

Select Committee on Community Safety & Community Services – 12th June 2008

Report of the Director Of Law & Property

Directorate of Law & Property's Equality and Diversity Annual Report for 2007/08

Purpose of Report

1. To consider the Directorate of Law & Property's equality and diversity annual report for 2007/08.

Background

2. The production of an annual equality and diversity action plan and annual report by each directorate is a requirement of the Council's equality and diversity policy. The Select Committee on Community Safety & Community Services considered the Directorate of Law & Property's action plan, which sets out its equality and diversity targets for 2008/09, at its meeting held on 13th March 2008. Attached is the annual report which details progress on the targets agreed by that select committee in the directorate's action plan for the previous year, 2007/08.
3. This Select Committee has within its terms of reference responsibility for corporate equality and diversity issues, although responsibility for scrutinising individual directorate's action plans and annual reports is divided between the five select committees.

Finance

4. Any costs associated with the annual report will be met from within existing budgets.

Law

5. The range of relevant equality legislation includes:
6. The Race Relations (Amendment) Act 2000 replaces Section 71 of the Race Relations Act 1976 with a general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.
7. The Disability Discrimination Act 1995 makes it unlawful to discriminate against disabled people in connection with employment, the provision of goods, facilities and services and the disposal or management of premises. The Disability Discrimination Act 2005 has extended this Act with a duty on public authorities to promote disability equality.

8. The Sex Discrimination Act 1975 renders unlawful certain kinds of sex discrimination. In particular, Section 29 makes it unlawful for the Council, in providing facilities or services (such as those arising pursuant to the statutory functions of the Council), to discriminate against any person seeking to obtain or use those facilities or services on the ground of gender. A new duty on public authorities to promote gender equality under the Equality Act 2006 came into force on 6th April 2007.
9. Under Section 111 of the Local Government Act 1972 the Council is empowered to do anything which is calculated to facilitate, or is conducive to, or incidental to the discharge of its functions.

Equality Impact

10. The annual report contains details of progress in implementing the Directorate of Law & Property's equality and diversity action plan for 2007/08. Performance indicators or outcomes were identified against each target so that progress in achieving the action plan can be monitored and reviewed. Issues relating to children and young people are covered in more detail in the Directorate of Children's Services' action plan.

Recommendation

11. That the Select Committee considers and comments on the Directorate of Law & Property's equality and diversity annual report for 2007/08.

John Polychronakis

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John Polychronakis
Director of Law & Property

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List of Background Papers

Guidance for the preparation of directorates' equality and diversity action plans and annual reports (December 2007)



**DIRECTORATE
OF
LAW & PROPERTY**

**EQUALITY & DIVERSITY
ANNUAL REPORT**

2007/2008

**DUDLEY METROPOLITAN BOROUGH COUNCIL
DIRECTORATE OF LAW & PROPERTY**

Introduction

1. All directorates of the Council produce an annual equality and diversity action plan to develop their work in implementing the Council's equality and diversity policy in relation to their service areas and employment practices. All directorates also produce an annual report on the implementation of their action plan. This is prepared after the end of March so that it can report on a full twelve months progress on action plan targets. The Directorate of Law & Property's equality and diversity draft action plan for 2008/09 was considered by the Select Committee on Community Safety & Community Services on 13th March 2008 and a copy is attached as Appendix 1.
2. This Annual Report sets out the Directorate of Law & Property's activities through 2007/08 in support of the Council's Equality & Diversity Policy. It covers both employment and service delivery issues and summarises progress against Corporate & Directorate equality & diversity objectives.

Key Facts

3. The Directorate of Law & Property produces an annual Strategic Plan which sets out its priorities, objectives and targets for the year and encompasses its equality and diversity action plan. The mission statement for the Directorate is:
"To support delivery of the Community Plan and Council Plan by providing effective, efficient and innovative services, which meet the agreed current and future, needs of our customers."

Structure

4. The Directorate has 3 divisions: -

CORPORATE ESTATE SERVICES (CES)

- Commercial Portfolio (Dudley Open Market & Crown Shopping Centre)
- Coroner
- Curators & Mayoral attendants
- Support Services
- Land Charges
- Property Management & Valuations
- Registration & Celebratory Services
- Strategic Asset Management

DUDLEY PROPERTY CONSULTANCY (DPC)

- Architects
- Building Surveyors
- Business & Support Services
- Energy Management
- Planning Supervision
- Security
- Quantity Surveyors
- Engineering (Structural, Electrical & Mechanical)

LEGAL & DEMOCRATIC SERVICES (LDS)

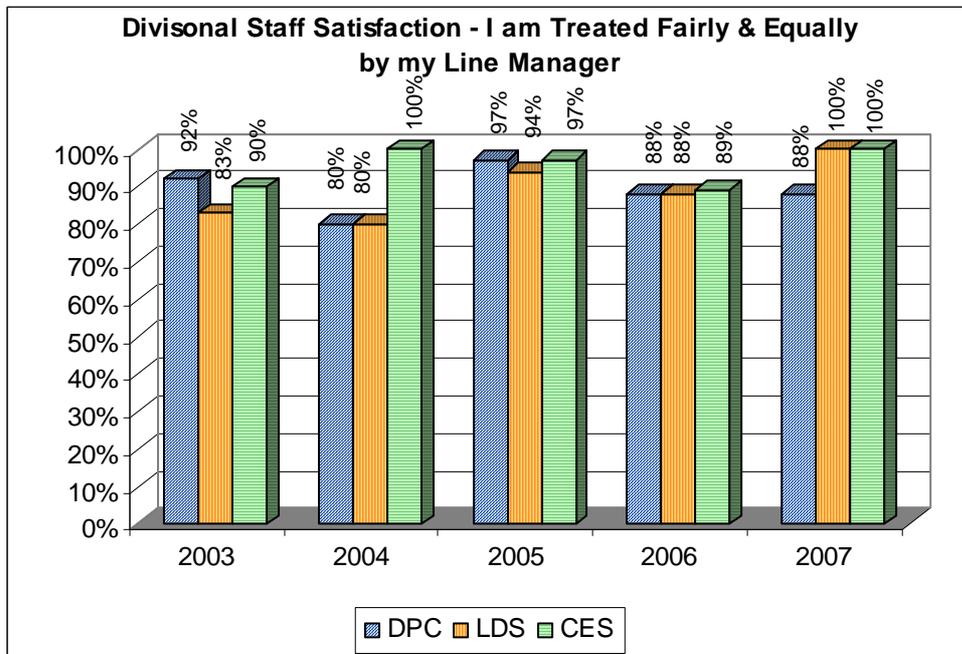
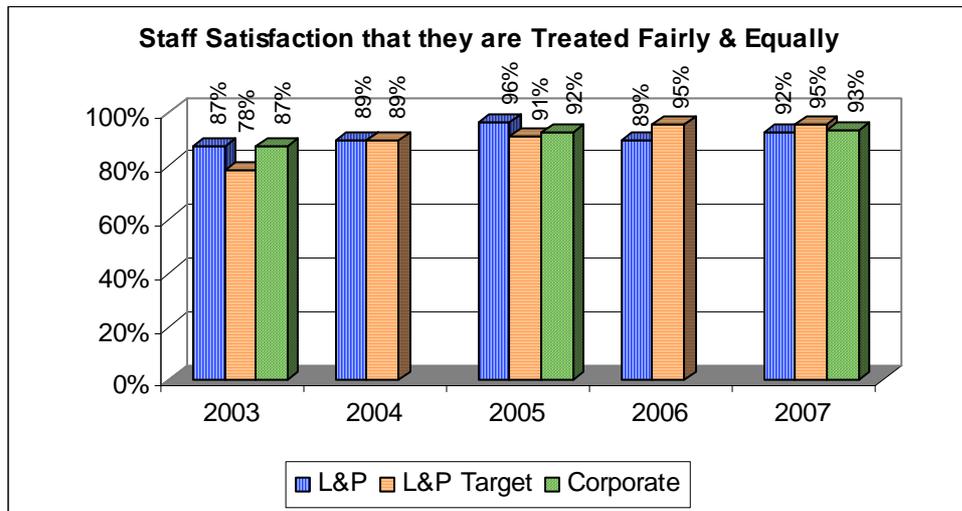
- Administrative Support
- Community Safety & Child Protection
- Conveyancing
- Debt Recovery
- Democratic Services
- Corporate & Litigation Legal Services
- Licensing

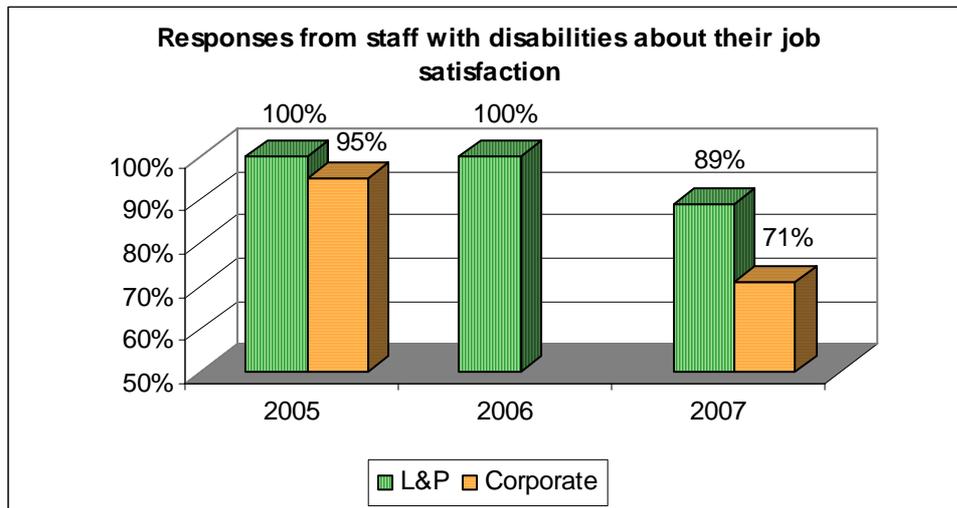
Employment

5. The Council's Equality and Diversity policy states that no job applicant or employee receives less favourable treatment on any grounds, which cannot be shown to be justified. This applies to recruitment and selection, training, promotion, transfers, pay and employee benefits, employee grievances and discipline procedures and all the terms and conditions of employment. Actions we take in the Directorate to contribute to this aim include:
- The workforce is monitored quarterly by grade, gender, race, ethnic origin and age and the results reported to the Directorate's Management Team.
 - Flexible working arrangements are in operation e.g. part time, job share, home working and flexible hours.
 - Contact is maintained with staff on long-term leave e.g. illness, maternity.
 - Requests by disabled staff for support at work are dealt with on an individual basis and appropriate reasonable adjustments made.
 - Staff who leave the organisation are surveyed with regard to their reasons for leaving and the results reported to DMT quarterly.
 - Leavers are offered the opportunity to discuss any aspect of their employment and in 07/08 no one took this up.

- Questions are asked on the leavers monitoring form about discrimination/harassment & access/mobility problems. No adverse comments were made relating to these aspects of employment.
- Staff satisfaction surveys are undertaken annually and staff views and requests acted upon. (See graphs below)

STAFF SATISFACTION RESULTS





6. The analysis of leavers in 2007/08 compared with the Directorate profile at the end of March 2007 is shown in the table below. **The figures in brackets are the 2006/07 figures as a comparison.**

	No. of Leavers	% of Leavers	L&P Workforce profile (%)
Total	12	100	Mar 08
Asian Other	0 (0)	0 (0)	1 (1)
Black or Black British	0 (2)	0 (6)	1 (1)
Indian	1 (2)	8 (6)	3 (3)
Pakistani	0 (1)	0 (3)	2 (1.8)
White UK	11 (28)	92 (85)	89 (90)
Male	5 (12)	42 (36)	46 (46)
Female	7 (21)	58 (64)	54 (54)
Disabled	0 (0)	0 (0)	3 (3)
Not Disabled	12 (33)	100 (100)	97 (97)

Reasons given for leaving were – early retirement, and voluntary resignation.

7. Full data about employment across the Council, including that which meets the requirement for employment monitoring by racial group under race relations legislation, will be published in the Corporate Annual Review of Equality & Diversity 2008 which will be prepared for the Select Committee on Regeneration, Culture and Adult Education and the Cabinet in September 2008.

8. Recruitment and Selection

- Job advertisements include positive action statements to encourage disadvantaged groups to apply.
- We aim to have mixed sex interview panels and anyone involved in recruitment is trained in recruitment and selection skills in accordance with Council policy.
- Staff recruitment is monitored to gauge the range of applicants (by gender, ethnic origin, disability, age and grade) and their success in reaching the different stages of the recruitment process.
- A questionnaire is sent out with the application forms, anyone who decides not to proceed with their application is asked to complete the questionnaire and send it back, the comments we received from this were as follows:
 - 1 x Unsuitable work pattern
 - 1 x Salary too low
 - 1 x Duties not within my skills or knowledge

The interview process is monitored by surveys after interviews to control the quality of the process. All comments that have been received have been positive.

At the end of March 2008, the directorate had recruited 18 employees in 2007/08 of which 61% were female, 6% were disabled and 22% were from a BME Background. The summary analysis of appointments within Law & Property compared to that for the Council is set out in the table below:

	Directorate L&P				Council	
	No. Applicants	%	No. Recruited	%	% Applicants	% Recruited
Female	105 (192)	75 (48.48)	11 (14)	61 (58)	77(68.78)	82 (70)
Ethnic Minority	45 (99)	32 (2.77)	4 (2)	22 (8)	16 (2.67)	9 (10)
Disabled	4 (11)	3 (25)	1 (0)	6 (0)	3 (18.31)	2 (2)

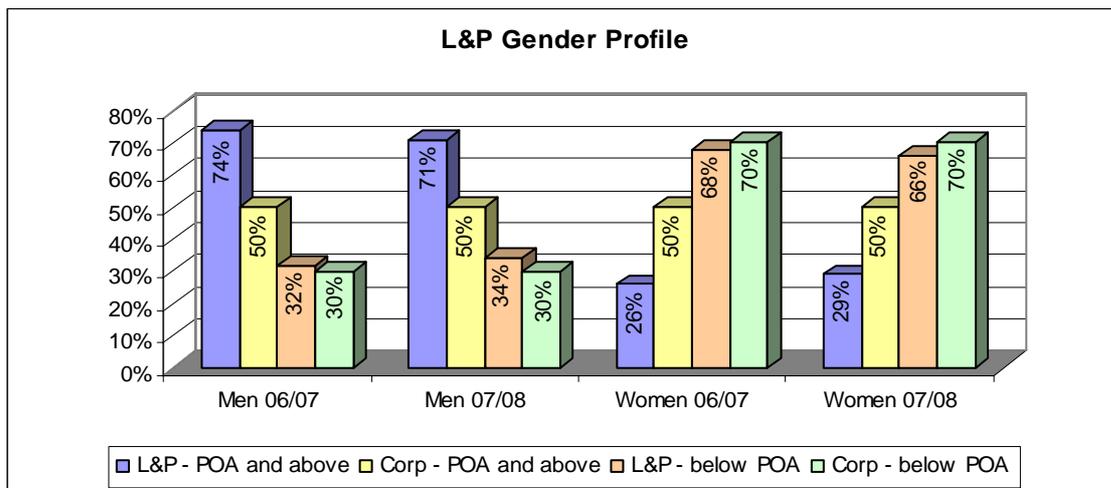
(The figures in brackets are for March 2007 to enable comparison)

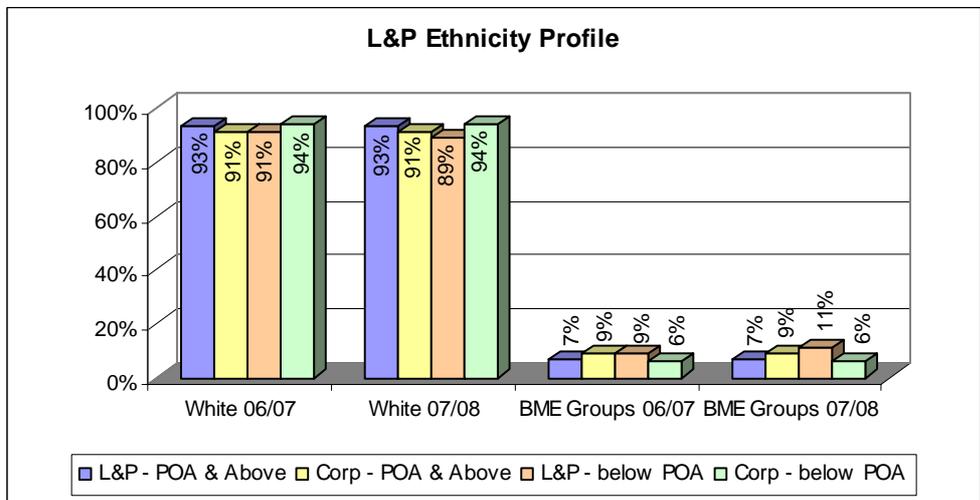
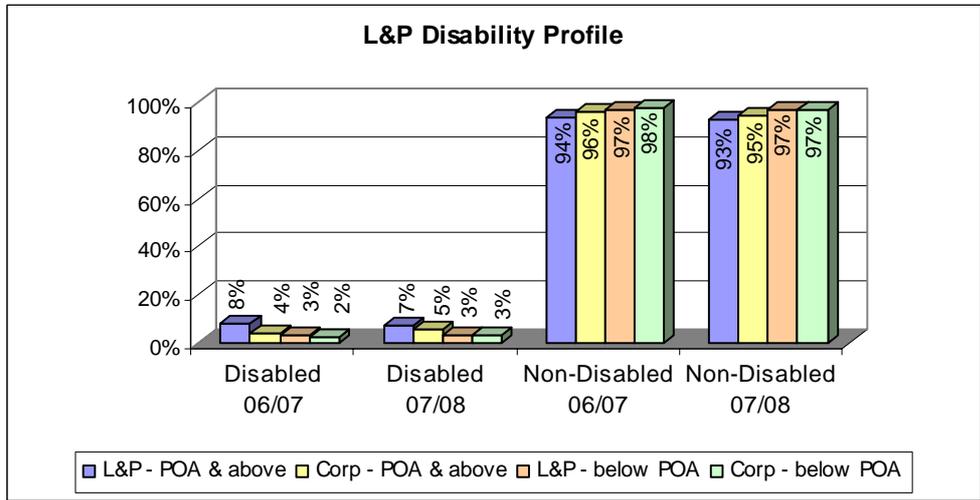
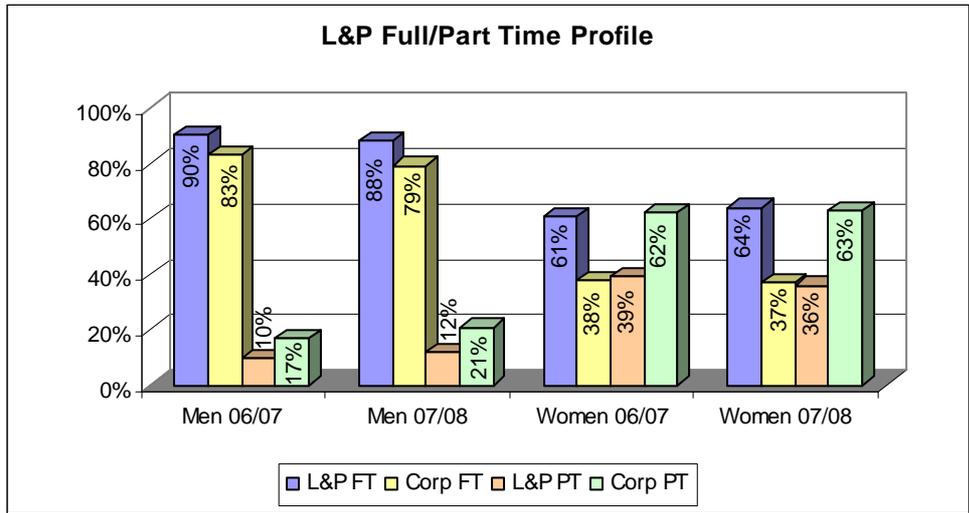
9. Workforce Information

The Directorate's workforce profile at the end of March 2008 compared with that for the Council is set out in the table and graphs below:

	Directorate L&P		Council
	No. 224 (213)	%	%
Female	120 (116)	54 (54)	74.87 (74.83)
Ethnic Minority	22 (22)	10 (10)	4.93 (5.52)
Disabled	8 (7)	4 (2.3)	1.97 (1.66)

(The figures in brackets are for March 2007 to enable comparison)





Dudley MBC workforce profile 31st March 2008(compared with 31st March 2007)

Dudley MBC		Female (%)	Male (%)	BME* (%)	Disabled (%)
Scale point 34 and above (higher grades) (excluding schools)#	31/03/08	50.3	49.7	9	4.6
	31/03/07	49.6	50.4	8.9	4.3
Below scale point 34 (lower grades) (excluding schools)#	31/03/08	69.5	30.5	6	2.6
	31/03/07	69.7	30.3	5.9	2.2

Notes: Scale point 34 on 31st March 2008, £27,000 approx.

*BME figures exclude those employees for who no ethnic origin data is held

#Grade breakdown excludes schools due to the different structure for teachers

10. Complaints of Discrimination or Harassment

There have been no complaints of discrimination or harassment within the Directorate, from either employees or interviewees for vacant posts.

11. Training and Development

- The Directorate has held Investors in People accreditation since 1997 and aims to maintain the award when it reapplies every 3 years. We were re-assessed in September 2006 and received a positive report.
- All staff receive an annual Performance Review and Development interview called a Two Way Assessment where they discuss with their line manager their work performance, training and development needs and agree an action plan for the next 12 months. There is also a mid year review.
- Staff are trained and developed in appropriate skills to help them do their jobs.
- Staff receive training in equality issues, e.g. disability and racism awareness, as appropriate to their role.
- Training and development activity is monitored by gender, ethnic origin and disability.

Service Delivery

12. The Council's Equality and Diversity Policy states that services to all sections of the community will be appropriate, accessible and effective and will avoid discrimination and prejudice. Direct services to the public are mainly provided by Licensing and Registrars.

13. **External Accreditation for Customer Services**

Licensing and Corporate Estate Services division both hold the Charter Mark for excellence in customer service. This is an independently awarded accreditation only achieved by providing evidence and a rigorous site visit. Both were reaccredited in 2006/07 and are subject to a successful annual audit inspection to maintain the standard and a full assessment every three years.

The Legal Division is accredited with Lexcel, which is awarded by the Law Society to legal organisations who are able to demonstrate best practice in terms of quality of service delivery to their customers.

14. **Equality Impact and Needs Assessment**

- Reviews of services and policies and impact assessments or proposed policies are undertaken as required, in accordance with guidance published by the Council.
- In 2007/08, Equality Impact Assessments have been completed for Democratic Services and Dudley Open Market.

15. **Communication and Information**

- Information for service users can be provided on request in a variety of formats, including community languages, large print, Braille and cassette tape.
- A few staff can provide basic interpreting in a number of community languages and British Sign Language; for more complex issues and written translations, use is made of the Council's Access Project.

16. **Customer Consultation and Service Monitoring**

- Consultation is carried out through a variety of Customer Focus/Liaison Groups (which represent service users from different areas of the community) feedback forms and surveys.
- Results of consultations are monitored to ensure that all sections of the community are receiving fair access and outcomes from the public services we provide.
- Complaints are dealt with in accordance with the Council's Customer Feedback Procedure.

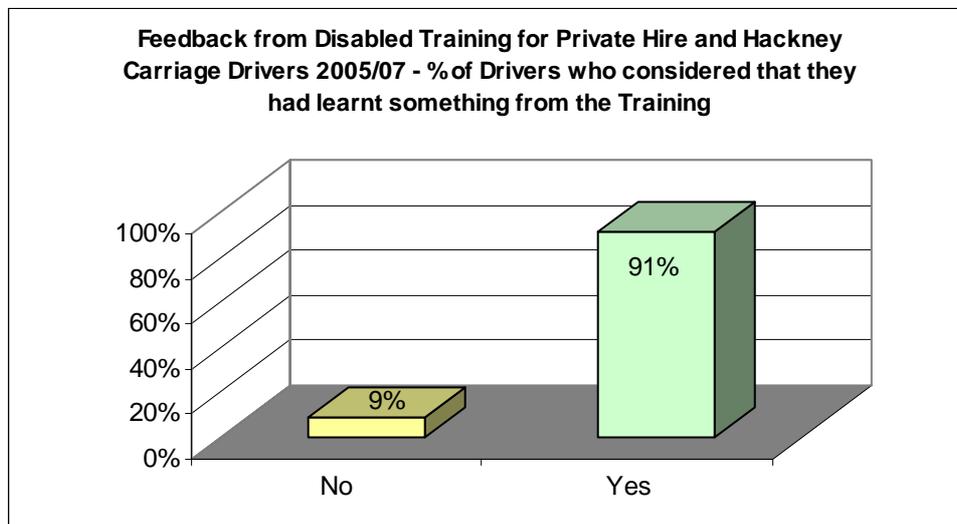
- Consultations with the public/customers are used to shape policy, which affects our customers eg: for Licensing and market trader allocations.
- Consultations take place with DREC on specific service issues eg: the introduction of Citizenship Ceremonies.

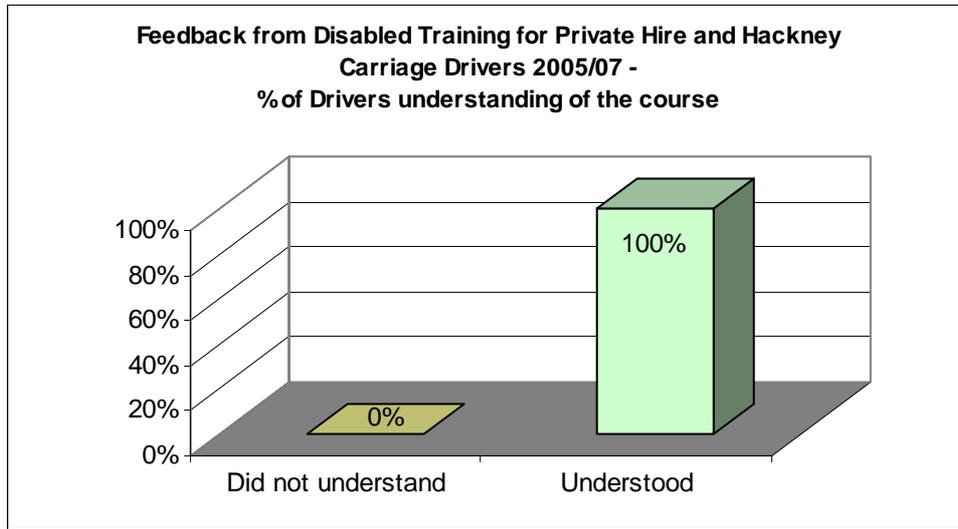
External Customer Satisfaction

17. Legal & Democratic Services

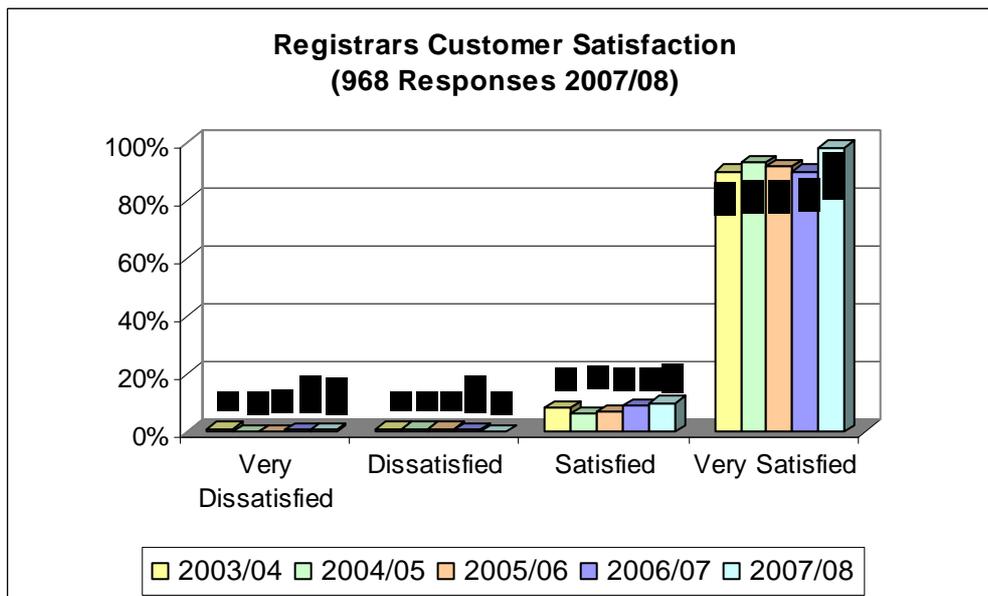
Licensing consultation during 2007 was focussed on several areas of work. The in-house training course for all currently licensed hackney carriage and private hire drivers in conveying the disabled was completed three months ahead of target date because of the enthusiasm of the drivers to attend the course. It is pleasing to note that this is reflected in the drivers feedback from the course, but even more pleasing is that the parents of the disabled children who are transported by the private hire/hackney carriage drivers, rate the service they receive as 96% Excellent/Good.

The feedback from customers following the implementation of the Gambling Act in 2007 again reflects a strong performance with a 100% satisfaction levels recorded for satisfaction with information, opening hours and payment methods.

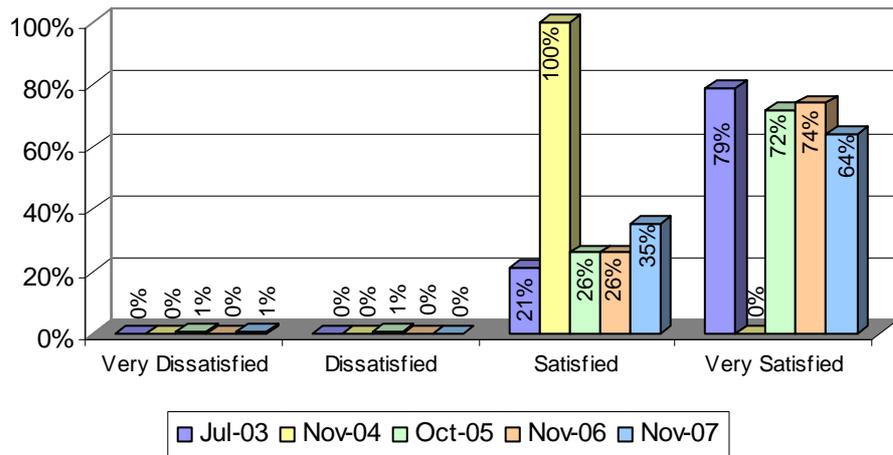




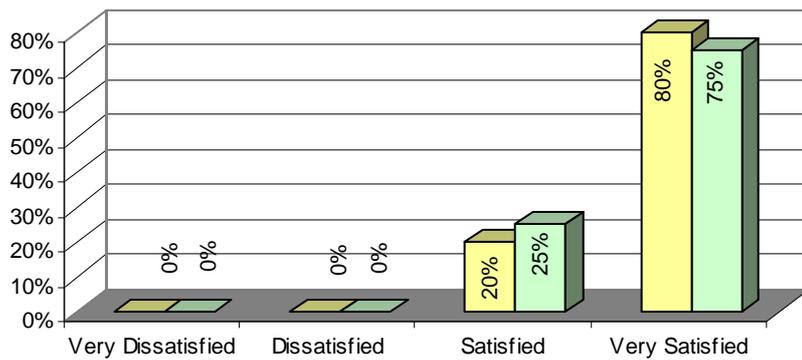
18. Corporate Estate Services:



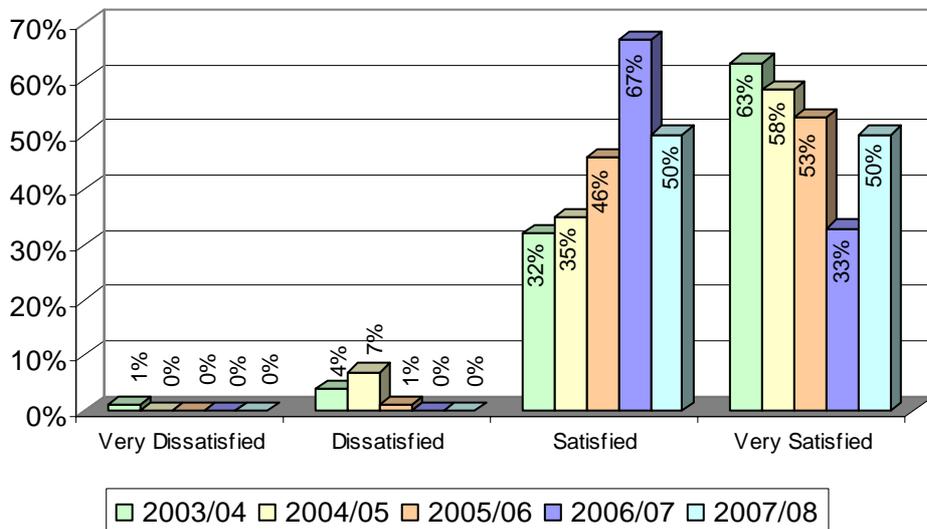
How satisfied are you with the equality of access to our Registration Service?

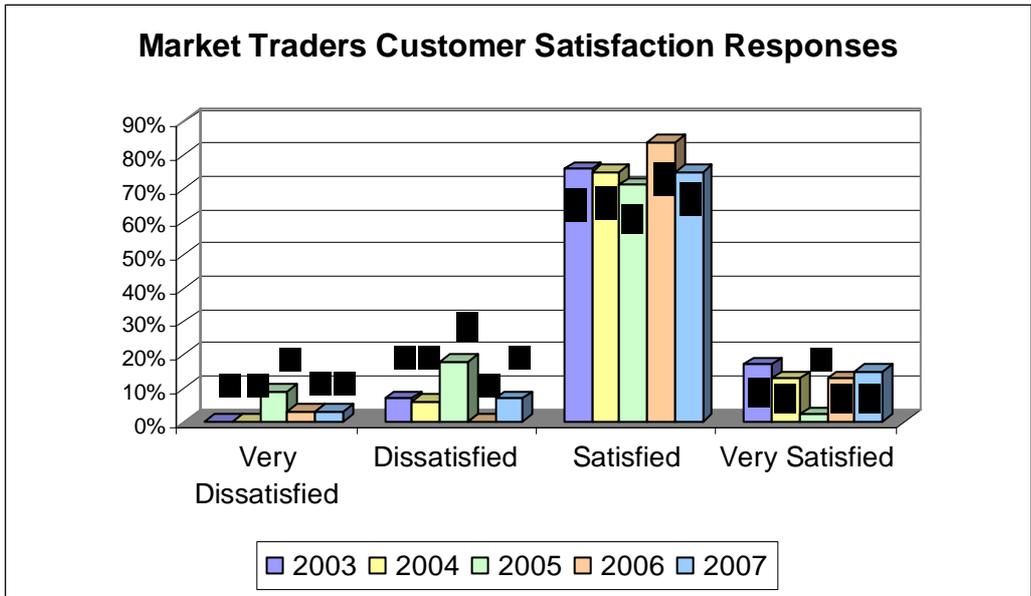


Citizenship Ceremony Overall Quality of Service 2006/07



External Customer Satisfaction - Property Enquiries





19. Achievements Against the Directorate’s Equality and Diversity Action Plan for 2005/06

The achievements against the Directorate’s Equality and Diversity Action Plan for 2007/08 are set out in the following table.

Directorate of Law & Property – Progress Report on the Equality and Diversity Action Plan for 2007/2008

Objective (and lead officer)	<u>Detailed action/target</u>	<u>Target Date/ milestones</u>	Planned outcome/performance indicator	Progress/final outcome
Priority 1. Quality Service Matters – Consult With & Market Our Services To Customers				
1.1 Continue to implement disability training for private hire and hackney carriage drivers. (Phil Tart)	% of drivers completing the course	August 07	100%	100% of all drivers trained on the disability course in May 2007. Positive feedback from both drivers and users of the service.
1.2 Review drivers satisfaction with training. (Phil Tart)	% of driver satisfaction with training who believe it has increased their awareness.	August 07	95%	96% of all drivers believe it has increased their awareness.
1.3 Consult Disability groups following completion of disability training for Taxi and Private Hire drivers to evaluate impact. (Phil Tart)	Improved customer (passenger) satisfaction levels. Established via consultation with disabled user groups.	September 07	80%	The feedback has been 100% positive from the disabled groups.

1.4 Review need for update/refresher training (Phil Tart)	Training Evaluation	December 07		Training evaluation was undertaken and no changes have been made.
Priority 2. Quality Service Matters – Widening Our Appeal As An Employer				
2.1 Promotion of careers in construction related services to women and ethnic minorities through job fairs, school promotional events and work placements. (Brian Gordon)	Work placements offered to Dudley or other school children.	December 09	4 Placements	6 Placements provided. 3 placements went to female students.
2.2 To target ethnic and female groups when advertising professional construction related posts. (Brian Gordon)	Promotional events to give information on careers in construction related services.	December 09	2	1 planned but got cancelled due to snow.
2.3 Work with Corporate Employees with Disabilities Group to	Action taken following consultation with Corporate Employees With Disabilities Group.	March 08	Upgrades to:	Upgrades to the lift at 3, St James's Road.

<p>identify any improvements to our recruitment process that could increase applications from people with disabilities. (Brian Gordon)</p>			<ul style="list-style-type: none"> - lift at 3 St James's Rd - lighting to ramp at 3 St James's Road - nosing on front steps at 3 St James's Rd - provide a new disabled toilet at 3 St James's Rd 	<p>Lighting improvements to ramp at 3 St James's Road.</p> <p>Installation of new disabled toilet at 3 St James's Road.</p> <p>Nosing applied to steps at 3 St James's Road.</p>
<p>2.4 Through our application surveys, review with people who apply for packages for vacant posts in the Directorate who then don't apply for the post to see what deterred them from applying. (Brian Gordon)</p>	<p>Uptake of unsuccessful applicants offered unpaid work experience.</p>	<p>December 09</p>	<p>Ascertain useful feedback from prospective applicants to further improve our attractiveness as an employer.</p>	<p>Reasons offered by candidates:</p> <ul style="list-style-type: none"> - duties outside current skill set - salary too low - unsuitable work
<p>2.5 Through our application surveys, review take-up of unpaid work experience placements for those applicants who were unsuccessful and are unemployed. (Brian Gordon)</p>	<p>Satisfaction of unsuccessful applicants offered unpaid work experience with the placements.</p>	<p>December 09</p>	<p>Assist people gain valuable work experience as to aid passage into employment.</p>	<p>No placements were offered – candidates were either in work or disinterested.</p>

<p>2.6 Encourage applications from minority backgrounds by participating in 2007 Black History Month. (Teresa Reilly)</p>		<p>October 07</p>		<p>Representative in Corporate working group preparing for event, but no individual activities planned by L&P.</p>
<p>Priority 3 – Quality Service Matters – Ensure All Staff Are Treated Fairly & Equally</p>				
<p>3.1 Briefing of all Senior Managers within the Directorate regarding relevant employment legislation relating to Equality and Diversity and its impact on employees. (Margot Worton)</p>	<p>100% of Managers receive relevant guidance on legislation relating to Equality & Diversity and its impact on employees.</p>	<p>November 07</p>	<p>100%</p>	<p>Delayed due to resourcing problems in Corporate Personnel. Currently planning training on disciplinary and grievance actions for 08/09 and will include a session on this as part of that training.</p>
<p>3.2 Review need for update/refresher briefing. (Margot Worton)</p>		<p>March 08</p>		<p>To be reviewed March 09 due to delay in implementing training.</p>

Priority 4. Quality Service Matters – Develop Clearer Targets & Outcomes (ES1.1)				
<p>4.1 Undertake full equality impact assessments (EIA's) of our prioritised services during 2007/08 and identify specific targets and outcomes:</p> <p>Democratic Services (Steve Griffiths)</p> <p>Dudley Open Market (Julie Jones)</p>	<p>% of Directorate EIA's completed by April 2010.</p>	<p>March 08</p>		<p>Equality Impact Assessment for Democratic Services completed.</p> <p>Dudley Open Market – Work undertaken and report drafted, final customer consultation scheduled May 2008.</p>
Priority 5. Implement The Council's People Management Strategy				
<p>5.1 Review & revise the recruitment policy and procedure during 2007/2008. (Margot Worton)</p>		<p>March 08</p>		<p>Revised induction processes reported to DMT for implementation May 08.</p>
<p>5.2 Implement the remaining elements of the People Management Strategy</p>	<p>Improve personal data held on employees.</p>	<p>March 08</p>	<p>95%</p>	<p>Corporate recruitment process adopted.</p>

2006-08 relevant to promoting equality by March 2008 (ES1.13) (Margot Worton)				
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Directorate of Law & Property – Equality and Diversity Action Plan for 2008/09

Objective	<u>Detailed action/target (and lead officer)</u>	<u>Target Date/ milestones</u>	Planned outcome/performance indicator
Priority 1. Quality Service Matters – Consult With & Market Our Services To Customers			
1.1 Consultative Group of female Ethnic Minority Taxi/Private Hire Drivers to ensure that their cultural needs are met.	Legal & Democratic Services Licensing – Philip Tart	May 08 – July 08	% of female driver satisfaction with service provision
Priority 2. Quality Service Matters – Widening Our Appeal as an Employer			
2.1 Promotion of careers in construction related services to women and ethnic minorities through job fairs, school promotional events and work placements.	DPC Brian Gordon	April 06 – December 09	Work placements offered to Dudley or other school children
2.2 To target ethnic and female groups when advertising professional construction related posts.	DPC Brian Gordon	April 06 – December 09	Attendance at promotional events to give information on careers in construction related services.

<p>2.3 Work with Corporate Employees with Disabilities group to identify any improvements to our recruitment process that could increase applications from people with disabilities.</p>	<p>DPC Brian Gordon</p>	<p>April 08 – March 09</p>	<p>Consult with Directorate representatives when considering advertising of posts.</p>
<p>2.4 Through our application surveys, review with people who apply for packages for vacant posts in the Directorate who then don't apply for the post to see what deterred them.</p>	<p>DPC Brian Gordon</p>	<p>April 07 – December 09</p>	<p>Elicit from enquirers reasons why they didn't apply. Use information to improve job attractiveness to specific groups.</p>
<p>2.5 Through our application surveys, review take-up of unpaid work experience placements for those applicants who were unsuccessful and are unemployed.</p>	<p>DPC Brian Gordon</p>	<p>April 07 – December 09</p>	<p>Satisfaction of unsuccessful applicants offered unpaid work experience</p>

Priority 3. Ensure All Staff Are Treated Fairly & Equally			
3.1 Briefing of all Senior Managers within the Directorate regarding relevant employment legislation relating to Equality and Diversity and its impact on employees.	Corporate Personnel Margot Worton	Briefings provided to managers and supervisors on the pilot revised flexi scheme and revised disciplinary process. These briefings covered equality impacts of change.	100% of Managers receive relevant guidance on legislation relating to Equality & Diversity and its impact on employees.
3.2 Review need for update/refresher briefing.	Central Personnel Margot Worton	March 09	Briefings provided if required.
Priority 4. Quality Service Matters – Develop Clearer Targets & Outcomes			
4.1 Undertake and improve the approach to Equality Impact Assessments (EIAs)	Undertake EIAs of the following services during 2008/09 Dudley Open Market (Julie Jones) Democratic Services (Steve Griffiths) Registration & Celebratory Services (Jayne Catley)	Complete by March 09	EIAs completed within timescales Improvement actions identified

Priority 5. Implement The Council's People Management Strategy			
5.1 Continue to implement the remaining elements of the People Management Strategy 2006 – 08 relevant to promoting equality.	Corporate Personnel Margot Worton	April 08 – March 09	Deliver our contribution to Corporate targets.