



Annual Equality and Diversity Report 2015

January 2016

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 2015 (calendar year).
2. For 2016/2017 the Council needs to find savings of circa £14 million to balance its budget. In order to achieve this while also protecting the town's 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, and that decisions do not disproportionately adversely impact on groups or individuals because they hold a protected characteristic.

STATUTORY REQUIREMENTS

Equality Act 2010

3. 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.
4. 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.
5. 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.
6. 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.

7. 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

8. 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

9. 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.
10. These policies are regularly reviewed to ensure the Council continues to comply with legal requirements and best practice.

Equality Policy

11. 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

12. 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

13. This policy sets 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

14. 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 ensures appropriate consideration is given to the PSED.

Monitoring of Hate Incidents policy

15. 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

16. The strategic Plan 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

17. Equality and diversity sits explicitly within the Executive Member for Finance and Governance's portfolio. Impact Assessment Policy requirements are embedded within the Executive decision making processes.

Equalities Data

18. The 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 all people living in Middlesbrough to some degree. It is also one of the largest employers in the town.
19. Middlesbrough's current population is estimated to be 139,119¹. 11.7% 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.
20. 50.9% of the local population is female, 49.1% is male. 10,125 or 7.2% of the town's population is in receipt of Disability Living Allowance (DLA), a reduction of 2.1% since 2013.³
21. Middlesbrough's population is younger than both the regional and national averages with 20% 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.
22. 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.
23. 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.
24. 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.

Workforce Composition

25. The Council reports data on the composition of its workforce on an annual basis within the annual workforce report, which is published on its website. The report is used to inform relevant planning and policies. Within this report, data on a range of diversity measures are included, including the following which are based on retained Best Value Performance Indicators.

¹ Source: 2013 mid-year ONS estimates

² 2011 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 2008	June 2009	June 2010	June 2011	June 2012	June 2013	June 2014	June 2015
BVPI 11a – Senior women	52.16%	53.40%	52.23%	50.91%	48.09%	51.16%	52.61%	51.74%
BVPI 11b – Senior BME employees	0.77%	1.56%	0.79%	0.59%	0.00%	0.71%	0.81%	0.86%
BVPI 11c – Senior disabled employees	4.58%	2.93%	3.76%	2.42%	1.38%	2.18%	2.51%	3.56%
BVPI 16a – Disabled employees	2.90%	2.57%	2.83%	2.67%	3.40%	2.28%	2.22%	2.34%
BVPI 17a – BME employees	2.61%	2.69%	2.98%	3.07%	2.40%	2.33%	2.32%	2.19%

Progress Against equality objectives

26. The Equality Act 2010 requires the Council to set and publish equality objectives. The 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.

27. 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.

28. 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. These objectives will be reviewed in April 2016 and embedded within the Council's Balanced Scorecard. This will ensure they are effectively integrated into the organisation's performance management framework.

Educational achievement of Looked After Children (LAC)

Measure	Baseline data	January 2013	January 2014	January 2015	January 2016	National Average
Key Stage (KS) 2 Reading, Writing and Maths	67% (2011)	72% (2012)	76% (2013)	77% (2014)	79%	80% (2015)
LAC Key Stage (KS) 2 Reading Writing and Maths	66.7% (2011)	50% (2012)	23.1% (2013)	54.5% (2014)	73.7% (19 pupils) (2015 Provisional)	48% (2014)
No of schools where fewer than 65% of	8 (2011)	5 (14%) (2012)	2 (5%) (2013)	4 (10%) (2014)	3 (7%)	6% (2015)

children achieved KS 2 threshold in Reading Writing and maths						
5 A*- Cs including Maths and English	42.9% (2011)	47.6% (2012)	50.1% (2013)	46.5% (2014)	44.8% (2015 provisional)	52.8% (2015 provisional)
LAC 5 A*- Cs including Maths and English	18.9% (2009)	0.0% (2010)	6.9% (2012)	12.5% (2013)	15.6% (32 pupils) (2015 provisional)	12% (2014 - New methodology)

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

Measure	Baseline data	January 2013	January 2014	January 2015	January 2016	National Average
Number of children subject to a Child Protection Plan	254 (2011/12)	273 (Dec 2012)	252 (Nov 2013)	213 (Nov 2014)	242 (November 2015)	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)	76.1 (November 2015)	42.1 (2013/14)
Number of children who are Looked After	353 (2011/12)	378 (Dec 2012)	361 (Nov 2013)	385 (Nov 2014)	371 (November 2015)	n/a
Rate of children ¹ Looked After*	112.0 (Dec 2012)	119.0 (Dec 2012)	114.1 (Nov 2013)	121.4 (Nov 2014)	116 (November 2015)	60.0 (2013/14)

¹ rate per 10,000 head of child population

29. The Council has put in place a School Effectiveness Strategy and has worked with partners to improve the Middlesbrough Achievement Partnership. This partnership, which is led by schools is being reviewed to improve the support to schools, by other schools as part of an effort to embed a school led improvement approach to educational outcomes. Further details on the Council's approach to education and skills can be found within the Education and Skills Outcome Delivery Plan 2015-18.
30. 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. This is one of a range of measures being put in place by the Council's Safeguarding service designed to improve safeguarding outcomes for children and young people in Middlesbrough (see the Safeguarding Outcome Delivery Plan 2015-18 for further details). The council has also created a Supporting Communities Outcome Delivery Plan 2015-18 which includes a range of early help actions, designed to reduce the numbers of children that have to be referred to safeguarding services in the first instance.

Increase access to services through e-enablement

31. The Council has now put in place a Customer Strategy, which aims to deliver the Change Programme's vision of services which are digital by default, unless alternative methods of delivery are required because of the nature of the service or to address accessibility issues. The online portal '[my Middlesbrough](#)' continues to be expanded. Over the next 12 months work will progress to improve system links between e-form reporting methods and the back office systems that process issues to not only improve the speed with which issues are addressed but to also improve feedback to customers. In January 2014 approximately 3,000 forms were completed that month. In January 2015 that figure exceeded 9,000.

Health inequalities outcomes

32. 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	Jan 2016 Report	
	Baseline data	Latest data				National Average
Life expectancy for women (at birth)	80.2 (2010)	80.2 (2010)*	80.1*	80.1	80.1	83.1 (2011-13)
Life expectancy for men (at birth)	76.1(2010)	76.1(2010)*	75.8*	76.7*	76.7*	79.4 (2011-13)

*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.

33. 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

34. 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

35. 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

36. The Council has 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%

37. The Council continues to monitor the diversity of shortlisted candidates. The Table below sets out performance from 1 April 2014 until 31 March 2015:

April 2014 – March 2015			
	Applicants	Shortlisted	New starters
Male	33%	23%	37%
Female	67%	77%	63%
Declared Disability	5%	4%	1%
BME	10%	6%	4%
Other White / Irish	0.3%	1%	0.4%
British	89%	93%	96%
Christian Faith	39%	42%	42%
Heterosexual or Straight	93%	94%	95%
Carer	14%	15%	16%
Under 25	19%	15%	22%
55 or over	10%	13%	8%
% of the known response, not % of the total applicants/shortlist.			

38. Analysis of Council jobs advertised on the Council’s website has been undertaken to track through the process and consider the variances between the diversity of shortlisted candidates and those appointed. In the majority of applications it is clear that there are large pools of applicants impact on the figures and could be a reason for the differences between shortlisted candidates and new starters. Analysis of individual posts also suggests other valid reasons including repeat applications from candidates for generic posts advertised on multiple occasions e.g. cleaning posts, a significant proportion of equality and diversity data for new starters has not been supplied and overall numbers recruited continue to be low.
39. Over the next 12 months the Council will be exploring possible actions that could be taken to ensure the diversity of the workforce more closely matches the diversity of the local population and what improvements can be made to data collection.
40. The Council publishes a data on its open data page and key measures are monitored within the Council’s balanced scorecard process.