

Annual Review of Equality and Diversity 2011



September 2011

Dudley Metropolitan Borough Council

Annual Review of Equality and Diversity 2011

Contents

1. Introduction	3
2. National developments	3
3. Local priorities	5
4. Disability equality scheme action plan	6
5. Gender equality scheme action plan	10
6. Other equality action	13
7. Employment monitoring	16
8. Conclusions	22
Appendix 1(a) - Disability equality scheme action plan	23
Appendix 1(b) – Gender equality scheme action plan	26
Appendix 2 - Workforce profiles	29
Appendix 3 – Recruitment monitoring	34

1. Introduction

- 1.1 Dudley Council has produced an annual review of equality and diversity for the last ten years. The purpose of the review is to present information about work undertaken across the council in advancing equality and to provide an analysis of data relating to council employment. In recent years the review has responded to the statutory requirements on reporting progress annually on the authority's disability and gender equality schemes and on data relating to race equality in employment. These legal requirements are no longer in place, but the review will in future help the council to meet the proposed new duty for public authorities to publish equality information to demonstrate how they are meeting the general duties set out in the Equality Act 2010.
- 1.2 The annual review provides an opportunity for elected members and others who are interested to scrutinise progress on equality. The review is circulated to the scrutiny committee which has the responsibility for council-wide equality and diversity work – the Regeneration, Culture and Adult Education Scrutiny Committee – prior to being taken to the council's Cabinet for approval. The review is published along with a wide range of other equality information on the council's website at www.dudley.gov.uk.
- 1.3 Individual directorates within the council continue to prepare annual equality and diversity action plans and annual reports which cover in more detail plans and progress with directorates' equality and diversity work, providing complementary information to this review.

2. National developments

- 2.1 The key national development in the equality field during the last twelve months has been the bringing into force of the majority of the duties contained in the Equality Act 2010. The Act consolidates a wide range of different acts and regulations in order to simplify legislation, improve consistency and extend protection in some areas.
- 2.2 Much of the Act was brought into force on 1st October 2010. This included the overall framework of protection against direct and indirect discrimination, harassment and victimisation for protected groups. Protected groups are those which share the following protected characteristics (although NB the extent of protection does vary between some of the groups e.g. marriage and civil partnership is covered in relation to employment but not delivering services):

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including ethnic or national origins, colour and nationality)
- religion or belief
- sex, and
- sexual orientation.

- 2.3 In April 2011, a new, extended general public sector equality duty covering age, religion or belief, sexual orientation, gender reassignment, and pregnancy, as well as disability, gender and race which were covered by the existing duty, came into force. Proposals for specific public sector equality duties, which now cover requirements to publish equality information by 31st January 2012 and annually thereafter, and equality objectives by 6th April 2012, have undergone a number of amendments with Regulations finally published in September 2011.
- 2.4 The Coalition Government undertook consultation during the spring of 2011 on the banning of age discrimination when providing services or carrying out public functions, which it proposes to implement from April 2012.
- 2.5 The Coalition Government has continued to review which other parts of the Act it intends to bring into force and when, with decisions on some still to be made. Some provisions which were contained in the Act, notably the public sector equality duty on socio-economic inequalities, will not be implemented.
- 2.6 The Equality and Human Rights Commission (EHRC) has issued a number of statutory and non-statutory codes of practice to provide detailed guidance in implementing the law, with further guidance awaited, notably the key statutory code of practice on the duties for public authorities. This has been considerably delayed, but should be out for consultation in the autumn.
- 2.7 The significance of the public sector equality duties has been highlighted by a number of legal challenges across the country where public authorities have been found not to have adhered sufficiently to the duties. This has been a particular issue where public authorities have been making decisions to reduce funding to voluntary and community sector organisations or to reduce services in order to implement budget cutbacks.

- 2.8 The Coalition Government has been reviewing the approach to community cohesion, the Prevent agenda and hate crime. It has indicated that its approach will be to separate Prevent work from that on integration, recognising that both are important, are interdependent to some extent but not identical. The Prevent strategy has been re-focused and was presented to Parliament by the Home Secretary in June 2011. The Government is looking to develop its integration policy by the end of the year. A cross-government strategy on hate crime is promised for December 2011.

3. Local priorities

- 3.1 The council's equality scheme has provided details of the council's approach to promoting equality, setting out how it will meet its legal requirements. Preparation of equality schemes is no longer a legal requirement for public authorities. However, it is still felt to be useful to have in place an overall equality scheme or strategy. A new scheme, therefore, is being drafted to take into account the changes brought in by the Equality Act 2010 and to build on the progress achieved through the previous schemes. The revised equality scheme will also, along with this review, contribute to meeting the proposed duties on publishing equality objectives and equality information (see paragraph 2.3).
- 3.2 This review reports on progress with the disability and gender equality scheme action plans which were put in place to meet the requirement at the time, during 2009/10, for fresh three-year schemes to be published. Last year's review provided a final report on the overall 2007-10 equality scheme, covering all equality groups.
- 3.3 The 2010 annual review identified the following priorities for the 2010/11 year for focussed work, on which progress is reported in the review:
- ensuring that the changes introduced by the Equality Act 2010 are responded to in changing policies, procedures and practices, supported by training and briefings, particularly through the introduction of e-learning on equality,
 - continuing action aimed at improving the recruitment and retention of disabled employees, and
 - continuing to embed equality impact assessments and reviewing the approach in the light of the Equality Act 2010.

- 3.4 The analysis set out in this annual review looks at how well priorities and actions have been addressed and identifies further areas to be addressed in the future, looking first at the actions set out in the revised disability and gender equality schemes. While the action plans in these schemes were drawn up with a specific focus on progressing disability and gender equality, many of the actions have much broader relevance across other protected characteristics. It should be noted that the substantial budget reductions with which the council is faced will inevitably have some impact on the ability to sustain previous service levels and to implement planned initiatives.

4. Disability equality scheme action plan

- 4.1 A revised three year disability equality scheme meeting the statutory requirements at the time was published in December 2009, following the involvement of Action for Disabled People and Carers (ADC), the employees with disabilities group and other groups in updating the scheme. Progress in implementing the action plan (see Appendix 1(a)) is summarised below.
- 4.2 E-learning courses on equality are now being rolled out across the council (see paragraph 6.4 for more details). These include a range of information and scenarios around disability equality. The 'Carer aware' e-learning course, which was developed through the Directorate of Adult, Community and Housing Services with Cylix (the company which provided the equality e-learning), has been recognised as good practice by the Social Care Institute for Excellence, Skills for Care and the NHS Institute for Innovation and Improvement. It aims to raise awareness about carers, their role and rights as well as support available within the borough. Nearly 40 authorities around the country are adapting this package for their own use (action 1).
- 4.3 Many people now access information about the council through its website. A review of the council's website has been carried out which incorporates measures to improve its accessibility and the information it contains. There are still some issues with externally supplied web systems which may not conform to the same level of accessibility which will need to be addressed when new systems are procured (2).
- 4.4 Disabled people frequently raise the lack of availability and accessibility of transport as one of the main barriers they face. In response, the physical and sensory disability conference in July 2011 was dedicated to this theme with a range of transport agencies, providers and elected members present to

discuss with local disabled people what they offer or are responsible for, and how this might be improved. A large number of questions were raised on the day by disabled people and a full feedback report is being prepared (3).

- 4.5 Last year's review referred to work carried out between ADC, Dudley Federation of Tenants and Residents Associations and council officers to improve aspects of the home adaptations process. A survey of people who had recently had a major adaptation undertaken was carried out as part of the review. The results are now available and show that in fact most people are satisfied with the process (4).
- 4.6 Work on 'transforming social care' has continued. The Dudley community information directory at www.dudleyci.co.uk has details of community groups and activities plus information for people seeking to organise their own care and support. The summer 2011 edition of Dudley Together included a special supplement on adult social care and personalisation. The priority for learning disabilities services during 2010/11 has been the review of people attending day services. Two day centres will close during 2011 and a third is being refurbished. Most people who will no longer be using the day centres will receive a personal budget to purchase an alternative service (5,6).
- 4.7 Further events with disabled people's groups in 2010/11 on forming user-led organisations (ULOs) followed up those held the previous year. The ULO development work was aimed at supporting disabled people in taking control of their own organisations and moving towards a position where they can provide services. Queens Cross A Team and other groups were provided with some support towards becoming user-led and providing some services such as advocacy. This ULO work provided the opportunity to bring groups together and share their respective roles. Dudley Council for Voluntary Service (DCVS) was funded to look at a consortium approach to ULOs which would be useful in promoting a shared approach in the future (7,8).
- 4.8 Action for Disabled People and Carers and its supporting network of groups continue to play an important role in engagement with the council, health sector and other bodies. In particular, the Carers Forum is proving extremely popular. The ADC programme has included ULOs, transforming social care, an equality impact assessment day in March covering community cohesion, environmental protection, extra care housing and information provision. Efforts have continued through DCVS, which supports the forums, on developing members of ADC to play more effective roles (5,8,9).

- 4.9 Key outcomes from the “Every child matters” agenda include improving the attainment of young people with learning difficulties or disabilities and improving post-16 participation rates. The percentage of people aged 16 to 19 with learning difficulties or disabilities not in education, employment or training in the last quarter of 2010/11 was the lowest for three years, although it is too early to say whether this demonstrates a continuing downward trend. Paragraphs 6.11 and 6.12 below presents some information on achievement of pupils across a range of groups including special educational needs (10,11). Work is being undertaken on the accessibility strategy, which outlines what is being done to improve access to the curriculum, the physical environment and information for disabled pupils, in line with the requirements set out in the Equality Act 2010 (12).
- 4.10 Much of the practicable work to improve disabled access to the existing council building stock has now been completed although, for example an access ramp for Kingswinford Community Centre and a major refurbishment of the passenger lift at Brierley Hill library are being funded during 2011/12. Further opportunities for improvement will largely be realised through rationalisation of the council’s building stock and any opportunities that arise for new development or major upgrading of accommodation (13).
- 4.11 Further buildings are being surveyed in order to complete the remaining access guides to public buildings by a target date of December 2011. The guides set out comprehensive information about access to council buildings for disabled people and are available on the council’s website, in alternative formats of large print, audio and on demand in Braille. A guide to the Directorate of the Urban Environment’s buildings is already available (14).
- 4.12 A revised Discover Dudley website was launched which includes information on the events, activities and venues within the borough. E-newsletters are sent to those who have joined the mailing list and other material is produced and distributed. The Crystal Leisure Centre’s trampolining sessions have been presented with the Me2 award. (The Me2 award was set up by Mencap and Dudley Council’s early years and childcare team with funding from the Big Lottery Fund.) It recognises the effort and commitment put in by the council-run facility in ensuring the sessions are inclusive to all children (15,16).
- 4.13 The benefits take-up targets for the year were exceeded. With effect from autumn 2011, a redesigned benefits shop service is to be introduced to provide support and advice to vulnerable people (17).

- 4.14 The hate crime strategy was published during the year. This acknowledges that disability hate crime is underreported nationally. Work will be continuing locally to assess the extent of the problem and with appropriate groups and individuals to address identified issues (18).
- 4.15 Actions from the learning disability strategy and the joint review of commissioning services for people with learning disabilities and complex needs in 2009 have been implemented. As noted, a further conference which contributed to the implementation of the physical and sensory disability strategy was held in July.
- 4.16 A joint local strategy for dementia was agreed with the health trusts in October 2010. Resources are being refocused to develop three dementia 'gateways' across the borough. These will provide a one-stop shop for people with dementia and their carers, enabling their needs to be met by a team of professionals recruited from the health, social care and voluntary sectors, and will link people to advice and information services, respite services, carers support, short breaks service, and specialist care staff offering at home and palliative care when needed (19).
- 4.17 'Guidelines for managers in supporting employees with disabilities' were issued in January 2011 after a period of consultation and are being implemented across the council. The guidelines were the idea of the council's employees with disabilities group to assist managers in recruiting and retaining disabled staff, ensuring they are treated fairly, with reasonable adjustments made to their work duties or workplace and support through Access to Work obtained where appropriate. A named contact on disability issues has been identified in the human resources team supporting each directorate. These contacts now attend the employees group and administrative and other support to the group has been extended.
- 4.18 The project based in the Directorate of Adult, Community and Housing Services to support people with a learning disability into either temporary or permanent employment continues to run with some success in securing permanent positions for those on the programme. Further work has been undertaken to promote the council as a disability friendly employer and meetings held with organisations that support disabled people into employment. However, the substantial reduction in recruitment does limit what can be achieved at the current time (20).

- 4.19 Information on access to office accommodation and meeting rooms has been put together for the central Dudley campus in response to a request from the employees with disabilities group (21).
- 4.20 A guide on equality monitoring has been produced which covers guidance on monitoring by disability, age, race, gender, religion or belief and sexual orientation. Monitoring of the workforce by these characteristics is now in place and included on the PSE personnel and payroll system. The Office for National Statistics project on appropriate categories to be used for detailed disability monitoring has yet to report, but, pending this, the guide includes recommended categories (22).
- 4.21 More details on employment and disability are provided in section 7.

5. Gender equality scheme action plan (includes transgender)

- 5.1 A revised and updated gender equality scheme was published in April 2010, in line with the then legal requirements. A summary of progress with actions in the scheme (see Appendix 1(b)) is set out below.
- 5.2 Work was undertaken in early 2010 by Dudley's community safety partnership to assess the extent of violence against women and girls in the borough in response to the Government's 'Together we can end violence against women and girls strategy'. This work produced a problem profile and a series of recommendations which has resulted in the establishment of a sexual violence forum. The first meeting took place in February 2011, with terms of reference and an action plan being developed (action 1). An online video has been produced through the safe and sound partnership and the Dudley safeguarding children board. This raises awareness of the risks of sexual exploitation, particularly for vulnerable girls and young women (4).
- 5.3 The findings of the domestic abuse service improvement review undertaken during 2010/11 are due to be submitted to the safe and sound (community safety partnership) board, following which the domestic abuse strategy will be refreshed. An equality impact assessment of the existing strategy was undertaken during the year to help inform the review (3).
- 5.4 Gibbs Road hostel and domestic violence unit have received planning permission to carry out essential modernisation work to ensure they provide 'fit for purpose' accommodation. Funding has been secured for the latter and

construction has begun, and a bid for funding has been made to enable the hostel to be progressed (5).

- 5.5 The scheme identified some areas for developing engagement. The Dudley LGBT Forum has disbanded but a new forum is being established led through Summit House, which provides services to people with HIV/Aids. The Muslim Women's Forum has produced a magazine for Muslim women and the wider community. The Asian Women's Centre has been commissioned to deliver projects for women related to the building resilience agenda and to develop the capacity of Muslim women and girls (6).
- 5.6 As previously noted the hate crime strategy has been published and this incorporates the tackling of gender and transphobic hate crime. The former Dudley LGBT forum's main focus was on hate crime and the council's crime reduction officer with a hate crime portfolio attended meetings of the forum to discuss support on these issues (7).
- 5.7 The council's guidance on equality impact assessments (EIAs) has been revised and updated to take on board the changes in the Equality Act public sector equality duties, so EIAs will explicitly address gender identity and pregnancy and maternity as protected characteristics covered by the duty (8).
- 5.8 An 'eliminating bullying and harassment among children and young people' policy and guidance document was issued in January 2011 through the Children's Trust. This recognises the various grounds on which bullying and harassment may be based and incorporates the changes brought in by the Equality Act 2010 (9).
- 5.9 Services in Dudley have been awarded best performing status by the Care Quality Commission's 'review of services for people who have had a stroke or their carers'. Support continues to be provided for carers across the borough through the council's carers' coordinator and the carers' forums. 30 carers groups are supported through the carers grant and over 400 individual carers were given small carer grants to take a break from their caring role. Dudley Council for Voluntary Service has received three years funding from the Dudley NHS Trust for a hospital carers' co-ordinator to raise the awareness of hospital staff of the role of carers and to ensure that carers receive the support and information they need (10).
- 5.10 The Childcare Act 2006 requires all local authorities to undertake a childcare sufficiency assessment every three years. Work to address gaps identified through the second assessment carried out in March 2011 is on-going. The

assessment revealed that the borough is still well provided for in free education for 3-4 year olds and continues to deliver successfully the 'two-year old' pilot which supports the most 'hard to reach' parents living in the 10% most disadvantaged areas of the borough. In April 2011 the Department for Education (DfE) asked all local authorities to extend the reach of the pilot to the 20% most disadvantaged two year olds, and in 2013 the entitlement will become statutory. The number of holiday play schemes for 5 -14 year olds continues to increase due to targeted work by the childcare strategy team. Capital funding was received from DfE in June 2011 to support provision of short breaks for disabled children to access childcare. There has been a small increase in the number of settings offering childcare to support weekend, overnight or other shift patterns.

- 5.11 The council is also required to manage the market for childcare services across the borough, ensuring they remain of the highest quality and are sustainable. As at April 2011, 83% of childcare providers in Dudley attained 'good' or above from their Ofsted inspection with 10% of these attaining an 'outstanding' rating. This places Dudley within the top 3% of local authorities for outcomes from childcare inspections of those providers inspected over the past 12 months (11).
- 5.12 Details of educational attainment for boys and girls are included with those for other groups in paragraphs 6.11 and 6.12 (12).
- 5.13 The action plan included a target to develop and implement an effective strategy to enable the Directorate of Children's Services to provide appropriate provision for permanently excluded pupils after day 6. This is now in place and is considered by the directorate to be working well (13).
- 5.14 The number of girls and young women (under 18s) entering specialist alcohol and substance misuse treatment services was lower than expected so work has been undertaken by the service provider and partners to address this. More girls and young women are now accessing the young persons' service. A workshop was arranged by the young persons' substance misuse group in March 2011 to raise awareness of foetal alcohol spectrum disorders (14,15).
- 5.15 A range of activities, including conferences, surveys and learning opportunities, has been held to involve young people from a variety of backgrounds in developing what is offered by the youth service, giving the young people the skills to take part in the planning and decision making processes with the aim of ensuring that all young people can access the services (16).

- 5.16 Collaborative programmes with NHS Dudley to tackle obesity through increased levels of physical activity are continuing, including through GP referrals. 2010/11 figures for obesity amongst primary aged children (year 6) will be available in December 2011 – although 98% of children in year 6 have had their height and weight recorded, well above the national target (17).
- 5.17 The ESOL (English for speakers of other languages) action plan is being implemented. The Adult Learning service has 100 learners engaged on introductory ESOL courses (18).
- 5.18 From March through to June 2011, negotiations were held with trade unions on proposals for a new grading structure and other pay related terms and conditions for council employees. The council remains committed to achieving a fair and equitable pay structure that is fully compliant with the complex requirements of equality legislation and meets the principles set out in the national agreement. Following the negotiations, the council made a formal offer to full time regional trade union officials with a view to reaching a collective agreement. The outcome is currently awaited (19).
- 5.19 The Health and Adult Social Care scrutiny committee's review of the range of policies and practices within the council which contribute to the health and wellbeing of employees has been completed and was approved by the committee in September 2010 (21).
- 5.20 Due to the work required to introduce equality e-learning, the wider review of equality training has been delayed although the delivery of the e-learning packages form an important part of the overall approach (22).
- 5.21 Human resources policies continue to be revised and updated on a programmed basis taking on board changes to legislation, such as through the Equality Act 2010, and the findings of equality impact assessments (23).
- 5.22 Section 7 of the review looks in more detail at employment monitoring data in relation to gender.

6. Other equality action

- 6.1 In addition to these progress reports on the disability and gender equality scheme action plans, many of which, as noted, cover other protected characteristics as well, a range of other action has been taken to advance

equality over the last year. More details can also be found in individual directorates' annual reports.

- 6.2 A series of briefing notes have been produced to keep managers and members informed on developments in the implementation of the Equality Act, alongside a number of sessions for some key staff groups and partners such as voluntary and community sector organisations.
- 6.3 The equality pages on the council's website and the intranet equality matters site for employees and members continue to be expanded and improved. These already go a long way towards meeting the requirements of the proposed specific public sector equality duty to publish equality information and the external website will be used as the main means to provide public access to relevant information.
- 6.4 As noted earlier, e-learning on equality is now in place and being introduced to directorates and elected members on a phased basis. This will bring employees and councillors up to date with the new Act and it is mandatory for all employees to complete the basic course. To date, the courses have been very well received by those that have completed them. Ways of delivering this training to employees who do not have regular access to a computer will be developed as part of the roll out of the learning.
- 6.5 Budget planning processes now include the specific requirement to carry out equality impact assessments of relevant proposals to ensure that the public sector equality duties are being met. As noted the council's EIA guidance has been revised and updated in response to the Equality Act 2010 and to take on board issues raised during legal challenges against various public authorities.
- 6.6 The council's guide to equality and procurement has been updated to reflect the Equality Act 2010, and further guidance is awaited later in 2011 from the EHRC. The Coalition Government has, however, chosen not to implement the original proposals in the Act to promote equality through public authorities' procurement activity.
- 6.7 One of the prime sources for equality data is the Census. Good quality data is essential for carrying out equality impact assessments and in designing and delivering services. Council staff worked with Census staff in the lead up to and during the completion of the 2011 Census to ensure as far as possible that all communities responded fully to the Census with targeted work with some protected groups which might be less likely to provide the required information.

- 6.8 BME community engagement events are now held annually in or around September. The 2011 event was held on 24th September 2011, in partnership with the local health sector organisations, was very well attended and included presentations, a range of workshops and information and advice stalls. These included policing and community safety, mental and other health issues, domestic abuse, housing and other topics explored through workshops, with information and advice available on transforming social care, the credit union, trading standards, support for carers, health and a number of other services.
- 6.9 The council, with Age UK and Dudley Forum for Older People, is holding a month-long 'full of life' festival for people in later life during October 2011. This follows the more than 50 events which were organised across the borough in the first week of October 2010 to mark UK older peoples' day (1st October) celebrating the contribution people in later life make to society including coffee mornings, walks, cycle rides, and reminiscence and information sessions.
- 6.10 Officers are involved with the new LGBT forum that has been established. The forum is planning a survey to help to determine the needs of that community in the borough. An Oak Lane Travellers Forum has been set up to discuss the needs of residents on the council run site.
- 6.11 Work to narrow the gap in achievement between underachieving groups and their peers in schools has continued particularly through the ethnic minority achievement service and the special educational needs (SEN) team. The latest available figures show that at primary level, schools have maintained a three-year trend of narrowing the gap in achievement for all larger ethnic groups and for pupils with special educational needs (especially for girls). For those in receipt of free school meals there has been a slight widening of the gap although this masks a continued narrowing trend for girls.
- 6.12 With secondary schools, the attainment gap for BME pupils in comparison to all Dudley pupils fluctuates. Performance of black pupils improved. For pupils from a Pakistani background, performance remained broadly the same as in 2009. Pupils from Indian and Chinese backgrounds continue to do much better than the overall Dudley average. Comparison of Dudley's outcomes with benchmark authorities shows that the gap has narrowed between SEN and non-SEN pupils at key stage 4 and the target of being below the benchmark authority mean has been met. For pupils in receipt of free school meals, there was an overall slight widening of gap, although the gap in achievement for boys narrowed and there is no discernible overall trend in this area.

- 6.13 A revised, comprehensive health inequalities strategy 2010-15 prepared by Dudley NHS Trust and the council has been developed. This was approved by the council's Cabinet in December 2010.
- 6.14 Children and young people from a variety of different backgrounds, including teenage mothers, gypsy, Roma and traveller and learning disabilities have been engaged in selecting stock for their local libraries.
- 6.15 Work has been undertaken during the year with BME community-owned food and catering businesses to help them in meeting food safety requirements
- 6.16 A multi-agency gang prevention working group has been convened as a direct result of information gathering through tension monitoring. Early indications about the work commissioned by this group are encouraging. In January 2011 a governor training package on cohesion and tension monitoring was prepared and delivered to link governors for schools across the borough. Continuing links with a range of groups and bodies, such as the Dudley Interfaith Network and those working on employment and skills, are maintained to help to ensure that the council is meeting its duties on fostering good relations across different protected groups.
- 6.17 The ongoing local tension monitoring process has continued to be strengthened, particularly following the disorder in Dudley town centre around the visits by the English Defence League during 2010. The good practice developed at that time has been carried forward in 2011 through multi-agency 'task and finish' groups which tackle specific issues identified by the community cohesion and tension monitoring executive as being of particular concern

7. Employment monitoring

- 7.1 This section contains a range of employment monitoring data and helps the council to assess the extent to which it is providing fair employment opportunities for all groups. Statutory responsibilities to publish a range of employment data by racial group are no longer in place. The proposed statutory requirements to publish equality information include employment. These are not prescriptive - the EHRC is reviewing its guidance on what public authorities might be expected to publish - although applicable across all relevant protected characteristics.

- 7.2 The considerable budget reductions which the council is having to implement for 2011/12 and future years are resulting in a fall in the number of staff employed by the council. Where possible this is being achieved through voluntary redundancies, although there have been some compulsory redundancies. Most of these redundancies have occurred after 31st March 2011 so will be reflected in future years' reviews, rather than the current year's. Employees faced with redundancy are offered a range of support through the 'facing the future' programme, which includes training sessions, one to one coaching, resources, and information. An equality impact assessment of the staffing implications of the budget reductions has been undertaken.
- 7.3 Employment monitoring data summary reports are provided quarterly for Cabinet members and directors.

Workforce profile

- 7.4 A summary of the council's workforce broken down by directorates, sex, disability, white/BME groups and part-time employees, as at 1st April 2011 can be found at Appendix 2(a). The Directorate of Children's Services is broken down further into head office and school employees. Data are presented in the review for the former separate directorates of Finance, ICT and Procurement and Law, Property and HR, although it should be noted that the Corporate Resources directorate was established part way through the year. Data is now collected for employees' religion or belief and sexual orientation. Just under 50% of employees have provided their religion or belief and to date only a few hundred employees their sexual orientation. Employees will be asked to check and update their personal details on the HR system during 2011 and it is likely that these figures will increase over time.
- 7.5 Appendices 2(b) and 2(c) provide a grade breakdown of this data, showing higher paid employees at scale point 34 and above (principal officer grades – salaries of about £28,600 and above - approximately the highest paid 15% of the workforce), excluding schools, and employees in the lower grades below scale point 34 (salaries of less than £28,600 approx.) respectively. Data relating to schools are not included in these tables due to different salary bandings for teachers making such comparisons difficult.
- 7.6 Appendix 2(d) shows the workforce profile by age and Appendix 2(e) a more detailed directorate breakdown by ethnic group.
- 7.7 Comparative information for other authorities was available through the Audit Commission best value performance indicators only up until 2007/08.

Sex

- 7.8 The sex breakdown of the workforce is provided at Appendix 2(a). The council's workforce remains at 75% female, having altered little over a number of years. This is a common picture for similar local authorities, although differs from the economy as a whole where there is close to an even gender balance, although this has been affected to some extent by the recent economic downturn. Professions such as teaching and care, which contribute large numbers to the public sector workforce, employ high proportions of women and account for much of the difference between the sectors.
- 7.9 The proportion of women employed remains particularly high in Children's Services, both with headquarters employees and school employees, at over 80%. In contrast to the rest of the council, Urban Environment, which employs substantial numbers of fortnightly paid employees in traditionally male occupations, has a minority of female employees.
- 7.10 Appendix 2(b) shows that the slow, upward trend apparent over the last few years in the proportion of female employees at scale point 34 and above in all directorates (excluding schools) has continued. However, with only small percentage annual increases (1.2% in the last 12 months) it would take many years, should the trend continue, for the proportion of women in higher graded posts to match that in the workforce as a whole.

Race

- 7.11 2010/11 showed a continuation in the upward trend over several years in the percentage of BME employees in the council's workforce, with the figure for

Table 1. % of employees from ethnic minority communities (including schools) (formerly BV17a)*

	Dudley MBC	English Authorities average	English Authorities top quartile	Met. Authorities average	Met. Authorities top quartile
2010/11	6.2				
2009/10	6.0				
2008/09	5.6				
2007/08	5.5	5.4	5.5	6.2	7.7
2006/07	5.1	5.2	5.2	5.9	7.6

*Note: those for whom ethnic origin are not known are excluded from the analysis

2010/11 of 6.2% showing a 0.2% increase on that for 2009/10 (see table 1). (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.) For comparison purposes the BME population of the borough at the time of the 2001 Census was 6.3%. It is likely that the figure from the 2011 Census, which should be available around the end of 2012, will show a significant increase (the Office for National Statistics mid-year estimate for 2007 was 8.7%). Taking schools out of the equation, the figure for BME employees in the rest of the council's workforce is 7.8%.

- 7.12 The more detailed breakdown (Appendix 2 (a)) shows some variation between directorates with Children's Services (head office) the highest and Urban Environment and Children's Services (schools) the lowest, although the long-term trend has been for their figures to increase.

Disability

- 7.13 Table 2 shows that the proportion of council employees with a disability has increased over the last 12 months, but the five year trend is for little change in the figures. More detailed statistics are shown at Appendix 2(a). Without school employees, the figure for disabled employees in the rest of the council is 3.4%. Substantial reductions in the levels of recruitment over the last year or two are not going to be reversed in the foreseeable future although actions aimed at increasing the recruitment and retention of disabled employees continue to be progressed (see paragraphs 4.17 and 4.18).

Table 2. % of employees with a disability (including schools) (formally BV16a)

	Dudley MBC	English Authorities average	English Authorities top quartile	Met. Authorities average	Met. Authorities top quartile
2010/11	2.00				
2009/10	1.70				
2008/09	1.80				
2007/08	2.00	3.7	4.6	2.8	3.3
2006/07	1.70	3.55	4.43	2.67	3.20

Age

- 7.14 The age profile of the workforce is set out at Appendix 2(d). Nationally, the default retirement age of 65 is being phased out between 6th April and 1st October 2011. The council raised its retirement age to 70 in response to age discrimination legislation coming into force in October 2006 with the consequence that over 400 employees are now aged 65 or over. The trend for a gradual increase in the proportion of the workforce who are over 60 has continued, although the level of recent voluntary redundancies, the majority of whom are older workers, is likely to have a significant impact on future years' figures.

Recruitment

- 7.15 Most vacancies are advertised externally through the council's website, which is now the main route for advertising. People looking for jobs can sign up for job alerts by email. The council continues to operate a retraining and redeployment policy for employees (except school employees) when they can no longer continue in their existing posts for reasons (e.g. restructuring, capability or ill-health), other than misconduct. With budget pressures the number of posts filled from the redeployment register has increased in the recent past. Figures for 2010/11 are only available from November 2010 due to the introduction of the new recruitment system. The five months figure is 45 compared with the twelve months figures of 59 in 2009/10 and 46 in 2008/09.
- 7.16 Appendix 3 provides a summary of overall recruitment activity for the council, including schools, by race, sex, disability, religion or belief and age during 2010/11. 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. Few clear trends over the last five years are apparent, although the success rates of male and BME applicants have consistently been below those for women and people from white groups respectively.
- 7.17 Looking at the recruitment figures by age category at Appendix 3, the council continues to attract applicants and to recruit from across the age ranges. With monitoring by religion or belief, this is the third year that this data has been collected and presented. The proportion of applicants and appointees who have not disclosed or did not wish to provide their religion or belief has fallen significantly since the previous years although was still at around a quarter. The council is attracting applicants and recruiting across most religion or belief groups. More detailed trend analysis may be possible in future years should the tendency continue for more complete data to be provided.

Table 3. Recruitment analysis – % from a BME community

	Applied %	Shortlisted %	Appointed %
2010/11	17.92	15.93	13.24
2009/10	18.03	20.28	13.73
2008/09	14.97	14.82	9.53
2007/08	15.33	15.25	11.57
2006/07	14.25	12.62	9.47

Note: for the analysis those for whom no ethnic origin is recorded are included in the white groups

Table 4. Recruitment analysis – % women

	Applied %	Shortlisted %	Appointed %
2010/11	54.16	64.32	70.00
2009/10	39.06	58.07	58.94
2008/09	49.73	61.07	68.71
2007/08	54.15	66.12	67.01
2006/07	63.43	69.73	71.18

Table 5. Recruitment analysis – % disabled people

	Applied %	Shortlisted %	Appointed %
2010/11	2.76	3.42	2.65
2009/10	2.26	3.04	3.21
2008/09	2.70	2.78	1.62
2007/08	2.73	3.35	2.60
2006/07	2.31	2.30	1.77

Note: 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

- 7.18 There were no claims lodged with the Employment Tribunal from April 2010 to March 2011 alleging discrimination in employment by the council on the grounds of any of the protected characteristics (equal pay claims are not included). All claims from previous years have been dealt with and the outcome reported in previous annual reviews. The council continues not to have lost a tribunal case on these grounds for many years although has settled a number of cases outside of the tribunal.

- 7.19 The numbers of employees involved in disciplinary action or who submitted grievances did, however, increase significantly in 2010/11 over past years, and the proportion of BME staff involved in each also rose. There is currently no long term data on grievances and disciplinary action for other protected groups, although this information is now being collected. It is likely that the introduction of more robust data collection with incidents now recorded on the PSE personnel and payroll system has had some effect, along with greater awareness of the procedures and the impact of the need for staffing reductions and restructuring. The grievance policy is currently being revised and undergoing an equality impact assessment. Longer term trends in these figures will need to be assessed to see if there are clear patterns emerging.

8. Conclusions

- 8.1 The implementation of the Equality Act 2010 has driven much of the work on equality over the last year, with the need for employees to be aware of changes, for policies and guidance to be updated and for services to respond to the extended public sector equality duties.
- 8.2 Substantial progress has been made in implementing the disability and gender equality scheme action plans that were drawn up and published in response to the legal requirements at the time. Given the changes brought in by the Equality Act 2010, including the extension of the public sector equality duties but the removal of any requirements to publish particular documents, instead focusing on equality information and a smaller number of key objectives, there is a need to develop a revised approach. This is particularly so given the reduction in resources with which local authorities are faced.
- 8.3 Proposed priorities for the next twelve months are:
- publishing equality information and objectives in line with the specific duties in the Act
 - developing a new equality strategy in line with the Act and recognising a reduction in resources
 - implementing improvements in equality impact assessments
 - continuing the roll out of e-learning on equality, and
 - the recruitment and retention of disabled employees

Chief Executive's Directorate
August 2011

Appendix 1(a). Disability equality scheme action plan 2010-13

1. Complete the review of equality training for council employees, to include appropriate enhanced provision for disability equality training during 2010 (Assistant Director, HR and Citizenship)
2. Develop a council-wide disabled people's communication/information policy to ensure good practice is applied consistently across the organisation by March 2011 (Corporate Equality and Diversity Leadership Group)
3. Undertake work with disabled people to explore the issues and barriers around transport to try to find ways to address disabled people's concerns (Corporate Equality and Diversity Leadership Group)
4. Explore how improvements to adaptations processes can be implemented through a customer focus workshop during 2010 (Director of Adult, Community and Housing Services)
5. Continue to involve disabled people and carers in developing and implementing 'transforming social care' during 2010 (Director of Adult, Community and Housing Services)
6. Implement the plans for modernisation of day opportunities for people with a learning disability with the involvement of service users (Director of Adult, Community and Housing Services)
7. Work in partnership to assist in developing a user-led organisation of disabled people by December 2010, with an initial conference to be held in February 2010 (Director of Adult, Community and Housing Services)
8. Alongside action 7, map out during 2010 involvement and engagement mechanisms for disabled people to look at how these can be better publicised or coordinated and to achieve a greater diversity of people involved (Chief Executive/Director of Adult, Community and Housing Services)
9. Undertake further work with partners over the next three years on promoting disabled people's involvement in public life to build on that carried out in the first scheme (Chief Executive)
10. Improve 'Every Child Matters' outcomes for children and young people with learning disabilities or difficulties (Children's Trust executive board)

11. Improve progression and participation rates post 16 for young people with learning difficulties and/or disabilities (Director of Children's Services)
12. Develop an Accessibility Strategy to increase disabled pupils' access to the school curriculum, improve the physical environment and provision of information to meet the new requirements set out in Part 6 (Education) of the Equality Bill, should this become law (Director of Children's Services)
13. Maintain an access improvement programme for the Council's buildings subject to available resources (Corporate Property Group)
14. Complete and publish the remaining access guides to Council buildings by the end of 2011 (Director of the Urban Environment)
15. Improve the ability for people to be able to easily access up-to-date and co-ordinated information about recreational and cultural activities and venues, focusing, for example, on disabled people's needs, over the three years of the scheme (Heritage, Culture and Leisure Partnership)
16. Increase participation of disabled people in leisure, recreational and cultural activities for learning, health improvement, socialising and personal growth over the three years of the scheme (Heritage, Culture and Leisure Partnership)
17. Encourage disabled people to apply for benefit entitlements for which they are eligible through the benefits take-up strategy, campaigns and the work of the Benefits Shop (Director of Finance, ICT and Procurement)
18. Develop a hate crime strategy during 2010 to include actions to raise awareness of and increase reporting of hate crime against disabled people (Chief Executive)
19. Continue work to implement the range of strategies in place in relation to specific services to disabled people
20. Implement the actions set out in the human resources strategy in order to improve the recruitment and retention of disabled employees and increase the percentage of council employees who are disabled from the 2009 baseline (Assistant Director, HR and Citizenship)
21. Alongside action 14, develop a guide for employees on access facilities to council meeting rooms (Corporate Property Group)

22. Adopt the Office for National Statistics guidance on data collection, as appropriate, for gathering information on the effect of policies and practices on disabled people in employment and services (Chief Executive)
23. Directorate equality and diversity action plans have also identified the following additional items to be actioned in 2009/10:
 - Complete review of parking spaces reserved for disabled people (Director of the Urban Environment)
 - To ensure that the process for dealing with Statutory Disabled Facilities Grants meets the needs of vulnerable clients in a timely and personal way - to deliver report to the appropriate Select Committee on progress made to date in bringing turn round time down and proposals for further enhancement of the service (Assistant Director Housing Strategy)
 - Ensure the Extra Care Housing Schemes at Russell's Hall and Whitehouse Street are fully aligned with the requirements of the relevant (disability) strategies (Assistant Director Housing Strategy)
 - To improve access to mainstream services and facilities in the community for people with learning disability and complex needs: arrange presentation to senior managers by 'expert by experience' from Learning Disability Joint Review; increase number of people able to travel independently to activities in the community; increase number of 'changing facilities' at community venues (Assistant Director, Learning Disability)

Appendix 1(b). Gender Equality Scheme action plan 2010/13

1. Develop actions to respond to the Community Safety Partnership's assessment of and recommendations on sexual violence in the borough by March 2011 (Head of Community Safety)
2. Undertake a service improvement review of multi-agency domestic abuse services in the borough during 2010/11 (Head of Community Safety)
3. Review the domestic abuse strategy by March 2011 (Head of Community Safety)
4. Improve the effectiveness of early intervention for vulnerable children and young people to be safe from violence and sexual exploitation (Divisional Manager Safeguarding and Review)
5. Modernise Gibbs Road hostel and domestic violence accommodation to provide fit for purpose accommodation by March 2011 (Assistant Director Housing Strategy and Private Sector)
6. Increase the number of people who wish to participate in meaningful engagement to make a difference, focussing on underrepresented groups including women through, for example, development of engagement mechanisms such as the Dudley LGBT forum and the Muslim women's network (Stronger Communities Steering Group, Dudley Community Partnership)
7. Develop a hate crime strategy during 2010, to include actions to raise awareness of transphobic incidents (Head of Community Safety)
8. Update the Council's equality impact assessment guidance by December 2010 in the light of the Equality Act 2010, to specifically include transgender as one of the equality strands to cover and to emphasise the gender equality aspects (Assistant Director Policy and Performance – Chief Executive's)
9. Support schools and other young people's services to address sexist, sexual and transphobic bullying in response to the Department of Education, Schools and Families' guidance (Assistant Director, Quality and Partnership)
10. Implement the Dudley Carers strategy 2007-12 (Assistant Director Older People and Physical Disability)

11. Implement the requirements of the Childcare Act 2006 and undertake a full childcare sufficiency assessment by March 2011 (Strategic Lead for Childcare)
12. Work with schools, pupils their parents and carers to narrow the gap in achievement between under achieving groups and their peers including white boys (Assistant Director, Education, Play and Learning)
13. Develop and implement an effective strategy to enable the Directorate of Children's Services to provide appropriate provision for permanently excluded pupils after day 6 (Assistant Director, Education, Play and Learning)
14. Ensure that gender issues are addressed in implementing the alcohol strategy action plan during 2010/11 and future years (Head of Community Safety)
15. Develop an action plan on accessing specialist substance misuse treatment service by June 2010 to achieve improved targeting of provision appropriate to the needs of young people (Head of Community Safety)
16. Improve the take-up of youth services by girls and young women (Head of Youth Service)
17. Reduce levels of obesity amongst people, tackling gender differences, during the period of the Community Strategy 2010-13 (Health and Well-being Partnership)
18. Reduce the number of people who are disadvantaged by language difficulties in accessing services and opportunities through delivery of the ESOL programme to those whose first language is not English (such as some older Asian women) (Assistant Director Libraries, Archives and Adult Learning)
19. Formulate during 2010 a new pay system, incorporating all of the evaluations undertaken, for discussion with the trades union the grading and pay review (Grading and Pay Policy Group)
20. Provide support to Council directorates with workforce planning (Assistant Director HR and Citizenship)
21. Complete the select committee on health and social care's 'encouraging a healthier workforce review' and publish a report on the findings during 2010 (Assistant Director, Policy, Performance and Resources – Adult, Community and Housing Services)

22. Develop by October 2010 an equality and diversity training strategy that encompasses a range of learning options for different levels of employees and managers, which fits with identified equality competencies, ensuring that transgender equality is specifically included, with enhanced provision for understanding gender equality (Assistant Director HR and Citizenship)
23. Complete equality impact assessments (to include gender and transgender issues) on all revised and future human resources policies and procedures by March 2012 (Assistant Director HR and Citizenship).

Appendix 2(a). Dudley MBC workforce profile - 31 March 2011

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 %
Adult, Comm. & Housing	2910	857	29.5	107	12.5	2053	70.5	1343	65.4	2668	91.7	221	7.6	21	101	3.5
Chief Executive's	115	37	32.2	3	8.1	78	67.8	30	38.5	103	89.6	8	7.2	4	9	7.8
Children's Serv. Head Office	2019	394	19.5	150	38.1	1625	80.5	988	60.8	1780	88.2	217	10.9	22	52	2.6
Children's Serv. Schools	7430	1137	15.3	365	32.1	6293	84.7	3972	63.1	7048	94.9	338	4.6	44	42	0.6
Finance, ICT & Procurement	644	224	34.8	24	10.7	420	65.2	201	47.9	591	91.8	49	7.7	4	21	3.3
Law and Property	365	126	34.5	19	15.1	238	65.2	75	31.5	319	87.4	34	9.6	12	15	4.1
Urban Environment	1586	984	62.0	179	18.2	601	37.9	367	61.1	1515	95.5	64	4.1	7	58	3.7
Total	15069	3759	24.9	847	22.5	11308	75.0	6976	61.7	14024	93.1	931	6.2	114	298	2.0

Appendix 2(b). Dudley MBC workforce profile - scale point 34 and above (principal officer and above) - 31 March 2011

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 %
Adult, Comm. & Housing	429	187	43.6	16	8.6	242	56.4	55	22.7	384	89.5	44	10.3	1	21	4.9
Chief Executive's	48	18	37.5	2	11.1	30	62.5	9	33.0	44	91.7	4	8.3	0	8	16.7
Children's Serv. Head Office	239	77	32.2	5	6.5	162	67.8	53	32.7	201	84.1	36	15.2	2	12	5.0
Finance, ICT & Procurement	180	93	51.7	6	6.5	87	48.3	33	37.9	169	93.9	10	5.6	1	2	1.1
Law and Property	120	55	45.8	9	16.4	64	53.3	20	31.3	105	87.5	11	9.5	4	8	6.7
Urban Environment	229	160	69.9	6	3.8	69	30.1	14	20.3	213	93.0	15	6.6	1	8	3.5
Total excluding schools	1245	590	47.4	44	7.5	654	52.5	184	28.1	1116	89.6	120	9.7	9	59	4.7

Appendix 2(c). Dudley MBC workforce profile below scale point 34 (senior officer and below) - 31 March 2011

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 %
Adult, Comm. & Housing	2428	623	25.7	91	14.6	1805	74.3	1287	71.3	2234	92.0	174	7.2	20	80	3.3
Chief Executive's	67	19	28.4	1	5.3	48	71.6	21	43.8	59	88.1	4	6.3	4	1	1.5
Children's Serv. Head Office	1774	316	17.8	144	45.6	1458	82.2	933	64.0	1573	88.7	181	10.3	20	39	2.2
Finance, ICT & Procurement	464	131	28.2	18	13.7	333	71.8	168	50.5	422	90.9	39	8.5	3	19	4.1
Law and Property	245	71	29.0	10	14.1	174	71.0	55	31.6	214	87.3	23	9.7	8	7	2.9
Urban Environment	1333	817	61.3	166	20.3	515	38.6	336	65.2	1278	95.9	49	3.7	6	47	3.5
Total excluding schools	6311	1977	31.3	430	21.8	4333	68.7	2800	64.6	5780	91.6	470	7.5	61	194	3.1

Notes to Appendices 2(a) to (c):

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

* BME % excludes not knowns

Appendix 2(d). Dudley MBC workforce profile by age - 31 March 2011

Directorate	All staff	16-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+
Adult, Comm. & Housing	2910	127	168	195	280	424	521	457	416	247	75
Chief Executive's	115	12	8	12	8	16	10	19	15	9	6
Children's Serv. Head Office	2019	108	109	170	208	319	394	302	234	135	40
Children's Serv. Schools	7430	577	716	744	829	1165	1079	923	764	434	198
Finance, ICT & Procurement	644	39	78	66	76	114	99	81	52	31	8
Law and Property	365	58	27	36	30	48	63	35	33	30	5
Urban Environment	1586	137	115	107	137	211	265	212	198	121	83
Total	15069	1058	1221	1330	1568	2297	2431	2029	1712	1007	415
Percent		7.0	8.1	8.8	10.4	15.2	16.1	13.5	11.4	6.7	2.8

Appendix 2(e). Ethnic group by directorate 31 March 2011

	Adult Community & Housing	Chief Executive's	Children's Services Head office	Children's Services Schools	Finance ICT	Law, Property and HR	Urban Environment	Total	Total Excluding Schools
British	2646	100	1751	6948	588	312	1492	13837	6889
Irish	8	1	7	30	0	3	8	57	27
White (Other)	14	2	22	70	3	4	15	130	60
Caribbean	63	3	81	55	9	9	13	233	178
African	6	0	13	6	1	0	1	27	21
Black (Other)	8	0	6	6	0	1	3	24	18
Indian	68	2	47	126	26	14	29	312	186
Pakistani	31	3	23	71	5	4	7	144	73
Bangladeshi	5	0	2	5	2	1	0	15	10
Asian (Other)	8	0	14	13	0	3	0	38	25
White/Caribbean	17	0	16	20	2	1	6	62	42
White/African	2	0	1	1	0	0	0	4	3
White/Asian	6	0	2	12	1	0	1	22	10
Mixed (Other)	3	0	5	11	1	0	2	22	11
Chinese	2	0	2	4	2	1	2	13	9
Other	2	0	5	8	0	0	0	15	7
Not known	21	4	22	44	4	12	7	114	70
Total	2910	115	2019	7430	644	365	1586	15069	7639

Appendix 3. Dudley MBC recruitment monitoring – April 2010 – March 2011







