

 EXECUTIVE 21 October 2009		Agenda Item No.
Title	Equalities and Diversity Update	
For further information about this report please contact	Karen Warren, HR Manager	
Service Area	Chief Executive's Office	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	Not applicable	
Background Papers	Employment Report September 2009	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	19.8.09	
Chief Executive	19.8.09	Chris Elliot
SMT	19.8.09	September 2009
Section 151 Officer	19.8.09	September 2009
Legal	19.8.09	September 2009
Finance	19.8.09	September 2009
Portfolio Holder(s)	25.8.09	Michael Doody
Consultation Undertaken		
Please insert details of any consultation undertaken with regard to this report.		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

An update on Equality & Diversity changes, new framework and duties for public services and WDC's current position mapped against the new framework; along with a proposed action plan for future work and commitment to fulfil the public duties.

2. RECOMMENDATION(S)

- 2.1 That Members note the new legislation and duties placed on public services and the summary of the peer review against 2002 version of the Equality Standard and agree the recommendations at each section.
- 2.2 That Members agree that the Equalities Strategic direction needs to be set at a higher level than the current equalities group and the current strategy is reviewed in the context of the new framework

ACTION PLAN

Action	Constraints	Who will be responsible	Time Frame
Joint working with action groups on promoting E & D within WDC and local community	Resources within HR and partners restrict the working relationships required to achieve this	HR / Partners (County, Coventry, Joint Partnership Team)	Ongoing
Equality Impact Assessments	None – Need to be recorded electronically and kept centrally	HR	To be completed by Dec 09
The corporate Equalities Strategy is reviewed in the context of the new framework and reflects the Council's aims and objectives	Resources within HR but this should be mitigated by the additional support bought in	HR	To be completed by October '09
Corporate Equality & Diversity Group Re-established and a corporate strategic group also established	Commitment from employees and lack of support at CMT level	HR	Re-established by October 09 Establish by October '09
Pay Review – address findings of pay review	Budgetary	SMT/HR	Recommendations have been investigated by end of financial year 09/10.

3. REASONS FOR THE RECOMMENDATION(S)

- 3.1 For WDC to achieve at least Level 2 'Achieving' of the new Equalities Framework for Local Government (EFLG)

4. **BUDGETARY FRAMEWORK**

- 4.1 The Corporate E&D budget has now transferred to the HR Manager and will be managed in conjunction with the Corporate Training Budget to meet the costs and remain in budget whilst delivering value for money

5. **POLICY FRAMEWORK**

- 5.1 The new equality legislation – as detailed below – places a clear duty on those providing a public service.

6. **BACKGROUND**

6.1 **The New Equality Bill**

The new Equality Bill was presented to the House of Commons on 24 April 2009. It is intended to strengthen protection, advance equality and simplify the law; a single Act will replace over 100 existing Acts and Regulations. The Bill is expected to receive Royal Assent in autumn 2010 after a period of consultation. (See Appendix 1 – New Equality Bill 2009).

6.1.1 **Some of the key proposals from the Equality Bill are:**

- The introduction of a **new generic equality duty** on public bodies bringing together existing public duties on race, disability and gender and extended to age, sexual orientation, gender reassignment and religion or belief
- A proposal to give public bodies, including councils and health authorities, a **new social economic duty to reduce socio-economic inequalities** that people face
- The power to **outlaw unjustifiable age discrimination** in the provision of goods, facilities and services. There will be further consultation on the design of the legislation to allow public authorities and businesses to prepare and to ensure that the law does not prevent justified differences in treatment based on age

6.1.2 **New Duties on Public Services**

There is also a consultation out on a new Public Sector Equalities duty, there will be further **specific duties** set out in secondary legislation that are intended to help public bodies meet their obligations under the Equality Duty (general duty) in an effective and proportionate way. The specific duties are not objectives themselves but seen as a way of ensuring better performance of public bodies under the general duty i.e. how we should deliver our equalities duties through our business as a public body. These specific duties will not be imposed on all public bodies but only those which are responsible for delivering important public services. (See Appendix II – Consultation on new Public Sector Equalities duty)

6.2 **Equality Framework for Local Government – replacing the Equality Standard**

- 6.2.1 In 2007, the Improvement and Development Agency (IDeA) decided to run a consultation on revising the standards, the outcome being a new Equality Framework for Local Government (EFLG). It is based on three levels of achievement; developing, achieving and excellent rather than the old five levels. The framework builds on and recognizes the work that councils have already undertaken under the old standard, but contains many new features.
- 6.2.2 WDC set a target of achieving Level 3 of the old standards by 31st March 2008; a Peer review was undertaken in May 2008 and the council achieved around 28% based on the new standards.

6.2.3 The Peer review identified a number of areas that required attention if the council is to make progress on embedding equality and diversity into the organization. The areas for attention are as follows:-

- Monitoring – to develop a consistent approach for information gathering and equality monitoring among service areas.
- Procurement – to establish a mechanism for ensuring equality targets are met by suppliers through contract monitoring.
- Consultation – develop mechanism for a full and systematic engagement and consultation process with staff, stakeholder groups and local communities.
- Training – to ensure a consistent approach to training staff, elected members, external partners, contractors and sub-contractors are aware and involved in the Council's Equality and Diversity aspirations.
- Employment – the council conducts an equality pay review and develops an action plan on equal pay targets. Plus considers setting employment equality targets for recruitment, staff retention and work force profiling.

6.2.4 **The following action has been taken to address the gaps identified above:-**

Monitoring – using the Equalities Framework online toolkit to gather and monitor information through a central point, this will adopt a consistent approach and make assessment of achievement easier to review. Working with the Improvement and Performance Manager to review incorporating Equality Impact Assessments and actions into the service planning process should also enforce consistent monitoring.

6.2.5 **Procurement** – The Procurement Manager has worked to have a procedure in place which asks questions on E& D of potential contractors at pre-tender stage. All contractors are scored against their answers and supporting documentation is retained.

6.2.6 **Consultation** – it is recommended to work in partnership with groups through internal colleagues e.g. the Joint Partnership Team and the Improvement Team and external colleagues e.g. County to develop mechanisms for full and systematic engagement.

Warwickshire Equality Officers Group (WEOG) meets regularly to review best practices and new ideas and put processes in place to share this.

Working with WCC to help the council achieve Level 3 of the new EFLG and to join in with their initiatives for peer groups and consultation.

Appoint an HR Officer to act as representative for WDC at various groups that meet and to co-ordinate Equality within the organisation.

6.2.7 **Training** – A joint E & D Learning with partnership groups is actively underway and key training providers have been identified through a County wide tendering process earlier in 2009.

This has resulted in Level 1 training with Coventry City Council; this has presently to be reviewed regarding its content and delivery style (3rd Sept). We are, however, planning to pilot this with the Civil Enforcement Officers in August.

Subject to this matching our requirements, we will review Coventry as being our provider for the Management and Member E & D Training.

To support ongoing E & D training throughout the organisation, is also a component in the HR Workshop series delivered in-house to managers and is included as part of the Corporate Induction Day.

6.2.8 **Employment** – An equal pay review was completed by Hay in June 2009; the outcomes identified are as follows:

6.2.8.1 **Gender**

WDC has an even male / female split but at senior levels it is predominantly male.

Recommendation: it is investigated as to why there are fewer females at higher levels in the organisation

Overall there is an 18% difference between male / female average base pay. This is due to the predominance of females in lower paid roles.

There is a difference in average base pay (3% or more) in some of the grading bands.

Recommendation: this difference is investigated.

6.2.8.2 **Ethnicity**

Non white individuals represent 7% of the overall population and are concentrated in the middle bands.

There doesn't appear to be any general pattern of one group being favoured above another

6.2.8.3 **Age**

As with many organisations, the younger age categories are absent from the highest grades. This is unsurprising and typically reflects that these age groups are typically in their formative stages of their careers.

There are a number of employees aged 60 years or above in lower and higher grades

In the most populated grades there is a correlation between age and average base pay. This may be a bi-product of the relationship between pay progression and length of service in traditional incremental pay systems.

6.2.8.4 **Disability**

The analysis shows that the Council has only 16 people who have registered as having a disability.

There are differences (3% or more) in average base pay between middle grades.

However there is no clear pattern of any one group being made more than another on average. **Further investigation is recommended.**