

# **Agenda Item 9a**

## **Annual Review of Equality 2012**



**August 2012**



# Dudley Metropolitan Borough Council

## Annual Review of Equality 2012

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## **1. Introduction**

- 1.1 Dudley Council's annual review of equality presents 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 statutory requirement to publish equality information that demonstrates how the council is meeting the public sector equality duty under the Equality Act 2010. The review is supplemented in this respect by a wide range of additional information that the council publishes on its website at [www.dudley.gov.uk/community-and-living/equality-diversity](http://www.dudley.gov.uk/community-and-living/equality-diversity) .
- 1.2 The review presents an opportunity for elected members and others who are interested in equality to scrutinise the council's progress on equality. The review is circulated to the scrutiny committee which has the responsibility for council-wide equality work – the Regeneration, Culture and Adult Education Scrutiny Committee – prior to being taken to the Cabinet for approval.
- 1.3 An annual review of equality has been published by the council for over a decade. In the past it has been the vehicle for reporting progress on the statutory race, disability and gender equality schemes and non-statutory elements relating to other protected groups. The council's cabinet approved a new equality scheme for the council in March 2012 and the review will report on progress with the new 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**

- 2.1 Since the last review was published, the Government has brought into force its proposals for specific public sector equality duties, which cover requirements to publish equality information by 31<sup>st</sup> January 2012 and annually thereafter, and equality objectives by 6<sup>th</sup> April 2012 (to be reviewed at least every four years).
- 2.2 The Government announced in June 2012 that it would progress with the plans to bring into force the provisions in the Equality Act 2010 to ban age discrimination in the provision of services, in public functions and by clubs and

associations. The ban will come into force on 1<sup>st</sup> October 2012, along with a list of exceptions from the ban covering:

- age-based concessions or discounts e.g. reduced cost access to leisure facilities for particular age groups
- age-related holidays
- age verification schemes – to allow retailers to operate challenge schemes when selling age restricted products such as cigarettes or alcohol
- clubs and associations concessions – on membership or access to facilities or services for members or guests
- financial services
- immigration
- residential park homes
- sport – to allow for the continuation of age-restricted sporting competitions, where the capabilities of ‘average’ people of the particular age group would put them at a disadvantage compared to ‘average’ people of another age group as competitors e.g. under-21s’ football competitions and veterans’ tennis competitions can continue.

2.3 The Government has signalled its intention to reduce what it sees as a burden of unnecessary legislation. Its ‘red tape challenge’ carried out in 2011 included the Equality Act 2010. As a result of the challenge, it has announced its intention to scrap the public sector equality duty on socio-economic inequalities (which had not been implemented), and the third party harassment provision (whereby employers are liable for harassment of their employees by third parties, such as customers). It has also indicated that it will review the public sector equality duty by April 2013 and the Equality Act 2010 as a whole by 2015.

2.4 The strength of the public sector equality duty, as it currently stands, continues to be reinforced by further applications across the country for judicial review challenging public authorities’ decisions. These have largely been associated with budget reductions, notably in the areas of adult social care, libraries and funding to voluntary and community sector organisations, questioning whether the authorities involved have adequately addressed the duty in making decisions.

2.5 The Government published in February 2012 a report on its new approach to community cohesion/integration - ‘creating the conditions for integration’. ‘Challenge it, report it, stop it: the Government’s plan to tackle hate crime’ was published in March 2012.

### **3. Local priorities**

3.1 The council's equality scheme 2012-15, approved by the Cabinet in March 2012, sets out the council's arrangements for advancing equality. It identifies a number of issues and challenges for equality in the borough, although acknowledging that the council alone has limited powers and resources to respond to all of them. These are in summary (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
- 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.

3.2 There is no longer a legal requirement for public authorities to prepare equality schemes, but it has been replaced by the duty to publish equality information and equality objectives. The council's new scheme contains the objectives that the council has identified to meet the statutory requirement (see Appendix 1) and contains a good deal of information which contributes towards the requirement to publish information. The objectives identify some of the areas which the council can progress in trying to tackle the issues and challenges identified in the scheme. The new scheme also takes into account the other changes brought in by the Equality Act 2010 and builds on progress achieved through the previous schemes.

3.3 Last year's annual review identified, in advance of the new equality scheme being drawn up, the following priorities for the 2011/12 year for focussed work, on which progress is reported in section 4:

- 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 (EIAs)
- continuing the roll out of e-learning on equality, and
- the recruitment and retention of disabled employees.

3.4 The analysis set out in this annual review looks at how well challenges and objectives are being addressed. 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.

#### **4. Annual review priorities**

4.1 Looking first at the 2011 annual review priorities set out in paragraph 3.3, the equality pages on the council's website have been redesigned, updated and extended in order to be the main route through which the council publishes equality information to meet the specific duty which came into force on 31<sup>st</sup> January 2012. They now contain a wide range of information about the council's equality objectives, plans, processes and performance, bringing together relevant documents such as key policies, directorate action plans, needs assessments and other data related to different service areas and employment. The site will continue to be added to and will be reviewed annually to ensure information is updated and relevant.

4.2 As already noted, the council's new equality scheme is in place. In addition to identifying key equality issues, challenges and objectives, it sets out some 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.

4.3 The council's equality impact assessment (EIA) guidance, revised and updated in response to the Equality Act 2010 and to take on board issues raised during legal challenges against various public authorities, was applied during the budget preparation process, relevant proposals undergoing EIAs and consultation with affected groups to ensure that the public sector equality duty was met fully during budget decision making. Briefing notes continue to be produced to keep managers and members informed on developments in the implementation of the Equality Act, and briefing sessions have been run for the Cabinet in November 2011 and a large number of senior officers on EIAs and the public sector equality duty.

4.4 E-learning courses on equality have now been rolled out across three directorates (by end of June 2012) and elected members. Children's Services and Urban Environment will be covered later in 2012 and the learning will be made available to employees who do not have ready access to a computer.

E-learning courses are complemented by more traditional training, briefings and resources on the equality intranet pages for employees.

- 4.5 An equality impact assessment was undertaken on the staffing implications of the budget reduction programme, which was provided to the cabinet and the council to inform their decision making. Research carried out by Unison during 2011 across a number of London authorities found that in some authorities a much greater proportion of BME employees had been made redundant than their proportion in the overall workforce. This has not been the case in Dudley for BME employees or disabled employees, although there has a very small fall in the proportion of the council's employees who are disabled (see section 7 for more information). More specific work on recruitment and retention of disabled people is covered in section 5.

## **5. Equality scheme objectives**

- 5.1 Next year's annual review will be able to report on a full year's progress against the equality scheme objectives agreed by the cabinet in March 2012. This report provides some outline information about the current position or early progress related to the objectives, in addition to that covered in section 4 above.

### **Narrowing the gap in educational achievement**

- 5.2 A range of projects including the Minority Ethnic Achievement Project, plus the work of the Ethnic Minority Achievement Service and the Special Educational Needs (SEN) Team support primary and secondary schools, pupils, parents or carers to narrow the gap in achievement between under achieving groups (looked after children, some BME groups, white boys and those with special educational needs and disabilities) and their peers.
- 5.3 Specialist inclusion services provide support and staff development opportunities, for example, in relation to pupils with different disabilities and SEN to build capacity, skills and knowledge in early years settings and schools. All new specialist bases for SEN provision are operational: High Arcal Academy and Gig Mill Primary for autism spectrum disorders, Hob Green Primary for speech and language disorders and the Brook Primary for behaviour, emotional and social disorders. All existing SEN specialist provisions (early years and school age) are full to capacity. Responsibility has been given to High Arcal and Holly Hall schools to lead on support for narrowing the gap in eleven secondary schools across the authority.



- 5.4 More data on closing the gap in attainment in primary and secondary schools can be found on the equality information pages on the council's website, but some headline points are made below.
- 5.5 In primary schools, measured by the percentage of pupils at the end of Key Stage 2 achieving level 4+ in English and mathematics, five year trends from 2007 to 2011, show that the gap between children receiving free school meals, and those that do not, is closing (although not consistently year on year) as is the gap between children who have special educational needs, and those who do not. The gap between the achievement of Yemeni and Gypsy, Roma and Traveller children and the Dudley average is closing, but the gap between the achievement of children of mixed, black, and Bangladeshi backgrounds and the Dudley average shows a fluctuating but overall widening trend.
- 5.6 In secondary schools, measured by the percentage of pupils at the end of Key Stage 4 achieving five or more A\* – C grades including English and mathematics, five year trends from 2007 to 2011 show that the gap between children receiving free school meals, and those that do not, is widening (although not consistently year on year) as is the gap between children who have SEN and those who do not. The gap between the achievement of Mixed, Asian, Pakistani, Black, Chinese and Bangladeshi children, and the Dudley average is closing, but the gap between the achievement of White and Yemeni children and the Dudley average shows a fluctuating but overall widening trend.
- 5.7 In relation to looked after children, the quality of care provided is good as evidenced by inspection outcomes and performance of regulated services against national standards. In addition, indicators show good performance and the educational achievement of looked after children has shown an improving trend. This is against a backdrop of rising numbers of looked after children which is putting pressure on placements. 23% of local authority young people achieved 5 A\*-C (including English and maths) in the summer of 2011.

#### **Needs of an ageing population**

- 5.8 The first two extra care schemes providing high quality accommodation with integrated care and support services for older people - Broad Meadow, Russells Hall, and Willowfields, Coseley, provided through Midland Heart - have opened and residents have been moving in. Funding has been agreed with the Homes and Communities Agency to develop the three remaining

extra care schemes across the borough, with sites having been identified and development soon to begin.

### **Welfare reforms and financial inclusion**

- 5.9 The government is in the process of developing and implementing a programme of welfare reform with the stated aim of moving people reliant on benefits back into work. Localising support for council tax benefit from April 2013 is one part of the programme. Council tax benefit is means tested and is paid to low income households to help them meet their council tax liability, with the Department for Work and Pensions subsidising the money paid out. The national scheme is being replaced by a requirement for local councils to consult on and introduce a local scheme alongside a 10% reduction in funding. Pensioners must be protected and councils will also be expected to provide support for the most vulnerable. People with particular protected characteristics are likely to feature disproportionately within the council tax benefit claimant profiles. Bearing this and other factors in mind, the cabinet agreed in June 2012 to select the eligibility rules and award levels of the existing council tax benefit scheme as the Council's preferred option for its 2013/14 localised Council Tax Support Scheme and that the required consultation on the details of the local scheme proceed on this basis.
- 5.10 Other planned welfare reforms will potentially have a substantial equality impact which the council, where it has the responsibility for implementing these, will need to assess and deal with as far as it can as details become confirmed. The council has set up a welfare advice line to help tenants to manage the changes to housing benefits that may affect them.
- 5.11 Dudley, along with other councils in the country, has signed up to the Government's programme to tackle troubled families. Work has been undertaken to identify the 740 troubled families in the borough with systems set up to monitor the characteristics of these families and the success of interventions.

### **Localism and 'our society in Dudley'**

- 5.12 The cabinet received a report on implementing the Localism Act 2011 at its June 2012 meeting. This recognised the potential for a differential take-up of community rights and other opportunities open to the public arising from the Act, including neighbourhood planning. Some communities will be better equipped than others to exercise such rights, while other communities which have less resource or social capital may need greater support. Research by the Centre for Local Economic Strategies and the Centre for Local Policy Studies 'Open for all? The changing nature of equality under big society and

localism' (November 2011) reviewed the equality impact and implications of the government's policy ideas around localism and big society, Amongst what it regarded as its key findings, the research concludes that there had not been an adequate consideration of the impact of the emerging policies upon equalities groups, there was concern that localism focussed on communities defined by place and would lead to a weakening of involvement by equalities groups, and specialist voluntary sector services for people with a protected characteristic have been particularly vulnerable to cuts. The developing work within the council and with partners on localism and our society in Dudley, which is the local response to some of the ideas set out in big society, recognises the need to take action to promote inclusion.

### **Hate crime**

- 5.13 A hate crime stakeholders conference was held on 29th March 2012 and identified a range of actions to be taken. These included ones to improve reporting by raising awareness of the three major reporting centres in the borough – the police, Dudley Council Plus and Victim Support. Expressions of interest were invited from those wishing to become third party reporting centres and events to support this initiative are ongoing. Work to improve data collection, trend analysis, prevention, supporting victims and tackling offenders is also continuing.

### **Domestic abuse**

- 5.14 A new domestic abuse refuge has been opened in the borough providing high quality self-contained accommodation which can provide a service for a more diverse range of people such as those with mobility difficulties, larger families and male or females. The safe and sound partnership ran a campaign prior to the European football championships. This included the issuing of beer mats and posters to licensed premises highlighting the issue. Incidents of domestic abuse spike during major football tournaments and many of the offenders are found to be under the influence of alcohol.

### **Council employment issues**

- 5.15 Paragraph 4.5 commented on the impact of redundancies on the profile of the workforce. Work is continuing on the objective of improving the recruitment and retention of disabled people. In 2011 the council introduced guidelines for managers in supporting employees with disabilities which are now well embedded into the organisation. In support of these, an officer from the human resources teams supporting each directorate has been identified as the contact for disabled employees and attends meetings of the council's employees with disabilities group.

- 5.16 The council was reassessed in June 2012 by Jobcentre Plus' disability services as continuing to meet the five employer commitments under the 'two ticks' disability symbol. The council will continue to work with Jobcentre Plus over the forthcoming months to develop the relationship and potential initiatives to support and sustain the employment of disabled people in the workplace. Human resources staff have also met with representatives from the Beacon Centre for the Blind to discuss support for employees with visual impairments.
- 5.17 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. Rates of unemployment amongst people with a learning disability are particularly high, an estimated 83% nationally of those of working age not in work (Centre for Disability Research 2008). A 'people's parliament' of people with a learning disability held its inaugural meeting in Dudley in July 2012. Its focus for its first year is on employment and on getting people with learning disabilities into work. As a result of the meeting, the council has 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.
- 5.18 A collective agreement on the new grading and pay structure was reached with the trade unions in early 2012 and has been implemented from 1 April 2012. The deadline for employees to appeal against their new grades has closed and the appeals that have been submitted are currently being dealt in accordance with the agreed procedure.
- 5.19 Alongside the specific training and awareness for employees on equality (see paragraph 4.4), work is progressing in relation to the objective on developing a clear and transparent framework for employees that identifies the development needed for current and future leaders and managers working at all levels. This is being sponsored by the Director of Adult, Community and Housing Services, with a report on workforce planning being presented to the assistant directors group and reports on talent management and leadership to corporate board during the late summer/early autumn.

## **6. Other equality scheme issues**

- 6.1 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.

- 6.2 The equality scheme sets out available information about numbers of people with protected characteristics in the borough, some of these derived from the 2001 Census. The first results from the 2011 Census were released in July 2012. These reveal that the borough's population is estimated at 312,900, up from 305,200 in the 2001 Census. Other information for smaller geographical areas and relating to various protected characteristics will become available between November 2012 and October 2013. This will help the council in providing much more up to date data to be used in designing and delivering services and in carrying out equality impact assessments. The Census though did not ask questions about sexual orientation or gender reassignment so will not help in providing any more data relating to these protected characteristics amongst the borough's population.
- 6.3 The scheme identifies the importance of the council working with the health bodies to tackle health inequalities. Arrangements have been put into place to ensure the successful integration into the council from 1<sup>st</sup> April 2013 of the public health service. This will be based in the Chief Executive's Directorate. The Health and Social Care Act 2012 places duties on the council to improve public health, to undertake a joint strategic needs assessment and prepare a joint health and wellbeing strategy with the clinical commissioning group. The council should be in a better position post April 2013 to address health inequalities in a coordinated way across its services and working with the clinical commissioning group.
- 6.4 In terms of employment, the other notable initiative not directly identified in the objectives is the three year project to transform where council staff work and how they work in Dudley town centre. This will enable the council to achieve long term savings, protect jobs and offer value for money to residents, while making sure employees have modern and flexible working environments and facilities. The first phase – the pathfinder - has seen the Human resources and organisational development division move into Regent House in Dudley. All draft human resources policies and guidance will be piloted by this pathfinder to ensure they operate appropriately, and that they do not impact adversely on employees with particular protected characteristics, before they are more widely adopted.
- 6.5 This 'transforming our workplace' programme will help to improve the accessibility of the council's building stock with less suitable buildings being disposed of. Much of the remaining other practical improvements to building access have now been implemented. Further public buildings have been surveyed and added to the council's online access guides to public buildings. The guides set out comprehensive information about access to council

buildings for disabled people and are also available in alternative formats of large print, audio and on demand in Braille.

- 6.6 A wide range of engagement activity continues to take place, including that associated with the drawing up of the 2012/13 budget.
- 6.7 The next BME community engagement event is on 29<sup>th</sup> September 2012. The 2011 event, in partnership with the local health sector organisations and the police, 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, benefits advice, 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.
- 6.8 Action for Disabled People and Carers and its supporting network of groups, which the council, along with Dudley NHS primary care trust, fund Dudley Council for Voluntary Service to coordinate, together with other disabled people's groups such as Access in Dudley, which works particularly with the Directorate of the Urban Environment on planning issues and access audits, continue to play an important role in engagement with the council, health sector and other bodies.
- 6.9 Other examples of engagement activity are outlined, along with other information on equality targets and progress, within individual directorate equality action plans and annual reports, available on the council's website.

## **7. Employment monitoring data**

- 7.1 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. The statutory responsibility to publish equality information (see paragraph 2.1) includes information relating to a public authority's employment, 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.
- 7.2 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. Where possible this is being

achieved through voluntary redundancies, although there have been some compulsory redundancies. Most of these redundancies have occurred after 31<sup>st</sup> March 2011 so are reflected in the figures included in this year's review. The need for compulsory redundancies has been reduced further with the redeployment of 69 employees during the two years of budget savings.

- 7.3 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. As noted in paragraph 4.5, an equality impact assessment of the staffing implications of the budget reductions has been undertaken.
- 7.4 Employment monitoring data summary reports are provided quarterly for Cabinet members and directors.

### **Workforce profile**

- 7.5 A summary of the council's workforce broken down by directorates, sex, disability, white/BME groups and part-time employees, as at 1<sup>st</sup> April 2012, is set out at Appendix 2(a). The Directorate of Children's Services is broken down further into head office and school employees. Data for all directorates cannot be directly compared with previous years given changes to directorate structures notably with the recent establishment of the Corporate Resources Directorate.
- 7.6 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. Following the pay and grading review, the pay and grading structure changed from 1 April 2012, so future employment information will be presented in line with the new structure.
- 7.7 Appendix 2(d) shows the workforce profile by age and Appendix 2(e) a more detailed directorate breakdown by ethnic group.
- 7.8 Comparative information for other authorities was available through the Audit Commission best value performance indicators only up until 2007/08.

## Sex

- 7.9 The sex breakdown of the workforce is provided at Appendix 2(a). The council's workforce remains at around 75% female, 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.
- 7.10 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 minority of female employees.

## Race

- 7.11 There has been an upward trend over several years in the percentage of BME employees in the council's workforce. The figure for 2011/12, however, remained at the 2010/11 level of 6.2% (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.) Taking schools out of the equation, the figure for BME employees in the rest of the council's workforce is 8.2%. Figures from the 2011 Census for the BME population of the borough are awaited. The figure from the 2001 Census was 6.3%, although ethnic group population estimates from 2009 (Office for National Statistics) put the figure at 9.7%.

**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
2011/12	6.2				
2010/11	6.2				
2009/10	6.0				
2008/09	5.6				
2007/08 <sup>+</sup>	5.5	5.4	5.5	6.2	7.7

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

<sup>+</sup>See paragraph 7.8



7.12 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**

7.13 Table 2 shows that the proportion of council employees with a disability has fallen very slightly over the last 12 months, after an increase in the previous year. More detailed statistics are shown at Appendix 2(a). Without school employees, the figure for disabled employees in the rest of the council is 3.3%. 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 5.15-17).

**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
2011/12	1.90				
2010/11	2.00				
2009/10	1.70				
2008/09	1.80				
2007/08 <sup>+</sup>	2.00	3.7	4.6	2.8	3.3

<sup>+</sup>See paragraph 7.8

### **Age**

7.14 The age profile of the workforce is set out at Appendix 2(d). Nationally, the default retirement age of 65 was phased out between 6<sup>th</sup> April and 1st October 2011. Previously, the council had raised its retirement age to 70 in response to age discrimination legislation that came into force in October 2006 with the consequence that 373 employees are now aged 65 or over. This represents a fall in numbers from the previous year but this is in common with all age groups due to redundancies and low recruitment levels. The proportion of employees who are 60 and over has fallen slightly, which is not surprising given the levels of voluntary redundancies which are usually more likely amongst older employees who can access their pension.

### **Other protected characteristics**

- 7.15 Data is also now collected for employees' religion or belief and sexual orientation. There has been an increase over the last year in employees giving their religion or belief so that data is now held for over 50% of employees. With sexual orientation there has also been an increase, but the proportion of employees providing data remains small so it is not possible to draw significant conclusions from the information available to date.

### **Recruitment**

- 7.16 Vacancies are advertised externally through the council's website and on [www.wmjobs.co.uk](http://www.wmjobs.co.uk), the portal for public sector jobs across the region. People looking for jobs can sign up for alerts by email. The council continues to operate 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. With budget pressures the number of posts filled from the redeployment register has increased in the recent past.
- 7.17 Appendix 3 provides a summary of overall recruitment activity for the council, including schools, by race, sex, disability, religion or belief and age during 2011/12. 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. There has been a very substantial increase in the number of applicants not giving their ethnic origin in 2011/12 – this has had a big impact on the figures shown in table 3 – it is not clear why this has happened. Given this issue it is not possible to draw a robust conclusion from the available figures, but the trend over the last few years is for the success rates of BME and male applicants to be below those for people from white groups and women respectively.
- 7.18 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 a significant increase in recruitment from the under 20s over the previous year. With monitoring by religion or belief, this is the fourth 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 continues to fall so that the data is becoming increasingly robust. The council is attracting applicants and recruiting from across most religion or belief groups.

**Table 3. Recruitment analysis – % from a BME community**

	Applied %	Shortlisted %	Appointed %
2011/12	6.66*	5.00*	5.07*
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

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

\*In 2011/12, there was a substantial increase in applicants and recruits not providing their ethnic origin

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

	Applied %	Shortlisted %	Appointed %
2011/12	59.77	64.07	62.54
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

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

	Applied %	Shortlisted %	Appointed %
2011/12	2.19	2.19	1.69
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

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**

- 7.19 There were 7 claims lodged with the Employment Tribunal from April 2011 to March 2012 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). No claims were made in the previous 12 months and

**Table 6. Dudley MBC employment tribunal discrimination cases brought - April 2011 – March 2012**

<b>Directorate</b>	<b>Case Details</b>	<b>Application Lodged</b>	<b>Outcome</b>
Adult, Community and Housing	Disability discrimination	April 2011	Claim struck out
Children's Services	Race and sex discrimination	Nov 2011	Awaiting judgement from tribunal
Children's Services	Disability discrimination	April 2011	Settled outside of tribunal
Children's Services	Race discrimination	October 2011	Withdrawn
Urban Environment	Disability discrimination	May 2011	Withdrawn
Urban Environment	Disability discrimination	June 2011	Settled outside of tribunal
Urban Environment	Disability discrimination	January 2012	Settled outside of tribunal

all claims from previous years have been dealt with and the outcome reported in past annual reviews. The increase in claims seen in 2011/12 is likely to be linked to the number of redundancies required in order to implement the budget reductions for 2011-14. 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.

7.20 Similar numbers of grievances to the previous year were raised by employees during 2011/12 under the council's grievance policy. There was a small fall in the proportion of grievances from BME employees, although the proportion remained above the overall background percentage of BME staff in the workforce. A revised grievance policy was launched in May 2012. Last year's review noted that there had been a substantial increase over previous years' reported overall figures and that it was likely that the introduction of more robust data collection with incidents now recorded on the PSE personnel and payroll system, along with greater awareness of the procedures and the impact of the need for staffing reductions and restructuring had all had some effect.

7.21 With disciplinary action there was a small but significant reduction in the number of employees having disciplinary action taken against them during

2011/12 over the previous year, although an increase in the proportion of BME employees when percentages were roughly in line with overall workforce proportions.

- 7.22 Information is now being collected for other protected groups and trend information should be available in future years.

## **8. Conclusions**

- 8.1 Significant progress has been made in implementing the issues identified as priorities in the annual review of equality 2011. Equality information and objectives have been published in line with the statutory requirements introduced through the specific public sector equality duties. Budget processes have been adapted to make sure that the general public sector equality duty is complied with in making decisions on the budget.
- 8.2 Given that the council's new equality scheme was agreed only in March 2012 it is too early in the life of the scheme to make many comments about implementation of the scheme and the statutory equality objectives it contains. However, as illustrated in the review, some initial progress has been made. The 2013 review will be able to report on a full year's implementation.

Chief Executive's Directorate  
August 2012

## **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 summary - 31 March 2012**

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Comm. &amp; Housing</b>	2502	802	32.1	117	14.6	1700	67.9	1079	63.5	2265	90.5	207	8.4	30	95	3.8
<b>Chief Executive's</b>	97	28	28.9	5	17.9	69	71.1	29	42.0	88	90.7	7	7.4	2	6	6.2
<b>Children's Serv. Head Office</b>	1869	368	19.7	158	42.9	1501	80.3	981	65.4	1616	86.5	202	11.1	51	43	2.3
<b>Children's Serv. Schools</b>	7089	1029	14.5	389	37.8	6060	85.5	4022	66.4	6727	94.9	310	4.4	52	35	0.5
<b>Corporate Resources</b>	935	315	33.7	52	16.5	620	66.3	296	47.7	840	89.8	81	8.8	14	30	3.2
<b>Urban Environment</b>	1453	904	62.2	197	21.8	547	37.6	362	66.2	1382	95.1	51	3.6	20	52	3.6
<b>Total</b>	13945	3446	24.7	899	26.1	10497	75.3	6736	64.2	12918	92.6	858	6.2	169	261	1.9

**Appendix 2(b). Dudley MBC workforce profile - scale point 34 and above (principal officer and above) - 31 March 2012**

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Comm. &amp; Housing</b>	456	243	53.3	10	4.1	213	46.7	33	15.5	404	88.6	47	10.4	5	26	5.7
<b>Chief Executive's</b>	30	14	46.7	1	7.1	16	53.3	3	18.8	29	96.7	3	10.0	0	5	16.7
<b>Children's Serv. Head Office</b>	378	131	34.7	7	5.3	247	65.3	44	17.8	347	91.8	53	14.4	9	16	4.2
<b>Corporate Resources</b>	267	132	49.4	9	6.8	135	50.6	46	34.1	241	90.3	22	8.4	4	7	2.6
<b>Urban Environment</b>	205	146	71.2	6	4.1	59	28.8	9	15.3	192	93.7	12	5.9	1	8	3.9
<b>Total excluding schools</b>	1336	666	49.9	33	5.0	670	50.1	135	20.1	1213	90.8	137	10.4	19	62	4.6



**Appendix 2(c). Dudley MBC workforce profile below scale point 34 (senior officer and below) - 31 March 2012**

Directorate	All staff	Male	Male %	Male PT	PT % of Male	Female	Female %	Female PT	PT % of Female	White	White %	BME	BME %*	Not known	Disabled	Disabled %
<b>Adult, Comm. &amp; Housing</b>	2046	559	27.3	107	19.1	1487	72.7	1046	70.3	1861	91.0	160	7.9	25	69	3.4
<b>Chief Executive's</b>	67	14	20.9	4	28.6	53	79.1	26	49.1	59	88.1	4	6.2	2	1	1.5
<b>Children's Serv. Head Office</b>	1491	237	15.9	151	63.7	1254	84.1	937	74.7	1269	85.1	149	10.3	42	27	1.8
<b>Corporate Resources</b>	668	183	27.4	43	23.5	485	72.6	250	51.5	599	89.7	59	9.0	10	23	3.4
<b>Urban Environment</b>	1248	758	60.7	191	25.2	488	39.1	353	72.3	1190	95.4	39	3.2	19	44	3.5
<b>Total excluding schools</b>	5520	1751	31.7	496	28.3	3767	68.2	2612	69.3	4978	90.2	411	7.6	98	164	3.0

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

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

\*BME % excludes not knowns

Scale point 34 is approximately £28,600

All employees have been allocated to a scale point for tables 2(b) and (c) – in previous years employees on a fixed salary were not included so the grade breakdown data is not directly comparable to previous years

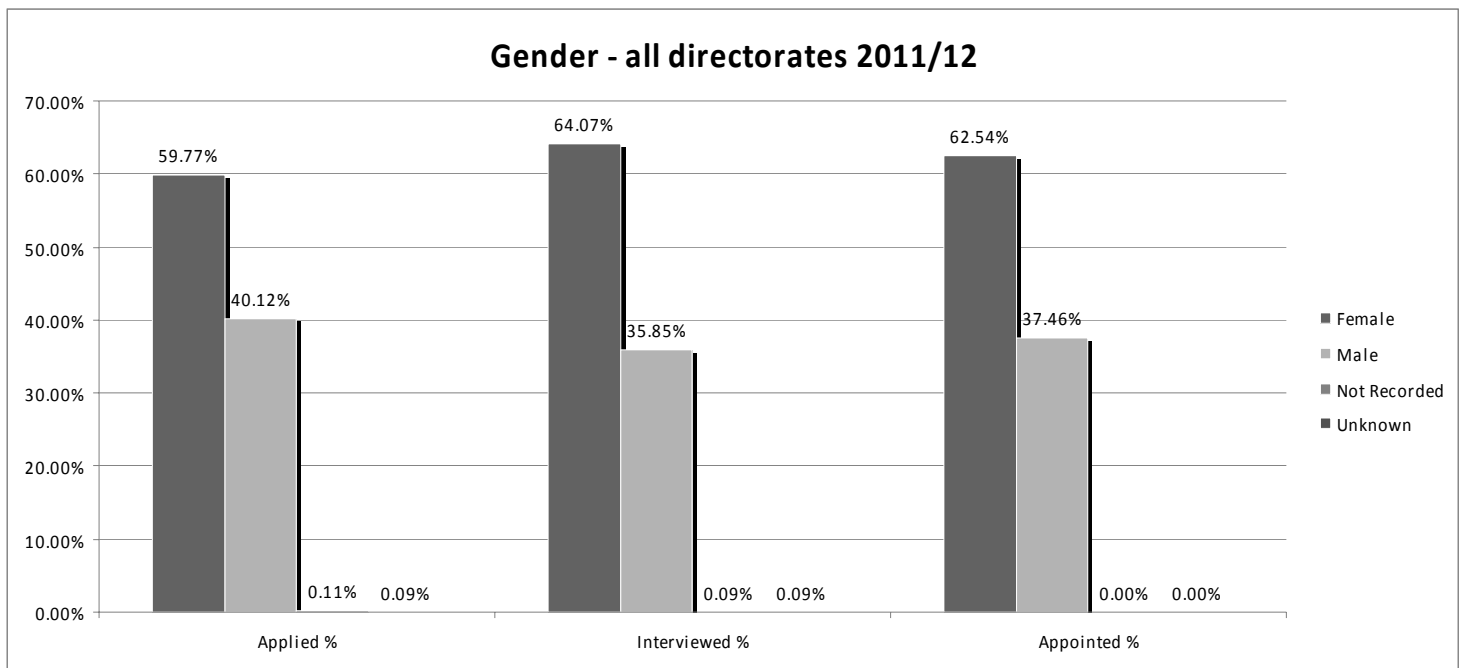
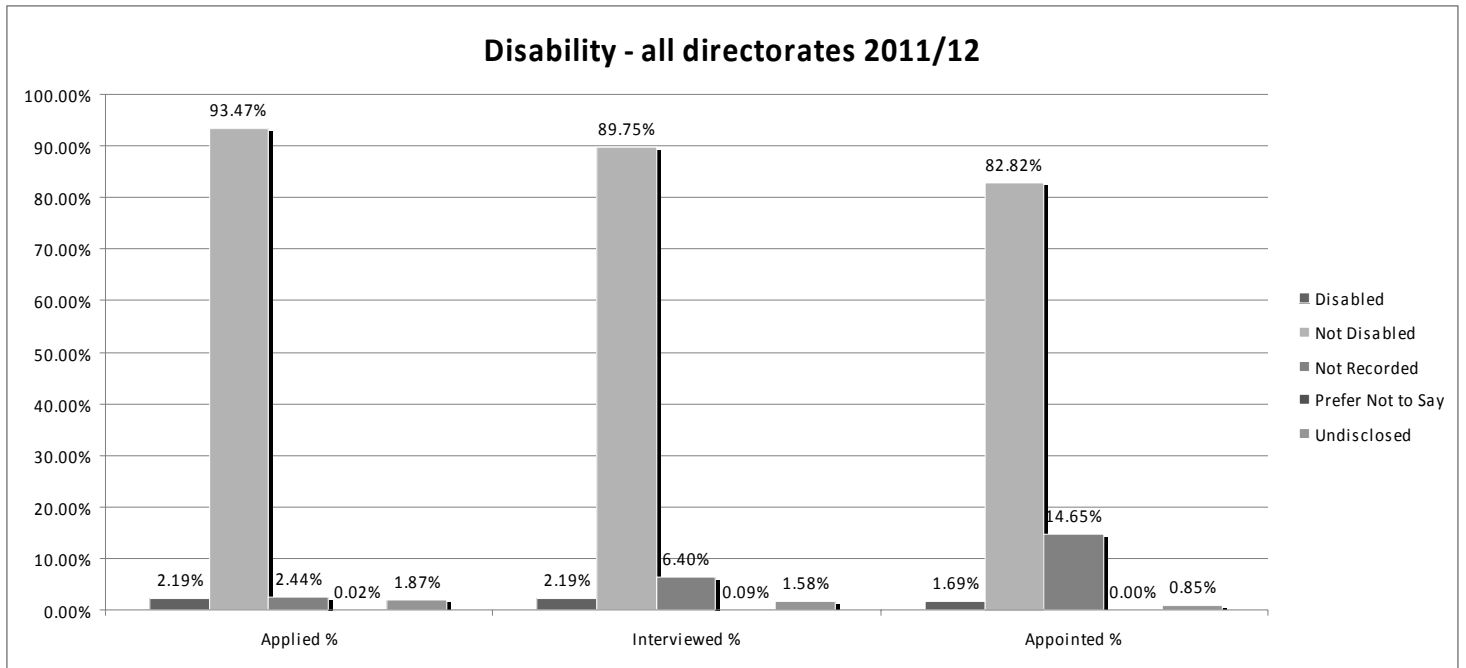
**Appendix 2(d). Dudley MBC workforce profile by age - 31 March 2012**

Directorate	All staff	16-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+
<b>Adult, Comm. &amp; Housing</b>	2502	98	151	180	215	374	472	448	342	181	41
<b>Chief Executive's</b>	97	10	8	8	10	14	11	14	11	7	4
<b>Children's Serv. Head Office</b>	1869	96	112	157	167	290	357	318	209	129	34
<b>Children's Serv. Schools</b>	7089	482	669	754	776	1078	1115	869	753	402	191
<b>Corporate Resources</b>	935	86	86	108	94	153	146	117	83	48	14
<b>Urban Environment</b>	1453	106	104	96	124	174	262	198	190	110	89
<b>Total</b>	13945	878	1130	1303	1386	2083	2363	1964	1588	877	373
<b>Percentage of total</b>		6.29	8.10	9.34	9.94	14.94	16.95	14.08	11.39	6.29	2.67

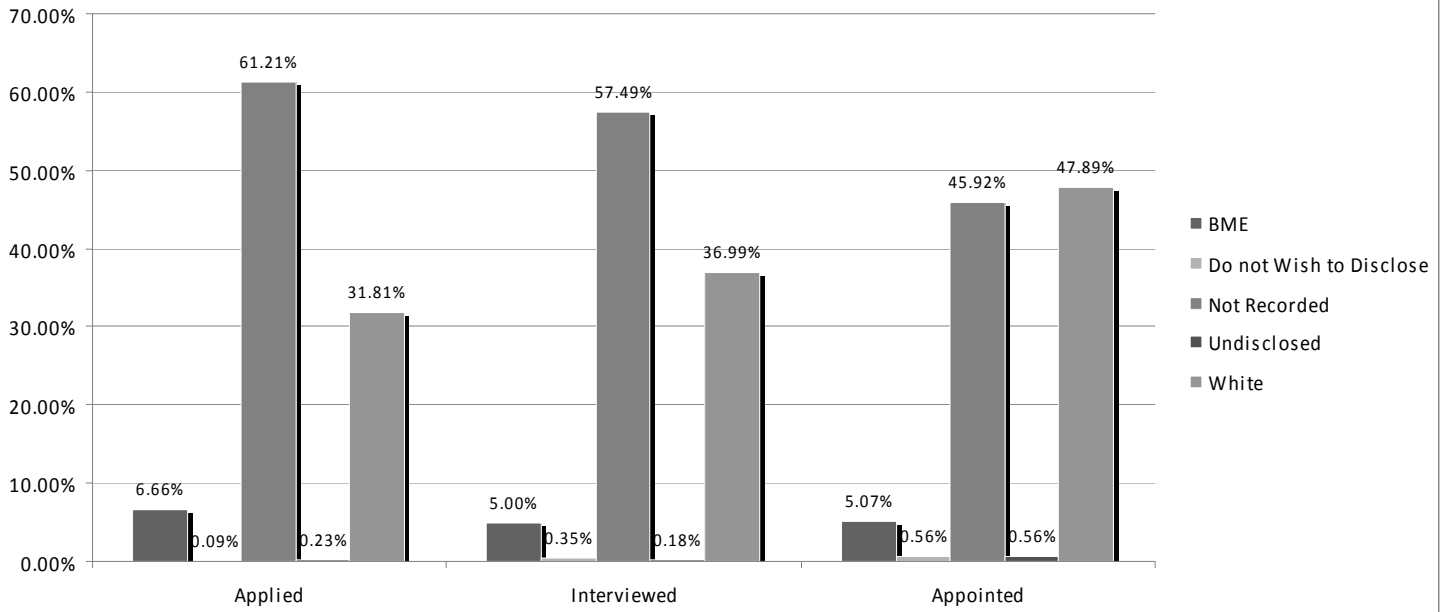
**Appendix 2(e). Dudley MBC workforce profile by ethnic group 31 March 2012**

	<b>Adult Community &amp; Housing</b>	<b>Chief Executive's</b>	<b>Children's Services Head office</b>	<b>Children's Services Schools</b>	<b>Corporate Resources</b>	<b>Urban Environment</b>	<b>Total</b>	<b>Total Excluding Schools</b>
<b>British</b>	2235	86	1588	6647	834	1360	12750	6103
<b>Irish</b>	5	0	7	25	1	7	45	20
<b>White (Other)</b>	25	2	21	55	5	15	123	68
<b>Caribbean</b>	61	3	71	54	16	11	216	162
<b>African</b>	6	0	12	6	0	0	24	18
<b>Black (Other)</b>	7	0	7	5	1	3	23	18
<b>Indian</b>	68	2	45	117	40	21	293	176
<b>Pakistani</b>	28	2	20	62	9	5	126	64
<b>Bangladeshi</b>	5	0	2	5	3	0	15	10
<b>Asian (Other)</b>	6	0	14	14	4	0	38	24
<b>White/Caribbean</b>	15	0	17	16	4	6	58	42
<b>White/African</b>	1	0	1	1	0	0	3	2
<b>White/Asian</b>	4	0	2	9	1	1	17	8
<b>Mixed (Other)</b>	2	0	5	11	0	2	20	9
<b>Chinese</b>	2	0	2	4	3	2	13	9
<b>Other</b>	2	0	4	6	0	0	12	6
<b>Not known</b>	18	2	41	49	13	18	141	92
<b>Total</b>	2502	97	1869	7089	935	1453	13945	6856

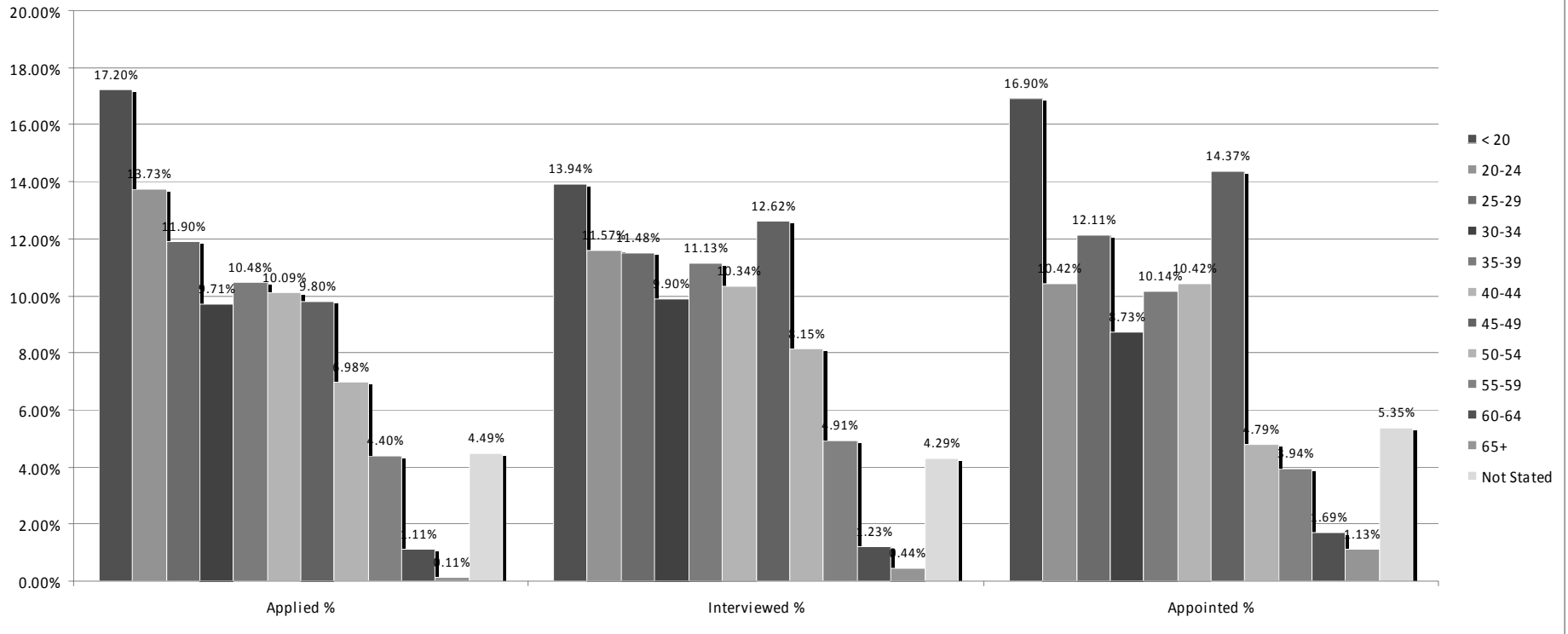
### Appendix 3. Dudley MBC recruitment data – April 2011 – March 2012



### Ethnic Origin - all directorates 2011/12



### Age - all directorates 2011/12



### Religion or belief - all directorates 2011/12

