

1	<p>Title of function or policy to be assessed? The reduction in non-school staff as a result of the budget saving process for financial year 2011/12 including any additional savings required as a result of funding cessations or reductions.</p>
2	<p>Lead officer on assessment. Margot Worton, Head of HR supporting the central directorates</p>
3	<p>Members of assessment team. Sabeena Khanna, Principal HR Officer, supporting the central directorates Ian McGuff, Assistant Director, Quality & Partnership Division, Children's Services Simon Manson, Principal Policy & Performance Management Officer, Chief Executive's directorate Menna Flavell, Principal Officer, Corporate Management, Corporate Resources directorate Helen Mallen, Principal HR Officer, supporting the central directorates Emma Carver, Principal HR Officer, supporting DUE Abbie Goodwin, Principal HR Officer, supporting DACHS Robert Marsh, HR Officer, supporting Children's Services Caroline Glover, Team Manager, HR First, Corporate Resources directorate Theresa Andrews, Information Analyst & Systems Officer, HR First, Corporate Resources directorate Saroj Norman, Chair of the DMBC BME Employees' Group Lynn Evans, Chair of the DMBC Employees with Disabilities Group</p>
4	<p>Head of Service Philip Tart, Director of Corporate Resources</p>
5	<p>Date initial assessment began November 2010</p>
6	<p>Date assessment completed 28 September 2011</p>
<p>Aims of policy or function/service</p>	
7	<p>What are the aims and objectives or purposes of the policy or function/service? The Council is required to make an unprecedented level of savings in response to the current economic climate, the Government's spending review and funding cessations.</p> <p>Full details regarding the Budget Strategy and associated risks were in reports discussed at Cabinet on 9th February 2011 and full Council on 7th March 2011. Directors were asked to produce EIA's for the options being pursued as part of the draft budget that was issued by Cabinet for consultation with Select Committees and unions.</p> <p>The Council is committed to promoting equality of opportunity and to protect the most vulnerable people and is setting its budget within the context of a range of central government decisions about local government funding in response to the economic conditions of the country. The Leader at the time of the budget setting, Cllr Anne Millward, stated from the outset the desire of the Council to minimise the number of compulsory redundancies required.</p> <p>The Council's 2011/12 revenue budget required efficiencies and other savings totalling £22.3m. The Council has been planning for the reduction in funding and where savings and efficiencies relate to employee costs they have, as far as possible, been made through measures such as not filling vacancies, deleting posts and offering voluntary requests for reduced hours. However, given the scale of the savings redundancies are likely to be required in a number of areas.</p> <p>The decision making process for this year's budget was very tightly constrained by the lateness of the information about the Council's settlement from Central government and a lack of clarity about some specific grants. In view of the need for speed and current lack of information about</p>

	<p>potential impact it has not always been possible to fully assess likely staffing implications and work to understand this will continue.</p> <p>Where possible the Council aims to reduce the number of compulsory redundancies by asking for expressions of interest for voluntary redundancy, consideration of bumping opportunities and redeployment as well as requests to voluntarily reduce hours.</p> <p>Directorates have undertaken an Equality Impact Assessment (EIA) for each of their affected service areas but the staffing implications will generally be pulled together within the scope of this assessment.</p> <p>Union representatives have been consulted with both corporately and by directorate. All employees are reminded of their right to be accompanied during individual consultation.</p> <p>Union representatives have been provided with the numbers of FTE roles likely to be affected by the budget process and expressed their support for the expressions of interest for voluntary redundancy process. They were provided with a template for the selection criteria to be used and declined to comment. It was agreed with the union representatives that selection pools would be division and then if necessary directorate based.</p> <p>Public consultation on budget proposals was undertaken during late November 2010, primarily to establish service priorities i.e. on which services spend should be increased, remain the same or decreased.</p> <p>During the summer of 2010 a spending challenge was issued to all employees, seeking ideas to improve the Council's use of resources. A number of responses to that exercise were then reflected in the proposed budget e.g. stopping meals at training courses and reducing the number of water coolers and other responses will be given further consideration e.g. mileage rates</p> <p>Each Select Committee considered the provisional budget proposals and there were no resolutions made that directly affected the proposals put to full council.</p>
8	<p>Who is it intended to affect or benefit (the target population)?</p> <p>The Council's budget reduction process and its consequential impact will have an effect on:</p> <ol style="list-style-type: none"> 1. Service users of the council 2. Members of non-school staff across the council.
9	<p>What do you think are the main issues relating to the equality areas below within the policy or function/service?</p> <p>The main issues are to maintain service delivery as required by the council priorities whilst managing the reduced budget and ensuring compliance with legislation. In doing so it must be recognised that there is a balance that needs to be achieved between the need to deliver a service and the requirement to meet Public Sector Equality Duties. Sometimes these are not mutually exclusive. As a Council we look to having a diverse workforce reflective of a diverse community.</p> <p>The budget saving process is council wide and it is likely that the main impact on employee reductions will be small numbers across a wide range of service areas. However, there may be some service areas where whole or substantial parts of teams are affected.</p> <p>In line with the Council's Equality and Diversity policy all selection for redundancy will be based on meeting service needs. The aim is to reduce numbers of staff whilst ensuring future service delivery requirements are met and in doing so no employee will be treated less favourably because of any protected characteristic.</p> <p>Officers from the HR and OD division of the Corporate Resources directorate are providing advice and support throughout the process and any subsequent restructures. The Managing Employees at Risk of Redundancy Policy and Procedure is being followed and those placed at</p>

risk of compulsory redundancy are being added to the redeployment register under the Retraining and Redeployment Policy and Procedure (dated 2004 and currently undergoing review).

As part of the budget saving process and to mitigate the potential number of compulsory redundancies all employees across the Council (excluding schools) were given the opportunity to express an interest in voluntary redundancy.

Additionally, bumping opportunities have been considered prior to confirming the numbers of posts subject to redundancy. Employees in these posts will then be identified as being at risk of redundancy and entered onto the Council's Redeployment Register.

Employees were also asked for expressions of interest in a voluntary reduction of hours or flexible retirement for those eligible and work is now complete in that area.

A breakdown of the status relating to the voluntary redundancy process as at 23rd August 2011 is attached.

Additionally there were still areas where compulsory redundancies were required either to meet the budget saving requirements or due to further funding cessations and as indicated above posts have been identified for saving based on the needs of the service.

There were 1180 expressions of interest in VR received, of which 126 were subsequently withdrawn and 404 were authorised.

86 employees were placed at risk of compulsory redundancy, of which 79 went to cabinet for approval as 7 had been bumped/redeployed. Additionally 18 employees were bumped/redeployed prior to being formally placed at risk of redundancy.

When using selection criteria to confirm a redundancy the criteria is based on factual information with a competency based interview to ascertain skills and competencies required for the role. Selection for redundancy is therefore based on a range of criteria which reduces the risk of any discriminatory impacts that may be inherent to a single criterion such as "last in first out" for example. Training and support is available for all employees with any reasonable adjustments required by disabled employees considered.

	Issues
Age	<p>Due to the nature of severance payments and the pension provision, those volunteering to be made redundant were mostly from the over 55 age range although not exclusively. Those below the age of 55 do not have access to their pension thus usually making volunteering a less attractive option.</p> <p>The compulsory redundancy statistics appear to show that there is a higher proportion of employees in the middle aged groups being placed at risk of redundancy although mainly within these are the groups with the larger numbers of employees in the overall workforce. In terms of outcome once placed at risk of redundancy it appears that those in the younger age groups appeared to be more successful at being redeployed whilst those aged between 55 and 64 were more likely to be made redundant but the numbers across the age ranges are small thus having a large impact making conclusions different.</p> <p>In terms of compulsory redundancies older employees being made redundant who look for alternative work outside the Council may find it more difficult than a younger person, to find another job, despite age discrimination legislation. However a number of companies (especially in retail) promote their employment of experienced older employees. However, this is not reflected in unemployment statistics for the Dudley Borough (Source: Jobseekers Allowance, April 2011) which suggest that the 20-24 age group is the highest group of unemployed people at 11.7% and the lowest levels are in the 55 plus age groups (3.3% for age 55-59 and 0.8% for age 60-64).</p>

	<p>It is too early to assess the impact of the national removal of the default retirement age (DRA), however the council already had a higher than statutory DRA of 70.</p> <p>The selection criteria used for any selection pool requirements provides an opportunity to reward employee loyalty whilst not discriminating against younger workers by including length of service as an element but limited to 5 years maximum.</p> <p>The competency based interview structure focuses on the skills and competencies held by the employee rather than length of time served to gain the necessary experience.</p>
Disability	<p>The selection criteria used for any selection pool requirements omits any absence relating to disability. All employees and their representatives have an opportunity to discuss and challenge in a meeting the selection criteria therefore if any absence attributable to a disability has been included this can be investigated as appropriate and rectified. The statistics show that 10.6% (11 out of 104 posts) of those made compulsorily redundant were disabled. However, the majority of these redundancies were made because posts or teams were identified as redundant, so regardless of whether an employee is disabled or not they would have been identified as being redundant as the whole team was placed at risk. Of the eleven placed at risk of redundancy, there was only one disabled person in a selection pool. In this case one post was left remaining when a whole team of 6 were placed at risk of redundancy.</p> <p>The percentage of those redeployed/bumped is significantly lower for disabled employees at 27.3% compared to 47.3% of non-disabled employees. The small numbers appear to have a high impact here because looking into the data it is clear that there have been whole teams redeployed/bumped where there were either no or very low numbers of people in the team disabled such as the Benefits Shop and Dudley Performing Arts thus making the statistics for non-disabled employees higher.</p> <p>Relatively few of the redundancies have been compulsory, with most being voluntary. There was a slightly higher proportion of disabled employees applying for voluntary redundancy compared to the proportion of disabled people in the workforce. However, the age profile of the disabled applicants suggests that this may be due to the fact that at the age of 55 they will get access to their pension, as a high proportion of them were aged over 55.</p> <p>It appears that the percentages of disabled employees made redundant overall is slightly higher than the proportion in the overall workforce due to the affected employees being in areas where budget cuts were to be made. The impact overall on the workforce profile will be monitored in Phase 2.</p> <p>Employees with mental health issues may not have disclosed their absence as a disability because they may have been concerned about potential discrimination against them. For example, work-related stress may not be properly exposed so may go un-noticed as hidden discrimination. Therefore any absence that is due to mental health illness and meets the definition of disability as per the Equality Act may not be taken into account, but employees will have the opportunity to review this in their individual consultation meeting.</p> <p>It is possible that disabled employees being made redundant may find it more difficult to find another job (e.g. due to transport issues and employer discrimination) than able bodied employees but they can seek assistance from a JobCentrePlus Employment Advisor or Remploy and the Equality Act 2010 gives them rights to challenge discrimination by employers.</p> <p>The Council's Redeployment & Retraining Policy and Procedure includes various areas regarding reasonable adjustments including extended trial periods and occupational health advice.</p>

	<p>The Council has produced guidelines for managers in supporting employees with disabilities which will provide better understanding of the issue and support available. These were highlighted to Managers at a budget briefing in February 2011 as well as in outlook messages of the day when launched in January.</p>
<p>Gender</p>	<p>Women on maternity leave and men on additional paternity leave have enhanced protected status and this is recognised when considering selection pools for redundancy. This right includes those on adoption leave. Employees on maternity/additional paternity/adoption leave are kept informed of the consultation process throughout.</p> <p>It is recognised that 65% of the Council's workforce is female and therefore it is probable that more women than men will be at risk of redundancy. Due regard will be made to this area as some service areas may be more affected by the budget savings process for example back office functions and monitoring will be ongoing to ascertain if this affects a higher ratio of women to men given the workforce profile of the council. 67.3% of those placed at risk of compulsory redundancy were female. Given the profile of the workforce, this percentage does not appear to highlight any gender discrimination concerns. Furthermore, of those placed at risk of redundancy there appears to be a similar percentage of males and females being bumped/redeployed.</p> <p>There were a similar proportion of VR applications from females compared to the percentage in the overall workforce. Of those applying for voluntary redundancies 42.6% of female applications were approved compared to 21.9% of male requests. Some front line service areas were protected thus having an impact on gender in terms of whether requests for voluntary redundancy were granted. For example the statistics attached show that a greater proportion of men were refused voluntary redundancy than women in part because areas such as Building Services in DACHS and Waste Management in DUE were not in a position to approve requests as their services were not proposed to be cut and these areas are male dominated.</p> <p>Part-time employees tend to be predominantly female and as it can be simpler to lose one full-time post rather than many part-time posts, this may be an issue in terms of gender. Also where a full-time employee has shown an interest in VR it may not be possible for part-time employees to bump them as they sometimes cannot cover the hours and a job-share may not be found. To mitigate this where a part-time employee is matched to a full-time bump all directorates are checked for suitable job share to be found, unless the employee wishes to increase their hours to full-time. Similarly where a part-time employee has requested VR, full-time employees have only been considered an unsuitable bumping match when it has been confirmed by the manager that the post must remain full-time to meet business requirements.</p> <p>As 67.9% of the workforce below SCP 34 are female a comparison between VR requests for those above and below SCP 34 were made. A smaller percentage of females below SCP 34 applied for VR than those in the workforce. Of those applying for VR there does not appear to be a significant difference in the yes and no responses for males and females below SCP 34.</p> <p>There is no data available on gender reassignment so it is not known how many transsexual employees there are in the workforce, although the numbers are likely to be very small.</p>
<p>Ethnic origin</p>	<p>It is possible that there may be an adverse impact of employees from some BME groups being made redundant in that they may find it more difficult to find another job (e.g. due to employer discrimination) than employees from non BME groups. Unemployment statistics for the Dudley Borough show that compared to 4.9% White British being out of a job there are 5.5% of BME people out of employment currently (Source: Job Seekers Allowance, April 2011).</p> <p>The VR statistics show that although the number of VR applications from employees from a BME group were relatively low, the percentage of VR's approved was marginally</p>

	<p>lower than that for employees from a white group. Therefore there has been no adverse impact on ethnic origin from the VR process.</p> <p>10.6% (11 out of 104 posts) of the compulsory redundancies made were from a BME group. However, the majority of these redundancies were from areas where whole teams were made redundant and regardless of which ethnic group an individual was from their posts were identified as redundant. As noted, relatively few of the redundancies have been compulsory, with most being voluntary. Furthermore a similar proportion of employees from a BME group were bumped/redeployed to those from a white group.</p>																												
Religion or belief	There are no reliable statistics to analyse this any further as 40.4% of employees applying for VR have not given details of their religion/belief and 2.9% have chosen not to disclose their religion/belief.																												
Sexual Orientation	Workforce statistics relating to sexual orientation have only recently started to be collected by the council so there is no usable data available currently and employees may at first be reluctant to reveal their sexual orientation to their employer. There is potential for hidden discrimination which should be addressed if identified.																												
Monitoring Information																													
10	<table border="1"> <thead> <tr> <th>Are there systems in place to monitor the current and future impact of this policy or function/service in relation to</th> <th>Yes</th> <th>No</th> <th>Not applicable/ Appropriate</th> </tr> </thead> <tbody> <tr> <td>Age</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>Disability</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>Gender</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>Ethnic origin</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>Religion/belief</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>Sexual Orientation</td> <td>X</td> <td></td> <td></td> </tr> </tbody> </table>	Are there systems in place to monitor the current and future impact of this policy or function/service in relation to	Yes	No	Not applicable/ Appropriate	Age	X			Disability	X			Gender	X			Ethnic origin	X			Religion/belief	X			Sexual Orientation	X		
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11	<p>Provide details of the systems used and data collected for each of the equality strands. If you answered no or n/a to any of the above please explain why.</p> <p>The PSE system contains employee's personal details and reports can be produced from the system with the above information. Many employees have recently been trained on using Yourself and ensuring the system is up-to-date. At the start of each financial year there is now a requirement for all employees with access to PSE to check and update their information before they are able to proceed with using the system. With an improved data capture in place the council will be more informed of the workforce profile.</p> <p>Sexual orientation data is now being collated (see above). No data is collected on transgender.</p>																												
12	<p>From the monitoring information are there differences between outcomes and the objectives of the policy or function/service?</p> <p>A detailed analysis of the current status as at the end of Phase One categorised by voluntary redundancies, compulsory redundancies and expressions of interest for a voluntary reduction in hours/flexible retirement and shown by equality strands is attached.</p> <p>This does not appear to show that there are any differences but monitoring will continue as the process progresses and more complete data is available.</p> <p>Trade Unions have been consulted with at the beginning of the process and were consulted with at the end of phase one for feedback.</p>																												
13	Is there a need to gather better or more information than is currently available to assess the impact of this policy or function/service? What information is needed?																												

	<p>The above information is sufficient as it was updated as the process continued. The feedback from this process was fed into learning points for phase two.</p>
	<p>Differential / Adverse Impacts</p>
<p>14</p>	<p>Are there any customer groups, which might be expected to benefit from the policy or function/service but do not?</p> <p>No there does not appear to be any groups of employees not benefiting but expecting to.</p> <p>Looking at the statistics there is a slightly higher percentage of disabled employees who were made redundant. However an adverse impact on disabled employees has not been found as the small numbers appear to have skewed the compulsory redundancy data and the age profile of the disabled applicants for VR affected the data. The Council has taken the following steps to reduce any adverse impact on protected groups:</p> <ol style="list-style-type: none"> 1. In anticipation of the need to make significant savings the council through effective workforce planning put in place a vacancy management process including the non filling of vacant posts and member authorisation to approve requests to fill vacancies. 2. The council offered the opportunity of expressing an interest in voluntary redundancy to all staff (excluding schools) in order that any at risk staff may consider VR and that other posts may also be considered in order to identify any bumping opportunities for staff in at risk posts. The current DMBC redundancy scheme is an enhancement on the statutory redundancy scheme. 3. Additionally the Council asked for expressions of interest in voluntary reduction in hours and flexible working. 4. The Council has developed comprehensive resources to support employees at risk of redundancy through its "Facing the Future" programme. This includes face to face advice and training and online information on topics such as life planning, career and finance, 5. The Council offers redeployment support to staff at risk of compulsory redundancy. This includes staff being placed on the redeployment list with uncompetitive opportunities for vacancies (although competition with other redeployees). There is also support with regards to advice on the development of CV's, assistance with identifying job opportunities and preparation for interviews. 6. The Council has a counselling service available and promote this service. Although the service in DACHS has been reduced a team in Children's Services also offer counselling to employees. 7. Time off work will be given for employees at risk of compulsory redundancy to look for work or arrange appropriate training. 8. The Council will apply relevant policies in relation to employees covered by maternity and paternity provisions when considering redundancy and redeployment. 9. Some managers have been trained to effectively implement the managing employees at risk of redundancy policy including managing selection pools and criteria. To ensure consistency HR staff support managers through the process and feed back to a corporate group to ensure that any issues that have arisen are addressed consistently across the Council. <p>Where large scale closures have taken place the Council have worked with JobCentre Plus to run national and local job campaigns in certain areas. Time off to attend the event has also been granted.</p>

15	<p>Are there any customer groups, which are not satisfied with the policy or function/service, or have made more complaints?</p> <p>A change of policy in April 2010 relating to pension access (the minimum age to access the pension rose from 50 to 55) which was due to a change in statutory provisions has affected the age group currently 50-55. One employee in that age range has complained but due to pension regulations access could not be granted at an earlier age.</p> <p>There have been concerns raised by a few employees about the transparency of the process around offering bumping opportunities to those at risk. These employees are concerned that not all at risk employees are shown suitable bumps. However, where more than one employee has shown an interest in a bump they have been added to a selection pool and selection criteria have been applied. In response to the concerns raised management introduced a list of directorate-wide job summaries of bumping opportunities, and asked those at risk to specify any possible matches. This has addressed the concerns raised.</p> <p>Some of the affected employees have raised concerns about the transparency, consistency and fairness of the application of the Managing Employees at Risk of Redundancy Policy. However, HR colleagues managing the process met weekly to ensure that any areas of concerns raised by employees are addressed, and to ensure that all teams were applying the policy in the same way. There are learning points that have been taken from this weekly review and will be applied to Phase 2 of the budget cuts. The policy has been reviewed involving consultation with Trade Unions. Documents to support managers with identifying and processing bumping opportunities have also been produced and implemented.</p>
16	<p>Are there factors or barriers within the policy or function/service, which could contribute to differential or adverse impacts? (These factors may be unintentional).</p> <p>The severance payment and pension provision make it more favourable for older employees with longer service to take the offer of voluntary redundancy.</p>
17	<p>Does the policy or function/service have any differential or adverse impacts on certain groups? If so, explain what they are and the reasons for the differential/adverse impacts.</p> <p>As identified in section in section 15 above, it is possible the policy may have an adverse impact on those below age 55, who are unable to access their pension, and who may have difficulty in finding new jobs in the current economic climate.</p> <p>As recognised in Section 9, the impact on the disability profile in the workforce may have been affected as the proportion of disabled employees made redundant is higher than the proportion in the workforce. This appears to be partly due to the age profile of the disabled applicants applying for VR however further monitoring will take place in Phase 2.</p>
Conclusions	
18	<p>As a result of this assessment is a level two full impact assessment required?</p> <p>The detailed analysis included in this assessment has already gone well beyond the top-level assessment usually covered by a level one EIA and further work will continue on the assessment until the budget reductions have been fully implemented.</p>
19	<p>Further actions – whether proceeding to a level 2 assessment or not please detail any actions necessary within this policy or function/service highlighted as a result of this initial assessment.</p> <p>Ongoing assessment of staffing impact until cuts process completed, this includes a bi-monthly review of equality statistics.</p>

	<p>Review of process and learning any lessons for future budget rounds including a review of the Managing Employees at Risk of Redundancy Policy. New documents and policy to be in place for the beginning of Phase 2.</p> <p>Trade Unions asked for feedback for learning for future budget rounds by means of a meeting close to the end of Phase 1, and consultation on the policy.</p>	
20	Date to commence Level 2 assessment if required	N/A
21	Signed Assessment Lead Officer:	Date
22	Signed Head of Service:	