

Annual Review of Equality 2013



September 2013

Dudley Metropolitan Borough Council

Draft Annual Review of Equality 2013

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1. Introduction

- 1.1 Dudley Council's annual review of equality sets out information about work undertaken across the council in advancing equality and provides an analysis of data relating to council employment. The report helps to meet the specific duty to publish information that demonstrates how the council is meeting the general public sector equality duty (PSED) under the Equality Act 2010. A wide range of additional information relating to how the council is meeting the duty is published on its website at www.dudley.gov.uk/community-and-living/equality-diversity .
- 1.2 The annual review provides 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 An annual review of equality has been published by the council for more than decade, pre-dating any statutory requirements to report on progress. Prior to the introduction of the new PSED under the Equality Act 2010, it was the method for reporting progress on the statutory race, disability and gender equality schemes, although included non-statutory elements related to other equality strands. Although an equality scheme is no longer a statutory duty, the council's cabinet approved a new scheme for the council in March 2012 in order to ensure that a clear approach to equality remained in place. The review now reports on progress relating to this scheme.
- 1.4 Individual directorates within the council continue to prepare annual equality action plans and annual reports which cover in more detail plans and progress with directorates' equality work, providing complementary information to this review.

2. National developments in equality law and policy

- 2.1 Since the last annual review was published, the Government has put in place a review of the general and specific PSED 'to establish whether the Duty is operating as intended'. A steering group was set up and started meeting in December 2012 with the task to report to ministers on:
 - how both the general and specific duties are working
 - how effectively the duty supports delivery of the UK Government's equality strategy

- options and recommendations for changes or improvements in the way the duty operates.
- 2.2 The steering group's report, and a Ministerial response through which the Government has accepted the recommendations set out in the report, was issued in September. The steering group found that evidence was inconclusive at this stage in the life of the PSED and did not recommend any changes to the duty, although it set out a series of recommendations for clarification of the requirements of the law and for what it saw as a more proportionate response to these by public agencies. The Government accepted the need for a further, full review of the duty in three years' time.
- 2.3 In the meantime, a number of applications are still being made across the country for judicial review of public authorities' decisions challenging whether or not they had adequately addressed the PSED. Public authorities therefore need to continue to address the provisions of the duty as they stand in order to protect themselves from successful challenges. The Government is however undertaking a wider consultation on further changes to the judicial review process and this includes a call for suggestions as to how to settle disputes relating to the PSED without resorting to judicial review.
- 2.4 Some new legislation relating to equality has been passed over the last twelve months. The Government brought into force the provisions in the Equality Act 2010 to ban age discrimination in the provision of goods and services on 1st October 2012. Same sex marriage became law in July 2013 through the Marriage (Same Sex Couples) Act 2013. The Government has also legislated, as a follow-up to its 'red tape challenge', to remove the third party harassment provision (whereby employers are liable for harassment of their employees by third parties, such as customers) and some provisions relating to the operation of employment tribunals set out in the Equality Act 2010. At the same time, the definition of race discrimination in the Act has been amended to include caste, although the Government will be consulting on the introduction of this over the next 12 months, aiming to bring it into force during summer 2015.
- 2.5 Following the Government's publication of its 'Challenge it, report it, stop it: the Government's plan to tackle hate crime' three-year action plan in 2012: the Law Commission is consulting from June to September on extending the aggravated offences in the Crime and Disorder Act 1998 to include where hostility is demonstrated towards people on the grounds of disability, sexual orientation or gender identity (race and religion are currently covered); and on the case for extending the stirring up of hatred offences under the Public

Order Act 1986 to include the grounds of disability and gender identity (race, religion and sexual orientation are currently covered).

3. Local priorities

3.1 The council's equality scheme 2012-15 sets out the council's arrangements for advancing equality and contributes considerably to meeting the duty to publish equality information. The scheme sets out some background facts and figures about people with protected characteristics in the borough, identifies 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 identified equality objectives.

3.2 The issues and challenges for equality in the borough are those for all organisations to try to address locally; the council alone has limited powers and resources to respond to all of them and some are driven by national and international factors, particularly related to the economic downturn. The issues and challenges which were set out in the scheme were in summary relating to (see the scheme for more detail):

- 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 council's scheme contains the objectives that the council has identified to meet the statutory requirement (see Appendix 1). The objectives identify some of the areas in which the council can make progress on in trying to tackle the issues and challenges identified in the scheme. Recent progress is summarised below. However, it must be acknowledged that the continuing 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.

Narrowing the gap in educational achievement

- 4.2 There remains a mixed picture in terms of trends in closing the gap in performance, both at primary and secondary stages, although there are some successes such as with looked after children who are doing much better than the national average for this group. Girls are generally doing better than boys across the different ethnic groups, although not in all subjects, but this may change once the Government replaces the current system based more on continual assessment by examination based assessment, which is considered to be more favourable to boys.
- 4.3 The authority, with reducing resources and with the growth in academies, is much less able to influence performance than in the past, directing resources into schools getting into inspection difficulties rather than having the capacity to work as broadly as before. Data currently includes returns from academies in the borough.
- 4.4 The Children's Services Scrutiny Committee is carrying out a review of the early intervention strategy for the borough. Children and young people in Dudley receive good services from the council and its partners. Educational outcomes are generally in line with national averages. The proportion of children in the care of the Council is above the national average. The rationale for the review acknowledges that, whilst education and care provision to children in their early years in the borough is already highly regarded, if it can be improved still further, it will give more children a better start in life and improve their educational achievement throughout their school careers.
- 4.5 More details of the attainment of children from protected groups are published on the equality pages of the council's website and a comprehensive report to the Children's Services Scrutiny Committee on 21 March 2013 presented the most recently available validated data on the performance of schools in the Borough see <http://cmis.dudley.gov.uk/cm5/Meetings/tabid/116/ctl/ViewMeetingPublic/mid/543/Meeting/4246/Committee/312/Default.aspx>

Affordable housing provision

- 4.6 There is an on-going programme to deliver affordable housing provision across the borough which responds to the different and changing needs of the borough's population, predominantly through partnerships with registered providers. 143 affordable completions had been achieved by the end of the

2012/13 year against a target of 111 affordable homes for the full year. Completions included bungalows for older people with learning difficulties, and general needs housing at Middlepark Road, Russells Hall; Friars Gate, Dudley; and Orchard Street, Brierley Hill. A new scheme for people escaping abuse was also completed.

- 4.7 The future delivery programme for housing includes a broad range of developments which will help to address the needs of people as they get older or for those with disabilities. A further 200 extra care homes will be developed in addition to the 191 homes completed in 2011/12. The third extra care scheme is now on site at the former Cradley High School location and options and funding bids for the fourth scheme in Stourbridge have been developed. These included a successful bid to the Homes and Communities Agency.
- 4.8 A successful bid has also been made by the council for a part of the Care and Support Specialised Housing Fund (up to £240m of Department of Health capital funding is available outside of London) for £385k funding to build 14 supported one bed apartments across two sites for people with learning disabilities and those on the autistic spectrum. This forms part of the Borough's strategic intent to change the balance of care towards long term supported living.
- 4.9 A new direct access homeless scheme to replace the existing scheme at Gibbs Road House, Lye, which is out-dated and not fit for purpose, is to be developed. This new scheme will offer greater opportunities for residents to benefit from training and to develop new skills to support the maintenance of sustainable tenancies.

Welfare reforms and financial inclusion

- 4.10 The government continues to implement its programme of welfare reform with the stated aim of moving people reliant on benefits back into work.
- 4.11 With council tax benefit being localised from April 2013 accompanied by a reduction in Government subsidy of 10% (equating to £2.4m for Dudley), the council approved the adoption of the Government's default scheme for its 2013/14 local scheme following consultation and an equality impact assessment. The agreed option required the council to absorb the £2.4m reduction within its overall budget (although Government has provided a transition grant of £0.5m for 2013/14) in order to reduce the impact on protected and other vulnerable groups, such as disabled people (pensioners must be protected). This may not be sustainable into the future, given continuing budget pressures, and a consultation is being carried out on the

options for the scheme for 2014/15. A review is also being carried out by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee into the future of the scheme.

- 4.12 Another scrutiny review is being undertaken by the Adult, Community and Housing Services Scrutiny Committee into how Dudley is responding to the welfare reforms as they impact on housing. Housing plays a major part in the well being and stability of families and the cohesion of our communities. The loss of bedroom subsidy ('bedroom tax'), the use of Discretionary Housing Payments or awards from the Welfare Assistance Fund, and the impact of fuel poverty and child poverty are areas that the scrutiny committee may cover, looking at how the council and its partners respond in terms of ensuring affordability, having effective strategies to address the competing housing needs, and ensuring effective revenue collection for dealing with increased homelessness.
- 4.13 A number of services and initiatives help people in the borough with financial and welfare issues. The council's home improvement service which helps vulnerable, older and disabled people to make repairs and improvements to their homes received a commendation in the Excellence in Delivering Energy Efficiency and Tackling Fuel Poverty category of the national Foundations Annual Home Improvement Agency Awards for its efforts in tackling the problem of fuel poverty across the borough. Through a range of projects the service has helped residents improve the energy efficiency of their homes, manage their energy bills and deal with any energy debt.
- 4.14 A mortgage rescue scheme has helped to save 1,100 residents from homelessness since April 2012. The scheme was set up in 2006 between housing services and the Citizen's Advice Bureau in response to the increase in property repossessions. Housing staff and volunteers from the community also offered advice and support to anyone affected by the recent changes to housing benefits through a 'welfare on wheels' bus which toured the borough during a week in July.
- 4.15 The council continues to support the Castle & Crystal credit union, which provides non-profit based financial services offering a much better alternative to low income households than loan sharks or payday lenders. The council has deposited £16,000 into its corporate account, the maximum investment allowed for an account of this type. Castle & Crystal is the first credit union in the Black Country and one of the first in the UK to hold a corporate account with a local authority

- 4.16 The council is supporting the Black Country food bank and has collected many tonnes of provisions for distribution through the charity.
- 4.17 Dudley, along with other councils in the country, has signed up to the Government's programme to tackle troubled families. Work is continuing with the identified troubled families in the borough.

Localism and 'our society in Dudley'

- 4.18 Further action has been taken to implement the requirements of the Localism Act 2011 but also in developing a 'creative collaboration' approach to working in partnership with the voluntary and community sector.
- 4.19 A community asset transfer policy has been approved by the Cabinet and a process and website information is in place to respond to the statutory Community Right to Bid under the Act. Briefings have taken place with community volunteers to explain the possibilities around Right to Bid and how this differs from the council's asset transfer policy. A Community Right to Challenge policy has been drawn up for submission to the Cabinet.
- 4.20 Funding is being made available to prospective or expanding social enterprises through a community enterprise fund, and through a Dudley innovation fund to encourage innovation and personalisation in care and support services. Ongoing support is being provided for those unsuccessful in round 1, with a view to resubmission for round 2. A Dudley action for community and social enterprise event in June 2013 brought together people with ideas for a new enterprise or expanding existing enterprises and those who can offer help.
- 4.21 Creative Collaboration between the council and the voluntary and community sector is trying to use different ways of working to produce solutions. One outcome has been a 'furnishare' community project through which voluntary and community groups can re-use surplus council office furniture and equipment.
- 4.22 Ongoing work will be on ensuring that all communities are having access to opportunities presented through these new initiatives and ways of working.

Hate crime

- 4.23 Following the hate crime stakeholders conference held in March 2012 reported in last year's review, a range of action has been taken. This has included action aimed at improving reporting by raising awareness of the three major reporting centres in the borough – the police, Dudley Council Plus

and Victim Support and establishing a number of third party reporting options within the borough's voluntary and community sector. Work to improve data collection, trend analysis, prevention, supporting victims and tackling offenders is also continuing. New hate crime leaflets have been produced and pages included on the new safe and sound (crime and disorder) partnership website showing the reporting options. Broadcasts have been made on Radio Ramadan and a safer places scheme developed through Voices for Choice (local organisation of people with learning disabilities).

Domestic abuse

- 4.24 A number of recent campaigns have been run to raise awareness and improve reporting of domestic abuse. 'Domestic abuse isn't always obvious' was aimed at the seldom reached and used, for example, leaflets and a You Tube video. Another 'recognising dating abuse', was a campaign amongst teenagers, working with schools and colleges. The Children's Safeguarding Board has been doing work on the sexual exploitation of girls and young women, with a young people at risk of sexual exploitation panel meeting monthly.
- 4.25 As reported in last year's review, a service improvement review was carried out in 2011/12 which had identified actions including those to improve reporting. More facilities are now in place with the opening of the new refuge in the borough with better access and outreach accommodation for men and families with older children. Further information on domestic abuse and reporting has been provided on the safe and sound website and further training has been provided for relevant professionals.
- 4.26 Information from the independent domestic violence advisors and increases in the frequency of case conferences dealing with high risk cases indicates that reporting may be increasing. More younger people and those from ethnic groups which had tended to under report are coming forward. It remains difficult though to know where the balance lies between an increase in reporting and an increase in incidents. Concerns have been expressed in some quarters that increasing financial pressures on families such as resulting from welfare reforms will lead to an increase in domestic abuse.

Council employment issues

- 4.27 The council began the phased introduction from the beginning of July of a new recruitment system, Talent Link, running alongside a revised recruitment and selection process. Training sessions are being held for managers. Recruitment and selection guidance has been revised and updated

responding to the need to ensure processes are fair and at a minimum meet the requirements of equality and other legislation.

- 4.28 Another equality impact assessment (EIA) was undertaken on the staffing implications of the budget reduction programme for the year and this was provided to the cabinet and the council to inform their decision making. The EIA did not identify particular adverse impacts on any protected groups unlike, for example, that experienced in the preceding year in some London boroughs in relation to BME employees as evidenced by research undertaken by Unison. The managing employees at risk of redundancy policy was revised following feedback on its operation the previous year.
- 4.29 The Corporate performance management, effectiveness and efficiency scrutiny committee is carrying out a review of apprenticeships and work placements to provide further direction to the apprenticeship task group to review, plan and support young people and employers to engage in high quality apprenticeship programmes and work experience placements within the borough. The scrutiny committee aims to make recommendations for improvement and to support the development of a multi-agency approach for ensuring high quality apprenticeships in Dudley.
- 4.30 The council has again been reassessed by Jobcentre Plus' disability services as continuing to meet the five employer commitments under the 'two ticks' positive about disabled people symbol.
- 4.31 The 'people's parliament' of people with a learning disability has now held two meetings in Dudley. Its focus for its first year was on employment and on getting people with learning disabilities into work. As a result of the first meeting, the council pledged to create opportunities for 5 positions of paid employment for people with learning disabilities over 16 hours a week within the next 12 months, and had achieved 3 by the time of the parliament's second meeting.
- 4.32 With the collective agreement on the new grading and pay structure being implemented from 1 April 2012, the appeals submitted by employees against their new grades are being dealt with and all appellants have either had their appeal heard or are currently being given a date for their hearing.
- 4.33 A leadership and talent management programme for senior managers has been introduced during the year. A second intake is being planned for 2013/14, learning from the first round in terms of ensuring that the pool for identifying potential future leadership talent is widened. Future work will

involve looking at development programmes for employees at less senior levels in the organisation.

- 4.34 E-learning courses on equality have now been rolled out across all directorates and elected members with the programme to be completed by the end of 2013/14. Face to face equality training sessions (based on the online package) for employees without regular access to a PC have begun to be held and will continue beyond March 2014 for new starters. E-learning courses are complemented by more traditional training, briefings and resources on the equality intranet pages for employees. Further sessions on the public sector equality duty and the role of equality impact assessments have been held for senior managers.
- 4.35 Over 600 staff from both the council and other organisations, such as GP surgeries, have now been through the 'carer aware' learning package, with the aim of providing better support to carers and the individuals they care for.
- 4.36 Section 6 looks in more detail at workforce data and trends.

5. Other equality scheme issues

- 5.1 Alongside the identified objectives in the equality scheme there are a number of other areas covered in the scheme on which an update can be provided.
- 5.2 Information on the equality pages of the council's website has been revised and added to. This is the main route through which the council publishes equality information to meet the specific public sector equality duty.
- 5.3 Further results from the 2011 Census have been made available since the first release in July 2012. Headline data show the borough's population has increased to nearly 313,000, from just over 305,000 residents in 2001, 24.8% of the borough population are aged 60 or over, an increase from 22.2% in the 2001 Census and the borough's BME (ethnic groups other than white groups) population has grown from 6.3% in 2001 to 10.0% in 2011. Demographic changes will have an impact on the council's services. More details can be found at <http://www.dudley.gov.uk/about/census/2011-census/>. A local intelligence system is being developed which will aid the publishing of and access to relevant information including that from the Census and is due to be formally launched in autumn 2013.

- 5.4 The council's equality impact assessment guidance was again applied during the budget preparation process for 2013/14, relevant proposals undergoing EIAs and consultation with affected groups to ensure that the public sector equality duty was met fully during budget decision making. The EIA guidance will be revised further once the outcome of the Government's PSED review is known and any revisions to legislation result.
- 5.5 The scheme identifies the importance of the council working with the local health bodies to tackle health inequalities. The Office of Public Health has now been established within the council, based in the Chief Executive's Directorate. The Health and Wellbeing Board is also now in place, having been meeting in shadow form before April 2013. The Board's first joint health and wellbeing strategy has been produced and will be reviewed by the board during 2013/14, informed by other strategies, particularly the health inequalities strategy on which the Office of Public Health takes the lead. Work has also been done to update the joint strategic needs assessment which raises important issues for the commissioning of health and social care services. Information from the assessment will be published through the new local intelligence system.
- 5.6 The council, working in partnership with Dudley Clinical Commissioning Group, has been praised by the Prime Minister in his 'Challenge on Dementia' published in May for its approach to caring for people with dementia, specifically for developing 'an innovative, integrated approach to the diagnosis, care and support offered to people with dementia, their carers and families.' The report commends the borough's three dementia gateways, which provide care and support for those affected by dementia throughout all stages of the condition.
- 5.7 A wide range of engagement activity continues to take place, including that associated with the drawing up of the council's budget. The most recent BME community engagement event was held in September 2012, in partnership with the local health sector organisations and the police. The 'Take Care and Get Involved' campaign sought views from over 10,000 people who use adult care services through questionnaires about their experiences of receiving care and support; the results being fed into the strategic planning process. The Directorate of Adult, Housing and Community Services is also developing an engagement bank that will widen the number and diversity of people in the borough who wish to be involved in some form with developments in adult social care.

- 5.8 Over last 3 years, around 350 attendees from public agencies and voluntary and community organisations in the borough have attended partnership engagement training courses and over 250 have attended the community engagement network's events covering issues such as how to make engagement inclusive. During 2012/13 about 450 people were also involved in events/workshops around a collaborative asset based approach aimed at enabling communities to become more influential and helping to build social capital, held in line with the work on developing localism covered in section 4.
- 5.9 The continuing 'transforming our workplace' programme is helping to improve the accessibility of the council's building stock with offices in Dudley town centre being improved and less suitable buildings to be disposed of. Following the move of the Human Resources (HR) and Organisational Development division into Regent House the previous year, the Directorate of Urban Environment moved into the refurbished offices at 4 Ednam Road during 2013. Revised human resources policies supporting more agile ways of working are being introduced alongside the moves, having been piloted in HR and undergoing equality impact assessments.
- 5.10 Other information on equality targets and progress is included within individual directorate equality action plans and annual reports, available on the council's website.

6. Employment monitoring data

- 6.1 This section contains a range of employment monitoring data which helps the council to assess the extent to which it is providing fair employment opportunities for all groups and provides evidence in reporting progress with relevant equality objectives. Employment is included within the statutory responsibility to publish equality information, although the duty does not specify exactly what must be included. The Equality and Human Rights Commission has provided some guidance on what it would expect to see published.
- 6.2 The considerable budget reductions which the council is having to implement over a number of years from 2011/12 are resulting in a year on year fall in the number of staff employed by the council. The council, as of 1 April 2013, employs around 1500 fewer people than in April 2010 (although part of the reduction is also due to the establishment of academy schools where the council is no longer the employer). Where possible, staffing reductions are being achieved through vacancy management and voluntary redundancies,

although with a relatively small number of compulsory redundancies, and the majority of employees at risk during the three years of budget savings have been redeployed or 'redundancy bumped' into other posts. During 2012/13, there were 83 voluntary redundancies, 20 employees at risk of compulsory redundancy were redeployed and 2 were redundancy bumped into posts vacated by voluntary redundancy. Compulsory redundancies were reduced through this means to 18.

- 6.3 Employees faced with redundancy continue to be offered a range of support through the 'facing the future' programme, which includes training sessions, one to one coaching, resources and information.
- 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, sex, disability, white/BME groups and part-time employees as at 1st April 2013 is set out at Appendix 2(a). The Directorate of Children's Services is broken down further into head office and school employees.
- 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 £28,600 and above - approximately the highest paid 20% of the workforce), excluding schools, and employees in the lower grades below grade 9 (salaries of less than £28,600 approx.) respectively. The pay and grading structure changed from 1 April 2012, so the employment information is presented in line with the new grading structure.
- 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 provided at Appendix 2(a). The council's workforce remains at around 75% female, excluding schools it is lower at 65%, having altered little over the past few years. This is a common picture for similar local authorities, but differs from the economy as a whole where there is closer to an even sex balance although with men in a small majority. 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 the sectors.

- 6.10 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 employees in traditionally male occupations, has a sizeable majority of male employees (63%).

Race

- 6.11 There has been an upward trend over several years in the percentage of BME employees in the council’s workforce (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 the whole council, 6.4% of the workforce is from a BME background. Taking schools out of the equation, the figure for BME employees in the rest of the council’s workforce is 8.4%. 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% (note the 2011 Census used revised ethnic origin categories so the results were not derived on exactly the same basis, but figures used are for non-white groups), although there is a significantly higher proportion of the population of below working age from a BME background (18% of under 16s).

Table 1. Dudley MBC % of employees from ethnic minority communities (including schools)

Year	% of employees from BME communities
2012/13	6.4
2011/12	6.2
2010/11	6.2
2009/10	6.0
2008/09	5.6

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.

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 (head office) remaining the highest and Urban Environment and Children’s Services (schools) the lowest. Appendix 2(e) provides a breakdown of employees by individual ethnic groups.

Disability

6.13 Table 2 shows that the proportion of council employees who have stated that they have a disability has fallen slightly over both of the last 2 years, after an increase in the previous year. More detailed statistics are shown at Appendix 2(a). Redundancy figures show a slightly higher proportion of leavers with a disability than those without, although certainly part of this picture is explained by the older age profile of voluntary redundancy requests with older workers more likely to have a disability than younger ones. Without school employees, the figure for disabled employees in the rest of the council is 3.2%.

Table 2. Dudley MBC % of employees with a disability (including schools)

Year	% of employees with a disability
2012/13	1.80
2011/12	1.90
2010/11	2.00
2009/10	1.70
2008/09	1.80

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 6th April and 1st October 2011. Previously, the council had raised its retirement age to 70 in response to age discrimination legislation that came into force in October 2006. Over the last year there has been a small increase in the numbers of employees aged 65 or over following a fall in the previous year (which was common to all age groups due to redundancies and low recruitment levels) and in the numbers of employees aged under 25. This increase though has occurred in schools rather than in the wider council workforce.

Other protected characteristics

- 6.15 Data has been requested from employees about their religion or belief and sexual orientation. While the proportion of employees providing their details has risen since the categories were introduced, the proportion of employees providing data is not sufficiently large in order to draw significant conclusions from the information available to date. Employees are being encouraged to provide their personal data but there is no compulsion to do so.

Recruitment

- 6.16 Vacancies are advertised externally through the council's website and on www.wmjobs.co.uk, the portal for public sector jobs across the region. People looking for jobs can sign up for alerts by email. As noted in paragraph 4.28, a new recruitment system which simplifies the process involved is being introduced. A 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 be used, particularly to support 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 2012/13. 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 trend over the last few years for the success rates of BME and male applicants in being taken on by the council to be below those for people from white groups and women respectively continued in 2012/13.

Table 3. Recruitment analysis – % from a BME community

	Applied (%)	Shortlisted (%)	Appointed (%)
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
2008/09	15.0	14.8	9.5

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 – % women

	Applied (%)	Shortlisted (%)	Appointed (%)
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
2008/09	49.7	61.1	68.7

Table 5. Recruitment analysis – % disabled people

	Applied (%)	Shortlisted (%)	Appointed (%)
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
2008/09	2.7	2.8	1.6

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

- 6.18 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 religion or belief, the proportion of applicants and appointees who have not disclosed or did not wish to provide their religion or belief continues to fall year on year so that the data is becoming increasingly robust. The vast majority of recruits are of a Christian or no religion or belief background, which reflects the predominance of these religion or belief groups in the borough's population figures.

Grievances and disciplinary action

- 6.19 There were 4 claims lodged with the Employment Tribunal from April 2012 to March 2013 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 left over from previous year was resolved. One claim was settled outside of the tribunal. No claims were lost by the council, and it continues not to have lost a tribunal case on the grounds of discrimination for many years.

- 6.20 There was a substantial fall in the number of grievances raised by employees under the council's grievance policy during 2012/13 compared with the past two years. There was a small increase in the proportion of grievances from BME employees over last year and the proportion is above the overall background percentage of BME staff in the workforce for the three year period. The council has an established procedure for managing grievances and HR is involved in all formal grievance investigations. As the HR and Organisational Development has come together as one division, this now enables grievances to be monitored better across all directorates to ensure that any patterns or trends in the reasons why grievances are submitted are identified and any appropriate action taken.
- 6.21 The council has a thorough process in place for managing disciplinary issues, and disciplinary action is taken, if appropriate, only after the required process is followed. There was a very small rise in the number of employees having disciplinary action taken against them during 2012/13 over the previous year, including an increase in the proportion of BME employees so that the percentage is above those in the overall workforce proportions. These though are headline figures and do not distinguish between different outcomes from the disciplinary process which would need looking at in more detail in order to draw robust conclusions.

Table 6. Dudley MBC employment tribunal discrimination cases brought - April 2012 – March 2013

Directorate	Case Details	Application Lodged	Outcome
Adult, Community and Housing Services	Race discrimination	January 2013	Claim struck out
Children's Services*	Race and sex discrimination	October 2011	Dismissed by tribunal
Children's Services	Sex and race discrimination	August 2012	Claimant withdrew claim
Children's Services	Sex and race discrimination	December 2012	Settled outside of tribunal
Children's Services	Sex and race discrimination	December 2012	Claim ongoing

* Case carried over from previous year (2011/12)

7. Conclusions

- 7.1 The council has established its equality objectives in line with the requirements of the specific public sector equality duties and is able to report significant progress against the majority of these after the first full year since the objectives were approved as part of the council's equality scheme 2012-15. This review also helps to fulfil the requirement to publish information about how it is meeting the general duty, along with other information on its website.
- 7.2 The council, along with other local authorities, is continuing to face significant reductions in its resources and these are having an effect on its ability to maintain past initiatives and service levels, but it is mindful of the equality impact budget decisions may have on its customers and communities. In terms of employment, reductions in staffing levels have been achieved largely through vacancy management and voluntary redundancies, rather than compulsory redundancies. With limited recruitment in recent years, there has been less scope to tackle the equality objective to improve the levels of recruitment and retention of disabled employees and other underrepresented groups in the council's workforce, but ways to address this, as with the introduction of the new recruitment process and updated accompanying guidance in summer 2013, will continue to be investigated to try to tackle issues raised in the review.

Corporate Policy and Research Team
Chief Executive's Directorate
September 2013

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 (under review)
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 2013

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	788	32	114	14	1640	68	1047	64	2137	88	202	8.64	89	89	3.7
Chief Executive's	86	23	27	4	17	63	73	28	44	78	90.7	6	7.14	2	5	5.8
Children's Serv. Head Office	1855	358	19	162	45	1497	81	1021	68	1559	84	198	11.27	98	39	2.1
Children's Serv. Schools	7093	1059	15	427	40	6034	85	4116	68	6699	94.4	319	4.55	75	33	0.5
Corporate Resources	938	330	35	67	20	608	65	294	48	826	88.1	83	9.13	29	34	3.6
Urban Environment	1379	868	63	180	21	510	37	334	65	1285	93.2	50	3.75	44	49	3.6
Total	13779	3426	25	954	28	10352	75	6840	66	12584	91.3	858	6.38	337	249	1.8

Notes:

Staffing figures exclude 167 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 2013

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	483	257	53	6	2	226	47	62	27	417	86.34	54	11.46	12	21	4.3
Chief Executive's	42	17	40	3	18	25	60	10	40	36	85.71	4	10.00	2	4	9.5
Children's Serv. Head Office	409	119	29	12	10	290	71	91	31	340	83.13	55	13.92	14	15	3.7
Corporate Resources	240	116	48	14	12	124	52	41	33	217	90.42	17	7.26	6	9	3.8
Urban Environment	183	131	72	6	5	52	28	15	29	170	92.90	9	5.03	4	6	3.3
Total excluding schools	1357	640	47	41	6	717	53	219	31	1180	86.96	139	10.50	38	55	4.1

Notes:

Staffing figures exclude 167 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 2013 equates to a salary of £28,600 approx

Appendix 2(c). Dudley MBC workforce profile below grade 9 - 31 March 2013

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	1945	531	27	108	20	1414	73	985	70	1720	88.43	148	7.92	77	68	3.5
Chief Executive's	44	6	14	1	17	38	86	18	47	42	95.45	2	4.55	0	1	2.3
Children's Serv. Head Office	1446	239	17	150	63	1207	83	930	77	1219	84.30	143	10.50	84	24	1.7
Corporate Resources	698	214	31	53	25	484	69	253	52	609	87.25	66	9.78	23	25	3.6
Urban Environment	1196	737	62	174	24	459	38	319	69	1115	93.23	41	3.55	40	43	3.6
Total excluding schools	5329	1727	32	486	28	3602	68	2505	70	4705	88.29	400	7.84	224	161	3.0

Notes:

Staffing figures exclude 167 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 2013 equates to a salary of £28,600 approx

Appendix 2(d). Dudley MBC workforce profile by age - 31 March 2013

Directorate	All staff	Under 25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+
Adult, Comm. & Housing	2428	90	142	171	208	338	443	455	352	180	49
Chief Executive's	86	3	8	8	10	10	14	14	10	8	1
Children's Serv. Head Office	1855	91	103	152	159	284	343	325	218	141	39
Children's Serv. Schools	7093	539	649	766	771	1033	1098	906	705	417	209
Corporate Resources	938	95	63	110	91	142	150	138	84	49	14
Urban Environment	1379	88	107	94	110	156	253	203	177	113	78
Total	13779	906	1072	1301	1349	1963	2301	2041	1546	908	390
Percentage of total	100	6.5	7.8	9.4	9.8	14.2	16.7	14.8	11.2	6.6	2.8

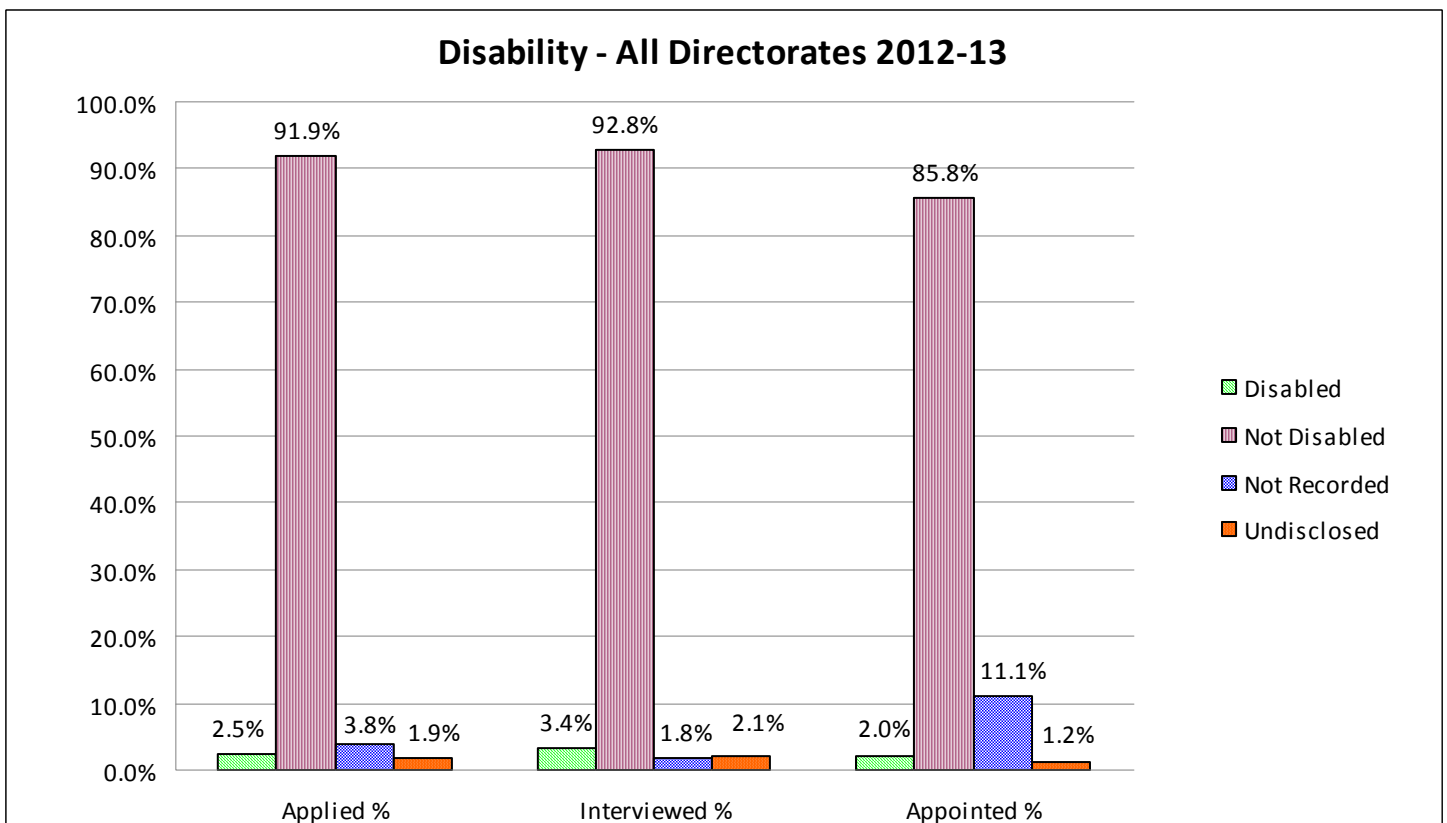
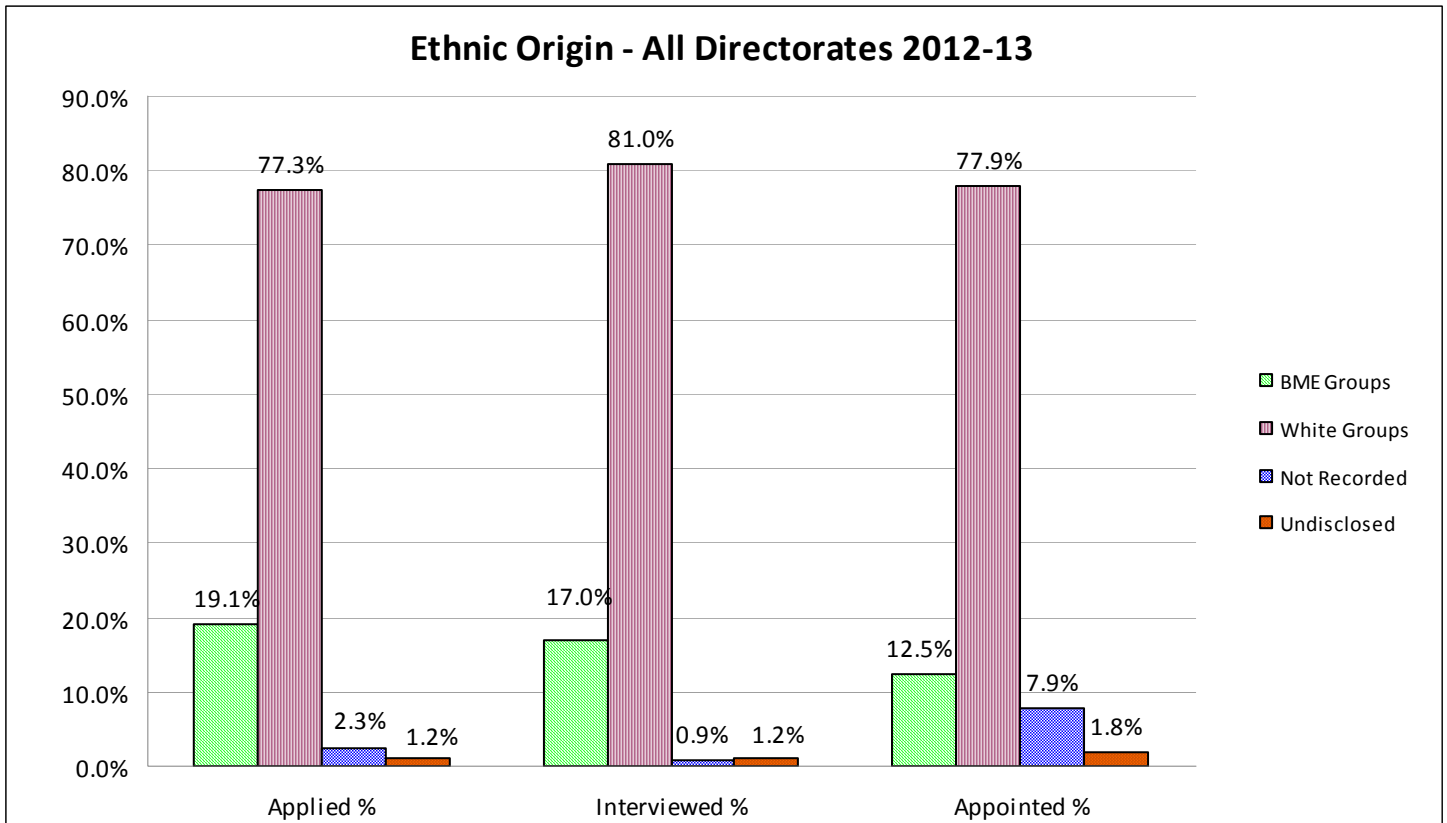
Note:

Staffing figures exclude 167 relief support assistants (temporary employees)

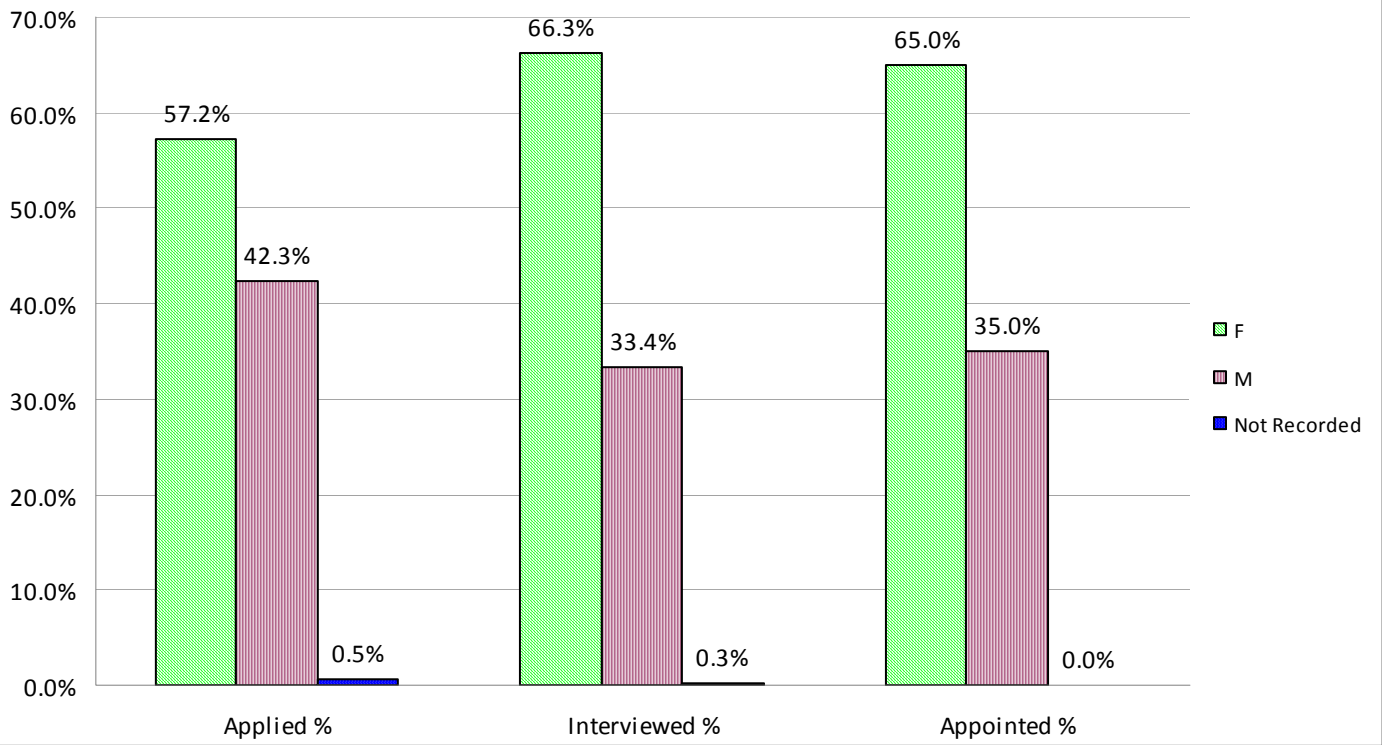
Appendix 2(e). Dudley MBC workforce profile by ethnic group 31 March 2013

	Adult Community & Housing	Chief Executive's	Children's Services Head office	Corporate Resources	Schools	Urban Environment	Total	Total Excluding Schools
British	2106	76	1534	820	6614	1265	12415	<i>5801</i>
Irish	6	0	8	1	30	7	52	<i>22</i>
White (Other)	25	2	17	5	55	13	117	<i>62</i>
Caribbean	60	3	70	16	46	11	206	<i>160</i>
African	5	0	9	0	6	1	21	<i>15</i>
Black (Other)	5	0	8	1	5	3	22	<i>17</i>
Indian	66	2	44	40	118	20	290	<i>172</i>
Pakistani	29	1	22	10	68	4	134	<i>66</i>
Bangladeshi	5	0	2	3	7	0	17	<i>10</i>
Asian (Other)	7	0	15	6	17	0	45	<i>28</i>
White/Caribbean	14	0	15	3	21	6	59	<i>38</i>
White/African	2	0	0	0	1	0	3	<i>2</i>
White/Asian	4	0	2	2	10	1	19	<i>9</i>
Mixed (Other)	2	0	6	0	10	2	20	<i>10</i>
Chinese	2	0	3	2	5	2	14	<i>9</i>
Other	1	0	2	0	5	0	8	<i>3</i>
Not known	89	2	98	29	75	44	337	<i>262</i>
Total	2428	86	1855	938	7093	1379	13779	<i>6686</i>

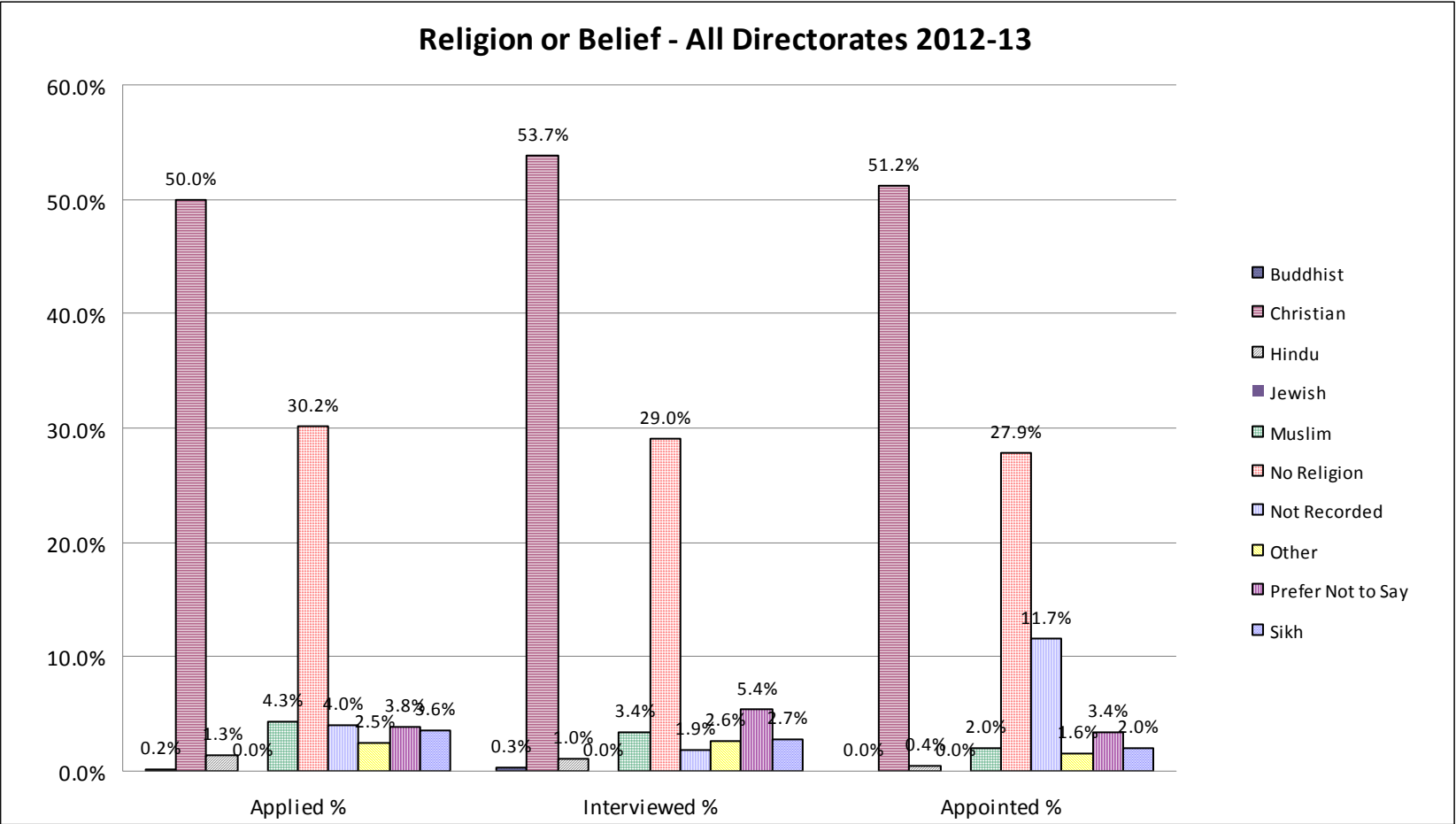
Appendix 3. Dudley MBC recruitment data – April 2012 – March 2013



Sex - All Directorates 2012-13



Religion or Belief - All Directorates 2012-13



Age Group - All Directorates 2012-13

