



Annual Equality and Diversity Report 2016

January 2017

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. The Council is continuing to deliver its ambitious Change Programme which is transforming the way services are delivered, while also protecting the town's most vulnerable residents. Consideration of equality impacts continues to be 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 objectives are embedded within the Mayor’s vision for the town
 - 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
 - Level Playing Fields Action Plan.
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.

Level Playing Fields Action Plan

16. This action plan sets out the steps the Council will be taking to ensure people have the support they need to get into work and stay in work with Middlesbrough Council.

Embedded consideration of equality and diversity within business planning processes

Strategic Planning and Performance

17. Equality objectives are embedded within the Mayor's vision for the town. The Strategic Plan is the Council's overarching business strategy and sets out how the Council will contribute towards delivery of the vision. 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. Progress against the plan is monitored through the Council's corporate performance management framework.

Decision making

18. 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

19. 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.
9. Middlesbrough's current population is estimated to be 139,509^[1]. 11.7%² 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.
10. 50.8%¹ of the local population is female, 49.2%¹ is male. 9,370³ or 6.7% of the town's population is in receipt of Disability Living Allowance (DLA), an 11.7% reduction since 2013 (10,620)^[3].
11. Middlesbrough's population is younger than both the regional and national averages with 19.4%¹ of the population under the age of 15 compared with 17.8%¹ nationally. It is more difficult to provide population figures around other characteristics such as sexual orientation and religion or belief. In 2013 the integrated household survey indicated that 1.7% of the national population identifies as being gay, lesbian or bi-sexual, compared to 1.1% in the North East.
12. 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.
13. 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 5,000¹ transsexual people in the UK, based upon numbers of those who had applied to change their passports.

^[1] Source: 2015 mid-year ONS estimates

^[2] 2011 Census

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

¹ Figure based on Home Office data (2000)

14. 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

15. 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.

Performance against retained BVPIs									
BVPI Description	Jun-08	Jun-09	Jun-10	June 2011	Jun-12	Jun-13	Jun-14	Jun-15	Jun-16
BVPI 11a – Senior women	52.16%	53.40%	52.23%	50.91%	48.09%	51.16%	52.61%	51.74%	49.14%
BVPI 11b – Senior BME employees	0.77%	1.56%	0.79%	0.59%	0.00%	0.71%	0.81%	0.86%	1.81%
BVPI 11c – Senior disabled employees	4.58%	2.93%	3.76%	2.42%	1.38%	2.18%	2.51	3.56	1.88%
BVPI 16a – Disabled employees	2.90%	2.57%	2.83%	2.67%	3.40%	2.28%	2.22%	2.34%	2.53%
BVPI 17a – BME employees	2.61%	2.69%	2.98%	3.07%	2.40%	2.33%	2.32%	2.19%	2.07%

2012-2016 Equality Objectives

16. The Equality Act 2010 requires the Council to set and publish equality objectives. Initially the Council set its objectives for a four year period. The Council's objectives for 2012 - 2016 were:

- 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.

17. There are a number of performance indicators which gave an indication of progress against these objectives in that four year period. The information overleaf sets out the impact work to deliver these ambitious equality objectives has had on a range of relevant performance measures.

Educational achievement of Looked After Children (LAC)

Measure	Baseline data	January 2013	January 2014	January 2015	January 2016	January 2017 ²	National Average
Key Stage (KS) 2 Reading, Writing and Maths	67% (2011)	72% (2012)	76% (2013)	77% (2014)	79% (2015)	48.6%	53.2%
LAC Key Stage (KS) 2 Reading Writing and Maths	66.7% (2011)	50% (2012)	23.1% (2013)	54.5% (2014)	74% (19 pupils) (2015)	25.0% (12 pupils)	52% (2015)
No of schools where fewer than 65% of children achieved KS 2 threshold in Reading Writing and maths	8 (2011)	5 (14%) (2012)	2 (5%) (2013)	4 (10%) (2014)	3 (7%) (2015)	31 (75.6%)	
5 A*- Cs including Maths and English	42.9% (2011)	47.6% (2012)	50.1% (2013)	46.5% (2014)	46.1% (2015)	49.6%	53.8% (2016 prov)
LAC 5 A*- Cs including Maths and English	11.1% (2011)	6.9% (2012)	14.3% (2013)	14.3% (2014)	16.7% (2015)	13.04% (23 pupils)	13.8% (2015)

18. Since 2013 there has been a gradual increase in the percentage of looked after children who have achieved 5 A* to C grades, rising from 6.9% to a high of 16.7%. Due to the introduction of new measures, a comparison with previous outcomes is not useful, rendering the 2016 year outcomes incomparable to previous years.
19. Although there was a dip in the performance data published this year, it should be noted that this is a small cohort so fluctuations are expected and nationally there was a slight reduction in GCSE pass rates. The proportion of Looked After Children (LAC) children with additional needs is also high. In the 2015/16 Middlesbrough LAC cohort of 290 children, 40% had SEND (EHCP/statement, 19.7%). That being said, there is still much to do to bring the education outcomes of looked after children into line with the wider local population.
20. The Council has put in place a Virtual School to ensure that the additional needs of LAC are identified early and met through Education Health and Care Plans (EHCPs), SEND support pathways and the Local Offer. The Virtual School Head has close working protocols with the Behaviour Partnership and is actively involved in the joint commissioning of alternative provisions, ensuring that where LAC are close to exclusion, a suitable education placement can be sourced. Training around LAC education is offered by the Virtual School regularly throughout the year. Progress, attainment and attendance tracking systems are monitored so that pupils with attendance issues or instability of placements are identified early and bespoke learning packages are put in place. Transitional Personal Education Plans are now embedded, aiding information sharing around assessment levels and individual LAC needs.

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	January 2017	National Average
Number of children subject to a Child Protection Plan	254 (2011/12)	273 (Dec 2012)	252 (Nov 2013)	213 (Nov 2014)	242 (Nov 2015)	261 (Nov 14 th 2016)	
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 (Nov 2015)	81.65 (Nov 14 th 2016)	43.1% (2016)
Number of children who are Looked After	353 (2011/12)	378 (Dec 2012)	361 (Nov 2013)	385 (Nov 2014)	371 (Nov 2015)	430 (Nov 14 th 2016)	
Rate of children ¹ Looked After*	112.0 (Dec 2012)	119.0 (Dec 2012)	114.1 (Nov 2013)	121.4 (Nov 2014)	116 (Nov 2015)	134.53 (Nov 14 th 2016)	60 (2016)

¹ rate per 10,000 head of child population

² 2016 provisional data

21. While a strategy is in place to reduce the number of children that are in care or subject to a child protection plan, the rate of children looked after continues to rise and is a national outlier in terms of performance.
22. The 2016 report outlined a range of measures being put in place to improve safeguarding outcomes for children and young people in Middlesbrough. These actions continue to be delivered although it will take some time for their effect to be felt.
23. Children’s Services are developing plans to transform delivery of services to children and families. The transformed service will have a focus on a restorative approach, building resilience within families to enable more parents to care for their own children safely and thus reduce the need to for the local authority to take on that responsibility.

Increase access to services through e-enablement

24. The Council’s Customer Strategy has been running for some time. Since the last report, the Council’s website has been revised to enable it to deliver more services online and to improve the way it feeds back to customers. So far work has concentrated, in the main, on moving existing forms across to the new site, along with improving feedback mechanisms. The next step will be to expand the range of forms available. For example, from December 2016 residents were able to register junk job collection requirements on line. In terms of volume, in January 2014 approximately 3,000 e form requests were completed that month. In January 2015 that figure exceeded 6,000³. In January 2016 over 7,500 were completed.

Health inequalities outcomes

25. 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	Jan 17 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	79.8	83.2 (2012-14)
Life expectancy for men (at birth)	76.1(2010)	76.1(2010)*	75.8*	76.7*	76.7*	76.2	79.5 (2012-14)

*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.

26. The Council has Health and Wellbeing Board which is the town’s forum where 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

27. 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:

³ Please note, an incorrect figure of 9,000 was quoted in the 2015 report.

	Nov 11 – Nov 12		April 12 – Mar 13		Apr 13 – Mar -14			April 14 – Mar 15			April 15 – Mar 16		
	All	Short-listed	All	Short-listed	All	Short-listed	New starters	All	Short-listed	New starters	All	Short-listed	New starters
Male applicants	31.3%	20%	29.1%	23.5%	39.2%	31.8%	26.8%	33%	23%	37%	26%	24%	30%
Female applicants	68.7%	80%	70.9%	76.5%	60.7%	68.2%	73.2%	67%	77%	63%	74%	76%	70%
Applicants with a disability	2.7%	4.5%	3.2%	4.5%	4.0%	3.9%	1.2%	5%	4%	1%	4%	5%	2%
Black Minority Ethnic (BME applicants)	13.6%	8%	11%	7.3%	6.7%	6.5%	3.1%	10%	6%	4%	8%	7%	3%
White British	86.4%	92%	89%	92.7%	91.4%	92.3%	95.0%	89%	93%	96%	89%	92%	96%
Christian denominations	48.9%	53.8%	61.7%	51.3%	44.2%	45.5%	52.2%	39%	42%	42%	50%	45%	39%
Gay, Lesbian or bisexual	3.7%	4.3%	3.2%	3.6%	2.5%	1.6%	1.91%	2.3%	2.2%	1.6%	3%	3%	4%
Heterosexual	95.2%	95.1%	96.8%	96.4%	96.5%	98.4%	98.1%	93%	94%	95%	92%	92%	89%

28. 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.

29. Over the past 12 months the Council identified a range of actions within its Level Playing Fields action plan to support people with different protected characteristics into its employment and to remain in its employment. In 2017 it will build on this work, as outlined in the covering report that accompanies this document.

Equality objectives 2016 - 2020

30. When the Council reviewed its approach to equality objectives this year, an opportunity was identified to embed them within the Mayor's vision for the town. Monitoring delivery against the vision is undertaken through the Council's performance management framework and will be reported as part of that process.