



Annual Equality and Diversity Report 2014

January 2015

INTRODUCTION

1. This report outlines progress made by the Council over the past 12 months in relation to promoting equality and diversity. It sets out:
 - the equality duties placed upon the Council
 - how equality and diversity is embedded within our processes
 - how equalities data is used by the Council
 - the Council's equality objectives
 - a summary of performance in relation to equality and diversity during 2014 (calendar year).
3. For 2015/2016 the Council needs to find savings of circa £22.4 million to balance its budget. In order to achieve this while also protecting the most vulnerable residents, the Council is continuing to deliver its ambitious Change Programme which is transforming the way services are delivered. Consideration of equality impacts is embedded within this process to ensure services to the most vulnerable continue to be delivered effectively.

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 duties embedded within 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 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.

Equality Policy

12. The Equality policy sets out how the Council will ensure customers, 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, sex, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation).

Equality Monitoring

13. 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

14. 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

15. 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

16. This policy sets out how the Council will collate details of incidents either witnessed by its staff or reported to them. Hate crimes should also be reported to the Police.

Embedded consideration of equality and diversity within business planning processes

Strategic Planning and Performance

17. The Change Strategy is the Council's overarching business strategy. The strategy 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.

Decision making

18. Equality and diversity sits explicitly within the Deputy Mayor's portfolio. Impact Assessment policy requirements are embedded within the Executive decision making processes.

Equalities Data

19. 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.
20. Middlesbrough's current population is estimated to be 138,900¹. 11.8% of the population is estimated to be from the Black and Minority Ethnic (BME) community. 8.2 %² of Middlesbrough's residents were born outside the UK, an increase of 3.9% since 2001.
21. 50.9% of the local population is female, 49.1% is male. 10,420 or 7.5% of the town's population is in receipt of Disability Living Allowance (DLA), a reduction of 1.8% since 2013.³
22. Middlesbrough's population is younger than both the regional and national averages with 19% of the population under the age of 15 compared with 16.5% regionally. It is more difficult to provide population figures around other characteristics such as sexual orientation and religion or belief. In 2011 the integrated household survey indicated that 1.7% of the national population identifies as being gay, lesbian or bi-sexual, compared to 1.6% in the North East.
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 5,000⁴ 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 initially retained a number of diversity Best Value Performance Indicators (BVPIs) that measured 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 eight years. These have been replaced with Workforce development report content and the Council's new performance management arrangements which are delivered using the Balanced scorecard approach.

¹ Source: 2013 mid-year ONS estimates

² 2001 Census

³ Source: Department for Work and Pensions – May 2014 DLA data

⁴ Figure based on Home Office data (2000)

Performance against retained BVPIs								
BVPI Description	June 2007	June 2008	June 2009	June 2010	June 2011	June 2012	June 2013	June 2014
BVPI 11a – Senior women	55.92%	52.16%	53.40%	52.23%	50.91%	48.09%	51.16%	52.61%
BVPI 11b – Senior BME employees	0.76%	0.77%	1.56%	0.79%	0.59%	0.00%	0.71%	0.81%
BVPI 11c – Senior disabled employees	3.81%	4.58%	2.93%	3.76%	2.42%	1.38%	2.18%	2.51
BVPI 16a – Disabled employees	3.07%	2.90%	2.57%	2.83%	2.67%	3.40%	2.28%	2.22%
BVPI 17a – BME employees	2.39%	2.61%	2.69%	2.98%	3.07%	2.40%	2.33%	2.32%
BVPI 156 – Percentage of accessible buildings	44.2%	54.28%	61.1%	68.05%	72.22%	77.00%	81.00%	89.00%

Workforce Composition

27. Workforce data is published annually within the Workforce Monitoring report and is used to inform planning and policies.
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 on 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 the Council to 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 referrals 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 need 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	January 2013	January 2014	January 2015	National Average
Key Stage (KS) 2 Reading, writing and maths	67% (2011)	72% (2012)	76% (2013)	77% (2014)	78% (2014)
LAC Key Stage (KS) 2 Reading writing and maths	66.7% (2011)	50% (2012)	23.1% (2013)	54.5% (2014)	47.2% (North East - 2013)
No of schools where fewer than 60% of children achieved KS 2 threshold in Reading Writing and maths	8 (2011)	5 (14%) (2012)	2 (5%) (2013)	4 (10%) (2014)	6% (2013)
5 A*-Cs including Mathematics and English	42.9% (2011)	47.6% (2012)	50.1% (2013)	46.5% (2014)	56.1% (2014)
LAC 5 A*-Cs including Mathematics and English	18.9% (2009)	0.0% (2010)	6.9% (2012)	12.5% (2013)	15.3% (2013)

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

Measure	Baseline data	January 2013	January 2014	January 2015	National Average
Number of children subject to a Child Protection Plan	254 (2011/12)	273 (Dec 2012)	252 (Nov 2013)	213 (Nov 2014)	n/a
Rate of children ¹ subject to a Child Protection Plan*	80.6 (2011/12)	86.0 (Dec 2012)	79.7 (Nov 2013)	67.2 (Nov 2014)	42.1 (2013/14)
/Number of children who are Looked After	353 (2011/12)	378 (Dec 2012)	361 (Nov 2013)	385 (Nov 2014)	n/a
Rate of children ¹ Looked After*	112.0 (Dec 2012)	119.0 (Dec 2012)	114.1 (Nov 2013)	121.4 (Nov 2014)	60.0 (2013/14)

¹ rate per 10,000 head of child population

A strategy is in place to reduce the number of children that are in care or subject to a child protection plan and progress is being monitored by the Council's Change Programme process.

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. Significant steps have been taken in the last 12 months to increase the amount of services which are accessible on line through one portal '[my Middlesbrough](#)'. Services on line include reporting issues e.g. street lighting faults, requesting certificates e.g. birth certificates and requests for services e.g. pest control.
34. Over the next 12 months work will be undertaken to further integrate 'my Middlesbrough' with Council ICT systems to increase the number of services available and promote the portal to residents.

Health inequalities outcomes

35. 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	Jan 2013 Report		Jan 2014 Report	Jan 2015 Report	National Average
	Baseline data	Latest data			
Life expectancy for women (at birth)	80.2 (2010)	80.2 (2010)*	80.1*	80.1	82.2 (2010)
Life expectancy for men (at birth)	76.1(2010)	76.1(2010)*	75.8*	76.7*	78.2 (2010)

*The 2010 figure was taken from the Census, the interim figures are a three year average 2009-11 and 2011-13 respectively from: source Public Health England.

The Council has established a Health and Wellbeing Board which is the town's forum where key leaders from the local health and care system including the Council, NHS and the local Clinical Commissioning Group work together to improve the health and wellbeing of their local population and reduce health inequalities. The work of the Board is shaped by the [Health and Wellbeing Strategy](#) for Middlesbrough.

Diversity of shortlisted candidates

36. This data was first published as part of this report; therefore the first period of data was November 2011 and November 2012. As a result subsequent data sets are for the financial year. A sample of the diversity data of applicants and shortlisted candidates is set out below:

November 2011 – November 2012		
	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%
Overall numbers	3623	343

37. Data in for 2012/13 is set out below:

April 2012 – March 2013		
	Applicants	Shortlisted applicants
Male applicants	29.1%	23.5%
Female applicants	70.9%	76.5%
Applicants with a disability	3.2%	4.5%
Black Minority Ethnic (BME applicants)	11%	7.3%
White British	89%	92.7%
Christian denominations	61.7%	51.3%
Gay, Lesbian or bisexual	3.2%	3.6%
Heterosexual	96.8%	96.4%
Overall numbers	3994	387

38. The Council has in place a positive steps action plan, which aims to increase the diversity of the workforce. As part of this we have revised recruitment processes to ensure candidates are shortlisted without the provision of their names. Links through the recruitment portal to specialist BME recruitment websites have also been improved. The data below is from the first full year of implementation.

April 2013 – March 2014			
	Applicants	Shortlisted	New starters
Male	39.2%	31.8%	26.8%
Female	60.7%	68.2%	73.2%
Declared Disability	4.0%	3.9%	1.2%
BME	6.7%	6.5%	3.1%
Other White / Irish	1.8%	1.3%	1.9%
British	91.4%	92.3%	95.0%
Christian Faith	44.2%	45.5%	52.2%
Heterosexual or Straight	96.5%	98.4%	98.1%
Carer	13.8%	12.7%	20.7%
Under 25	31.9%	30.7%	25.2%
55 or over	5.0%	6.4%	11.2%
Total	1852	402	313 new starters
% of the known response, not % of the total applicants/shortlist.			

39. Since implementation of this system the Council has improved the diversity of shortlisted candidates in line with its equality objective, however the diversity of new starters does not appear to have improved when considering the figures above. A number of steps were taken to look in to the possible reasons and it is noted that the data is affected by the fact that the numbers of new starters are very low which can affect figures. Analysis was also undertaken of the posts advertised in the last 12 months.

40. In some cases there large pools of applicants which could impact on the figures above. For example:
- 39 people applied for a small number of casual recreation assistant posts and 14 were shortlisted
 - 70 people applied for a Legal Assistant post and 7 were shortlisted
 - 34 people applied for a Sporting Chance Delivery officer post and 5 were shortlisted
 - 33 people applied for a Youth Offending Service Assistant Operations Manager and 6 were shortlisted.
41. There are difficulties associated with examining historic data in this instance. Going forward; sample analysis will be undertaken during 2015/2016 of live job adverts to track through the process with managers and identify issues. There will be a particular focus on those diversity characteristics where there are large variations between those shortlisted and new starters. The findings of this will be reported in the next annual report.
42. Refresher recruitment and selection training will also be undertaken during 2015/16 which will set out recruitment and selection best practice for managers. Moving forward the recruitment and selection process will, in the majority of cases, include a competency based element that will enable managers to understand expected behaviours.
43. 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.