



Annual Equality and Diversity Report 2012

January 2013

INTRODUCTION

1. This Annual Equality and Diversity report is the fourth to be produced and will be published on the Council's website along with links to supporting information.
2. This report outlines progress made by the Council over the last year in relation to promoting equality and diversity. It sets out:
 - the equalities duties placed upon the Council
 - details of how equality and diversity is embedded within our processes
 - equalities data
 - the Council's equality objectives
 - a summary of performance in relation to equality and diversity during 2012.
3. For 2013/2014 the Council needs to find savings of almost £14 million to balance its budget. Much of the Council's focus in the last 12 months has been on managing budget reductions to ensure key services continue to be delivered and that vulnerable groups are protected. Consideration of equality impacts continues to be a central theme within the budget setting process.

STATUTORY REQUIREMENTS

Equality Act 2010

4. The Equality Act 2010 imposes a Public Sector Equality Duty (PSED) on the Council and is supported by specific equality regulations that the Council must also comply with. The PSED requires that when taking decisions the Council must have due regard to the need to:
 - eliminate discrimination, harassment and victimisation
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
5. Furthermore, the Act states that compliance with this duty may involve:
 - removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encouraging persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
6. The PSED states consideration should also be given to the steps involved in meeting the needs of disabled persons where they are different from the needs of people who are not disabled including, in particular, steps to take account of disabled persons' disabilities.
7. The protected characteristics set out in the Equality Act 2010 are:
 - age
 - disability
 - gender reassignment

- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

8. The Act is supported by specific regulations, which place additional duties upon the Council. It is required to publish information / data to demonstrate compliance with the PSED. The Council must also prepare and publish one or more specific and measurable objectives it thinks it should achieve to enable it to meet the general equality duty.

EMBEDDED EQUALITY AND DIVERSITY WITHIN THE COUNCIL – COMPLIANCE WITH STATUTORY REQUIREMENTS

9. The following measures are in place to ensure the Council’s decision-making processes are robust, fair and equitable and that they comply with legislative requirements:
- equality and diversity and HR policies
 - embedded consideration of equality and diversity within business planning processes
 - publication of equalities data
 - organisational equality objectives.

Equality and diversity and HR policies

10. The Council has a suite of policies and procedures, which outline best practice on dealing with key issues including:
- Equal Opportunities policy
 - Equality Monitoring policy
 - Harassment, Discrimination and Bullying policy
 - Impact Assessment policy
 - Monitoring of Hate Incidents policy.

11. These policies are regularly reviewed to ensure the Council continues to comply with legal requirements and best practice.

Equal Opportunities

12. The Equal Opportunities policy sets out how the Council will ensure employees and job applicants are treated fairly and in line with legislation that sets out protections for characteristics set out within the Equality Act 2010 (age, gender, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation).

13. The policy also outlines the Council’s position in relation to positive action powers that were included within the Act and details how it will meet duties on the provision of reasonable adjustments.

Equality Monitoring

14. The Council has a duty to ensure it understands the impact of its decisions. This policy was developed to ensure a consistent approach is undertaken within the Council on equality monitoring.

Harassment, Discrimination and Bullying Policy

15. This policy set out the mechanisms for action that could be taken, either formally or informally, to address incidents of harassment, discrimination and bullying by employees towards other employees.

Impact Assessment Policy

16. The Impact Assessment (IA) policy sets out the process to be followed to ensure officers developing decision recommendations fully understand and weigh the consequences of possible and actual interventions and articulate these to decision-makers. The policy was revised to ensure appropriate consideration was given to the PSED.

Monitoring of Hate Incidents policy

17. All hate crimes and incidents should be reported. By reporting incidents, police, local councils, housing associations etc are able to build up patterns of behaviour locally, and highlight areas of concern. This information will be used to undertake targeted multi-agency work to reduce the risk of hate crime and address the causes. This policy sets out how the Council will collate details of incidents either witnessed by its staff or reported to them.

Embedded consideration of equality and diversity within business planning processes

Strategic Planning and Performance

18. The Strategic Plan is the Council's overarching business plan. The plan sets out key priorities and targets and provides a broad overview of high-level improvement activity within the Council for the coming year. The Council's equality objectives are embedded within it and progress against them is monitored through the Council's corporate performance management framework on a quarterly basis.

Service Planning Process

19. The Council produces a template to ensure each department develops service plans within a consistent overall framework. Included within the template is a requirement that actions are identified which will support achievement of the equality objectives and address inequalities in outcomes that exist.

Decision making

20. Equality and diversity sits explicitly within the Deputy Mayor's portfolio. The Deputy Mayor regularly reports on equality and diversity issues to all Members at Council meetings, he also takes individual executive decisions on equality and diversity, and reports issues to the Executive for debate where appropriate. Impact Assessment requirements are set out within the Executive report format.

Equalities Data

21. Middlesbrough Council provides a wide range of services to people and groups who live, work or visit the town and its actions and decisions affect the lives of the vast majority of people living in Middlesbrough to some degree. It is also one of the largest employers in the town.

22. Middlesbrough's current population is estimated to be 138,400. 11.7% of the population is estimated to be from the Black and Minority Ethnic (BME) community compared with the regional average of 4.7% making Middlesbrough one of the most diverse places to live in the north east. 51% of the local population is female and 9.6%¹ of the town's population is in receipt of Disability Living Allowance (DLA). Middlesbrough's population is younger than both the regional and national averages with 20.2% of the population under the age of 15 compared with 17.8% regionally. It is more difficult to provide population figures around other characteristics such as sexual orientation and religion or belief. In 2010 information on sexual orientation was asked nationally for the first time within the integrated household survey. Returns from the sample survey indicated that 1.5% of the national population identifies as being gay, lesbian or bi-sexual, however groups representing people who are lesbian, gay or bi-sexual believe this figure is higher.
23. The 2011 census surveyed people's views on religion. It found that 63.2% of the local population who answered the question have a religious affiliation to Christianity, 7% of people viewed themselves as Muslim and 22.3% declared that they had no religion.
24. Nationally there is no firm statistical data on the percentage of the population that would view itself as transgender. Press for Change, a national transgender support group, estimates there were around 5,000² transsexual people in the UK, based upon numbers of those who had applied to change their passports.
25. Policies and decisions taken by the Council are underpinned by needs assessments to ensure that they reflect the diversity of the town. These needs assessments are signposted on the Council's website.

Retained Best Value Performance Indicators

26. In addition to monitoring targets and actions, the Council retained a number of diversity Best Value Performance Indicators (BVPIs) that measure the diversity of the workforce and Council buildings accessibility. Performance against these indicators is also monitored on a quarterly basis. Below is a snapshot of performance over the last six years.

Performance against retained BVPIs						
BVPI Description	June 2007	June 2008	June 2009	June 2010	June 2011	June 2012
BVPI 11a – Senior women	65.92%	52.16%	53.40%	52.23%	50.91%	48.09%
BVPI 11b – Senior BME employees	0.76%	0.77%	1.56%	0.79%	0.59%	0.00%
BVPI 11c – Senior disabled employees	3.81%	4.58%	2.93%	3.76%	2.42%	1.38%
BVPI 16a – Disabled employees	3.07%	2.9%	2.57%	2.83%	2.67%	3.40%
BVPI 17a – BME employees	2.39%	2.61%	2.69%	2.98%	3.07%	2.40%
BVPI 156 – Percentage of accessible buildings	44.2%	54.28%	61.1%	68.05%	72.22%	77.00%

29. BV 11a, b and c – The overall numbers of officers included within the calculations for senior managers diversity is 122 (as at March 2012) compared to 129 (as at March 2011).

Workforce Composition

27. Workforce data is published annually within the Workforce Monitoring report and is used to inform planning and policies.

¹ Source: Department for Work and Pensions – February 2011 DLA data

² Figure based on Home Office data (2000)

28. As set out within the statutory requirements section, the specific regulations require the Council to publish information / data to demonstrate compliance with the Public Sector Equality Duty (PSED) by no later than 31st January 2012 and to update this information on an annual basis.

29. This information is published in the equality and diversity section of the Council's website. As data requirements and new policy areas develop these lists will evolve, some data will cease to be collected and new data will be added. Where this occurs in year, the website will be updated.

Progress Against equality objectives

30. The Equality Act 2010 requires that Council must set and publish equality objectives. The draft objectives have been designed to ensure they:

- are specific and measurable
- consider all three parts of the Public Sector Equality Duty
- use the equality information that has been gathered by the Council, in particular there should be a link between evidence of inequalities in outcomes and objectives
- are achievable but ambitious.

31. The Council's objectives are:

- Work with schools to improve the education achievements of looked after children within Middlesbrough.
- Improve early intervention work to reduce the number of contacts to children's social care and increase the number of children and young people whose needs are met at an earlier stage.
- Increase access to services options by making better use of technology to enable more customers to access services using the Internet while enabling them to continue using other channels if they wish to do so.
- Work with a diverse range of partners to reduce inequalities in health outcomes across the borough on a rolling annual basis.
- Increase the diversity of candidates shortlisted for interview for Council posts with a view to increasing the diversity of the workforce so that it more closely reflects the composition of the local population.

32. There are a number of performance indicators which give an indication of progress against these objectives. These indicators are embedded within the Council's performance management framework. The most relevant have been highlighted below to enable progress against the equality objectives to be tracked.

Educational achievement of Looked After Children (LAC)

Measure	Baseline data	Latest data	National Average
LAC Key Stage (KS) 2 English and Mathematics		50% (2012)	50% (2012)
Key Stage (KS) 2 English and Mathematics	67% (2011)	75% (2012)	79% (2012)
Percentage of LAC in schools below KS2 or 4 threshold	N/A	0%	8%
No of schools where fewer than 60% of children achieved KS 2 or 4 threshold in English and Mathematics	8 (2011)	3 (2012)	N/A
LAC 5 A*-Cs including Mathematics and English	18.9% (2009)	0.0% (2010)	12.80%
A*-Cs including Mathematics and English	42.9% (2011)	47.6% (2012)	59.4% (2012)

Number of contacts to children's social care and number of Looked After Children

Measure	Baseline data	Latest data	National Average
Number of children subject to a Child Protection Plan	254 (2011/12)	273 (Dec 2012)	N/A
Number of children who are Looked After	353 (2011/12)	378 (Dec 2012)	N/A

Increase access to services through e-enablement

33. Following the development of this objective, the Council has undertaken to develop a Customer Strategy as part of steps to deliver this. Detailed measures to assess the success of this objective will be embedded within the finalised strategy.

Health inequalities outcomes

34. The Joint Strategic Needs Assessment is a comprehensive assessment of data on a wide range of health outcomes. The purpose of the assessment is to identify priority areas where additional work is needed to improve health outcomes and increase life expectancy.

Measure	Baseline data	Latest data	National Average
Life expectancy for women (at birth)	80.2 (2010)	80.2 (2010)	82.2 (2010)
Life expectancy for men (at birth)	76.1(2010)	76.1(2010)	78.2 (2010)

Diversity of shortlisted candidates

35. Between November 2011 and November 2012 there were 3623 applications submitted for Council posts with completed equality monitoring forms. Of these 343 were shortlisted for interview. A sample of the diversity data of applicants and shortlisted candidates is set out below:

	Applicants	Shortlisted applicants
Male applicants	31.3%	20%
Female applicants	68.7%	80%
Applicants with a disability	2.7%	4.5%
Black Minority Ethnic (BME applicants)	13.6%	8%
White British	86.4%	92%
Christian denominations	48.9%	53.8%
Gay, Lesbian or bisexual	3.7%	4.3%
Heterosexual	95.2%	95.1%

36. The full data set is published on the Council's open data page. The Council is in the process developing a range of improved management information measures which will better inform progress against these key priorities.