applied	Shortlisted	Appointed
2013/14	68.6%	66.4%	62.0%
2012/13	57.2%	66.3%	65.0%
2011/12	59.8%	64.1%	62.5%
2010/11	54.2%	64.3%	70.0%
2009/10	39.1%	58.1%	58.9%

**Table 5. Recruitment analysis – percentage disabled people**

Year	Applied	Shortlisted	Appointed
2013/14	4.0%	4.8%	2.3%
2012/13	2.5%	3.4%	2.0%
2011/12	2.2%	2.2%	1.7%
2010/11	2.8%	3.4%	2.7%
2009/10	2.3%	3.0%	3.2%

Note to table 5: for the analysis those who have not stated whether or not they have a disability are included in the not disabled group

### **Grievances and disciplinary action**

- 6.18 There was one claim lodged with the Employment Tribunal from April 2013 to March 2014 alleging discrimination in employment by the council on the grounds of any of the protected characteristics (equal pay claims are not included) (see table 6). One claim involving a school from the previous year was also passed to the council to deal with. No claims were lost by the council – both were settled outside of tribunal - and it continues not to have lost a tribunal case on the grounds of discrimination for many years.

**Table 6. Dudley MBC employment tribunal discrimination cases brought April 2013 – March 2014**

Directorate	Case Details	Application Lodged	Outcome
Adult, Community and Housing Services	Race discrimination	December 2013	Settled outside tribunal
Schools	Disability discrimination	December 2012*	Settled outside tribunal

\*Brought to attention of HR in April 2013; the school brought in HR's support

- 6.19 The substantially lower number of grievances received from staff seen in 2012/13 compared with the previous two years continued into 2013/14 and with a drop in the proportion from BME employees to nearer to their proportion in the overall workforce. There was a slightly higher number of

instances of disciplinary action in 2013/14 than in 2012/13, but there was again a smaller proportion of BME employees within this.

## **7. Conclusions**

- 7.1 This is the second full year of reporting on the council's equality objectives set out in the 2012-15 equality scheme. Since the objectives were approved by the Cabinet, the council, like other local authorities, has continued to have to make significant reductions in its budget year on year and these are inevitably having an effect on delivery of planned actions and the maintenance of past service levels. However, significant progress has been made against the majority of the equality objectives.
- 7.2 Where progress is less clear, in terms of closing the gap in educational attainment (objectives 1 and 2), the picture is mixed and the ability of the council to influence levels of attainment has reduced, although it continues to provide advice and support to many schools. With limited recruitment in recent years, there has been much reduced scope to improve the levels of recruitment of disabled employees and other underrepresented groups in the council's workforce, although action which has been taken has been outlined in this and previous annual reviews (objective 8). While a financial inclusion strategy was not completed in line with the original target date, a range of associated action has been taken over the last two years and a strategy on tackling poverty is currently being produced (objective 4).
- 7.3 This review, as well as reporting progress on the equality objectives, helps to fulfil the broader requirement to publish information about how the council is meeting the general public sector equality duty.

Corporate Policy and Research Team  
Chief Executive's Directorate  
October 2014

## **Appendix 1. Equality scheme key objectives 2012-15 (with lead director)**

1. Narrow the gap in educational achievement between underachieving protected groups of children and young people and the borough average (Director of Children's Services)
2. Narrow the gap in educational achievement between looked after children and the borough average (Director of Children's Services)
3. Develop affordable housing provision such as extra care housing to meet needs of an ageing population (Director of Adult, Community and Housing Services)
4. Develop a financial inclusion strategy by March 2013 which identifies initiatives and actions to support protected groups ((Director of Adult, Community and Housing Services)
5. Ensure that the actions of the council and its partners in response to the community rights in the Localism Act and in developing our society in Dudley advance equality of opportunity and foster good relations (Chief Executive)
6. Improve awareness and reporting of, and responses to, hate crime (Chief Executive)
7. Improve awareness of domestic abuse amongst those communities which have low reporting rates with the aim of increasing reporting (Chief Executive)
8. Improve the levels of recruitment and retention of disabled employees and other underrepresented groups in the council's workforce (Director of Corporate Resources)
9. Implement the new pay and grading structure within the council from 1 April 2012, addressing equal pay and other issues (Director of Corporate Resources)
10. Improve the equality related knowledge and skills of employees (Director of Corporate Resources)
11. Develop and implement a clear and transparent framework for employees that identifies the development needed for current and future leaders and managers working at all levels (Director of Corporate Resources/Director of Adult, Community and Housing Services).

## Appendix 2(a). Dudley MBC workforce profile - 31 March 2014

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Community &amp; Housing</b>	2412	790	33	117	15	1622	67	1011	62	2087	86.5	205	8.9	120	94	3.9
<b>Chief Executive's</b>	184	42	23	3	7	142	77	61	43	153	83.2	19	11.0	12	6	3.3
<b>Children's Services</b>	2041	346	17	149	43	1695	83	1134	67	1689	82.8	212	11.2	140	40	2.0
<b>Schools</b>	6471	965	15	396	41	5506	85	3782	69	6104	94.3	279	4.4	88	26	0.4
<b>Corporate Resources</b>	850	283	33	29	10	567	67	247	44	736	86.6	76	9.4	38	35	4.1
<b>Urban Environment</b>	1376	885	64	179	20	491	36	322	66	1240	90.1	53	4.1	83	48	3.5
<b>Total</b>	<b>13334</b>	<b>3311</b>	<b>25</b>	<b>873</b>	<b>26</b>	<b>10023</b>	<b>75</b>	<b>6557</b>	<b>65</b>	<b>12009</b>	<b>90.1</b>	<b>844</b>	<b>6.6</b>	<b>481</b>	<b>249</b>	<b>1.9</b>
<b>Total excluding schools</b>	<b>6863</b>	<b>2346</b>	<b>34</b>	<b>477</b>	<b>20</b>	<b>4517</b>	<b>66</b>	<b>2775</b>	<b>61</b>	<b>5905</b>	<b>86.0</b>	<b>565</b>	<b>8.7</b>	<b>393</b>	<b>223</b>	<b>3.2</b>

### Notes:

Staffing figures exclude 212 relief support assistants (temporary employees)

PT – part-time (fewer than 37 hours a week)

\*BME % excludes not knowns

**Appendix 2(b). Dudley MBC workforce profile – grade 9 and above - 31 March 2014 (not schools)**

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Community &amp; Housing</b>	503	267	53	7	3	236	47	70	30	434	86.3	53	10.9	16	25	5.0
<b>Chief Executive's</b>	96	33	34	3	9	63	66	21	33	79	82.3	14	15.1	3	5	5.2
<b>Children's Services</b>	460	125	27	8	6	335	73	101	30	367	79.8	56	13.2	37	16	3.5
<b>Corporate Resources</b>	246	120	49	10	8	126	51	35	28	218	88.6	18	7.6	10	10	4.1
<b>Urban Environment</b>	197	142	72	7	5	55	28	16	29	179	90.9	12	6.3	6	8	4.1
<b>Total</b>	<b>1502</b>	<b>687</b>	<b>46</b>	<b>35</b>	<b>5</b>	<b>815</b>	<b>54</b>	<b>243</b>	<b>30</b>	<b>1277</b>	<b>85.0</b>	<b>153</b>	<b>10.7</b>	<b>72</b>	<b>64</b>	<b>4.3</b>

Notes:

Staffing figures exclude 212 relief support assistants (temporary employees)

PT – part-time (fewer than 37 hours a week)

\*BME % excludes not knowns

Bottom point of grade 9 on 31 March 2014 equates to a salary of £28,900 approx

**Appendix 2(c). Dudley MBC workforce profile below grade 9 - 31 March 2014 (not schools)**

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Community &amp; Housing</b>	1909	523	27	110	21	1386	73	941	68	1653	86.6	152	8.4	104	69	3.6
<b>Chief Executive's</b>	88	9	10	0	0	79	90	40	51	74	84.1	5	6.3	9	1	1.1
<b>Children's Services</b>	1581	221	14	141	64	1360	86	1033	76	1322	83.6	156	10.6	103	24	1.5
<b>Corporate Resources</b>	604	163	27	19	12	441	73	212	48	518	85.8	58	10.1	28	25	4.1
<b>Urban Environment</b>	1179	743	63	172	23	436	37	306	70	1061	90.0	41	3.7	77	40	3.4
<b>Total</b>	<b>5361</b>	<b>1659</b>	<b>31</b>	<b>422</b>	<b>27</b>	<b>3702</b>	<b>69</b>	<b>2532</b>	<b>68</b>	<b>4628</b>	<b>86.3</b>	<b>412</b>	<b>8.2</b>	<b>321</b>	<b>159</b>	<b>3.0</b>

Notes:

Staffing figures exclude 212 relief support assistants (temporary employees)

PT – part-time (fewer than 37 hours a week)

\*BME % excludes not knowns

Bottom point of grade 9 on 31 March 2014 equates to a salary of £28,900 approx



**Appendix 2(d). Dudley MBC workforce profile by age - 31 March 2014**

Directorate	16 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	Over 65	Total staff
<b>Adult, Community and Housing Services</b>	92	138	178	187	310	438	459	372	186	52	<b>2412</b>
<b>Chief Executive's</b>	6	13	19	25	22	34	25	24	11	5	<b>184</b>
<b>Children's Services</b>	90	142	184	187	275	382	342	249	153	37	<b>2041</b>
<b>Schools</b>	536	538	706	658	951	1016	841	645	357	223	<b>6471</b>
<b>Corporate Resources</b>	46	62	97	93	120	150	147	86	40	9	<b>850</b>
<b>Urban Environment</b>	95	106	103	101	149	230	220	174	117	81	<b>1376</b>
<b>Total</b>	<b>865</b>	<b>999</b>	<b>1287</b>	<b>1251</b>	<b>1827</b>	<b>2250</b>	<b>2034</b>	<b>1550</b>	<b>864</b>	<b>407</b>	<b>13334</b>
<b>% of total</b>	<b>6.5%</b>	<b>7.5%</b>	<b>9.7%</b>	<b>9.4%</b>	<b>13.7%</b>	<b>16.9%</b>	<b>15.3%</b>	<b>11.6%</b>	<b>6.5%</b>	<b>3.1%</b>	<b>100.0%</b>

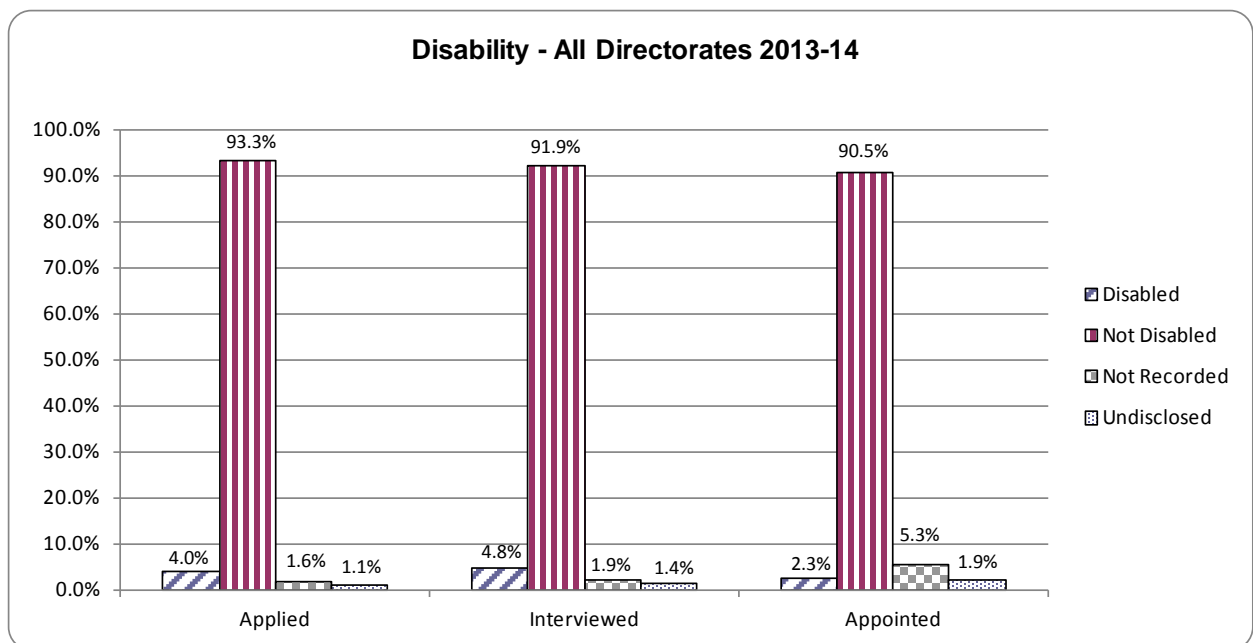
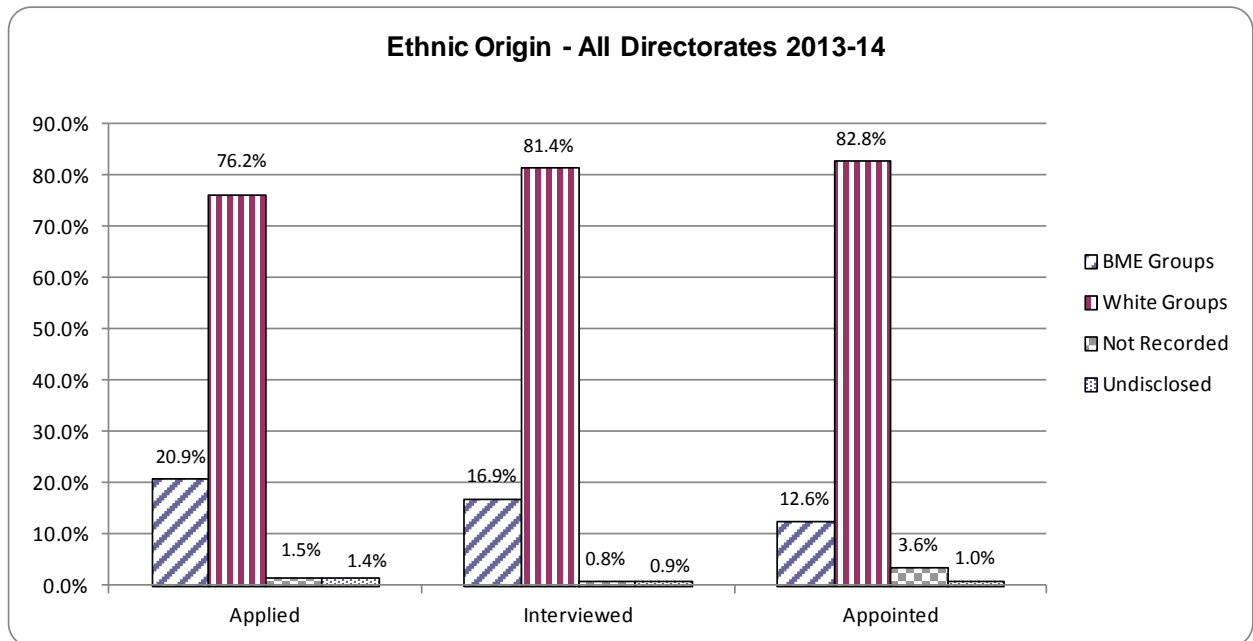
Note:

Staffing figures exclude 167 relief support assistants (temporary employees)

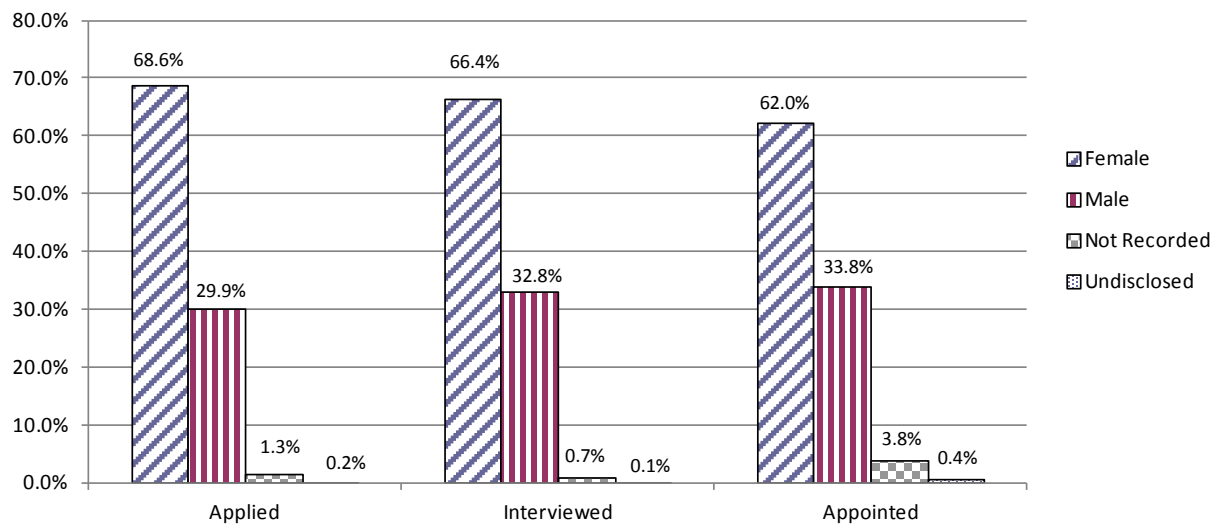
**Appendix 2(e). Dudley MBC workforce profile by ethnic origin - 31 March 2014**

<b>Group</b>	<b>Adult, Community &amp; Housing Services</b>	<b>Chief Executive's</b>	<b>Children's Services</b>	<b>Corporate Resources</b>	<b>Schools</b>	<b>Urban Environment</b>	<b>Grand Total</b>	<b>Total Excluding Schools</b>
British	2057	151	1659	730	6018	1217	<b>11832</b>	<b>5814</b>
Irish	5	0	8	0	31	7	<b>51</b>	<b>20</b>
Any Other White Background	25	2	22	6	55	16	<b>126</b>	<b>71</b>
Caribbean	59	4	73	16	43	10	<b>205</b>	<b>162</b>
African	7	1	7	0	9	1	<b>25</b>	<b>16</b>
Any Other Black Background	4	2	7	1	4	3	<b>21</b>	<b>17</b>
Indian	66	8	50	34	99	19	<b>276</b>	<b>177</b>
Pakistani	29	1	31	11	58	5	<b>135</b>	<b>77</b>
Bangladeshi	5	0	2	3	4	0	<b>14</b>	<b>10</b>
Any Other Asian Background	7	1	15	5	19	1	<b>48</b>	<b>29</b>
White and Black Caribbean	16	0	15	3	17	8	<b>59</b>	<b>42</b>
White and Black African	2	0	0	0	1	0	<b>3</b>	<b>2</b>
White and Asian	4	1	3	1	8	2	<b>19</b>	<b>11</b>
Any Other Mixed Background	3	0	5	0	7	2	<b>17</b>	<b>10</b>
Chinese	2	1	2	2	6	2	<b>15</b>	<b>9</b>
Other	1	0	2	0	4	0	<b>7</b>	<b>3</b>
Unspecified	120	12	140	38	88	83	<b>481</b>	<b>393</b>
<b>Grand Total</b>	<b>2412</b>	<b>184</b>	<b>2041</b>	<b>850</b>	<b>6471</b>	<b>1376</b>	<b>13334</b>	<b>6863</b>

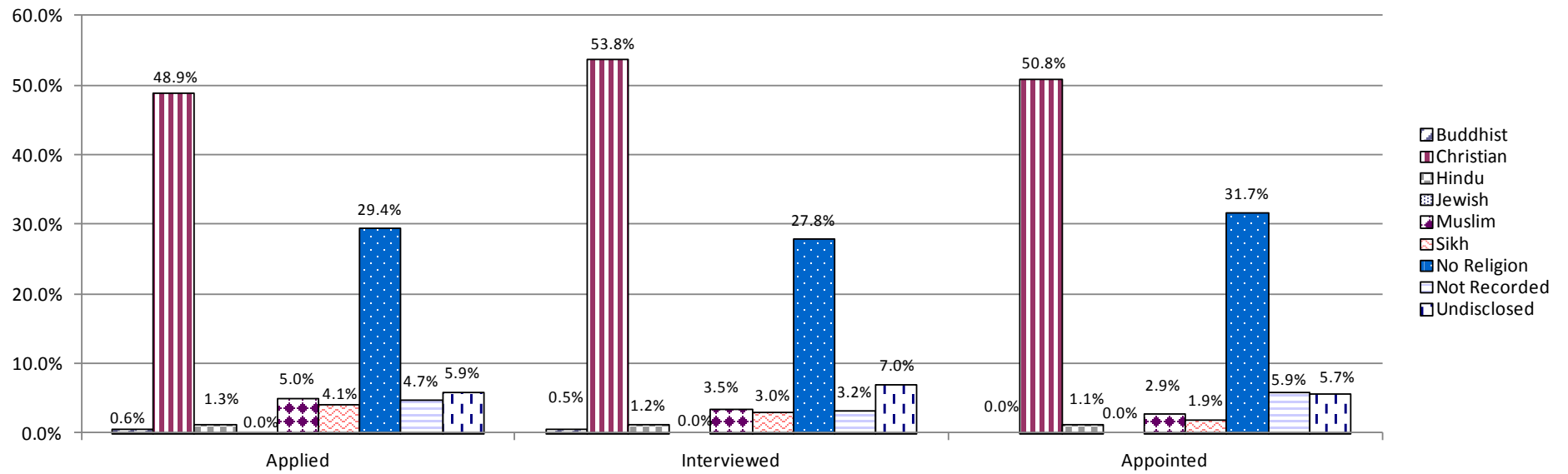
### Appendix 3. Dudley MBC recruitment data: April 2013 – March 2014



### Gender - All Directorates 2013-14



Religion or Belief - All Directorates 2013-14



Age Group - All Directorates 2013-14

