

# **East Lothian Council**

## **Equality in Employment Monitoring Report Workforce and Recruitment Profiles**

**1st April 2011 to 31st March 2012**

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## 1. Introduction

East Lothian Council's Single Equality Scheme 2010-2012 identifies the priority 'Remaining an employer of choice for equality groups'. East Lothian Council's vision is to be "an Employer of Choice" delivering quality services needed by the residents of East Lothian and this is fundamental to its People Strategy.

The four key drivers identified as crucial to delivering on this are as follows;-

- High achieving leadership and management
- Building workforce capacity
- Competitive recruitment and retention
- Positive employment experience

Fundamental to achieving this goal is equality of employment opportunities and the Council strives to ensure that equal opportunities underpin all aspects of employment and employment policies. The Council's Equal Opportunities Policy and Equal Employment Opportunities Policy demonstrate a commitment from East Lothian Council to be responsive to all.

## 2. Background

### a. The statutory context

The Equality Act 2010 was introduced in April 2010 and has brought all of previous individual pieces of equalities legislation together into one. This was done to modernise the law and 'even up' the protections afforded to individuals under the law. The Equality Act should make it easier for individuals to be aware of their rights under the law, and for services and organisations to meet their legal responsibilities also.

The purpose of the Act is to ensure that everyone, whether at work or in using a service has the right to be treated fairly. It protects people from discrimination on the basis of certain characteristics. These are known as protected characteristics and they vary slightly according to whether a person is at work or using a service.

#### **The protected characteristics are:**

- Gender
- Disability
- Ethnic Origin
- Religion, Faith or Belief
- Age
- Sexual Orientation
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership (the law provides protection in the area of employment and vocational training only)

As a local authority, East Lothian Council is required to implement the Public Sector Equality Duty in addition to the provisions employment, education and training. This is comprised of two elements, the general duty and the specific duty.

The general duty was developed for public bodies due to the significant impact that the delivery of public services has on people's lives. The general duty is intended to ensure that, if followed; services are designed to meet the diverse needs of the community and are inclusive. The Council is required when in the exercise of our functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

#### **b. External Environment**

The environment in which the Council recruit, select and retain staff has changed significantly over the past year. Over the last year, the Council has worked with other councils and partners on the development and implementation of a new Equalities in Employment Monitoring form which is now used on the 'myjobscotland' website. The Council now collects additional information relating to caring responsibilities and types of impairment to ensure that our recruitment and employment policies and practices are fit for purpose.

Externally, the recession has continued to see increasing unemployment and a change in the type of jobs that people are applying for. This job uncertainty is also reflected in the number of leavers decreasing this year. We can see the impact of unemployment on the Council with an increase in the average number of people applying for each available post.

#### **c. Reporting**

The annual Employment Equalities' data is presented to the Board of Directors for their information. The data is also reported to the Joint Consultative Committee which has Elected Member and Trades Union membership. Priority areas for action on equalities in employment are agreed within the JCC. The report is also made publicly available, and to all employees, via the website and intranet.

#### **d. Data Protection**

In producing this monitoring data, the Council has to meet the requirements of the Data Protection Act, in particular to protect the privacy of individuals. Therefore, where there are a number of employees in any data category lower than 5, which may lead to individuals being identifiable, we use an asterisk or percentage as appropriate.

### 3. Key Findings 2011/12

- a. The Council's workforce has fallen by 61 people over the past year (a total of 296 over three years). The number of male applicants for Council positions rose by 23% in 2011/12 while the number of female applicants rose by 28%. 522 jobs were advertised by the Council – an increase of 107 jobs on the previous year. Competition for jobs has increased with an average of 40.6 people applying for each post. 621 employees left the organisation within the reporting period
- b. Marked increase in number of applicants, reflecting depressed economy.
- c. The Council has an aging workforce with a high percentage of employees aged between 46 and 55. The number of employees aged 16-25 continues to fall. The number of employees aged 16-25 years was 250, a drop of 14 employees on 2010/11. The number of employees aged 36-45 also fell in 2011/12.
- d. Number of 16-25 year olds in Council workforce continues to fall.
- e. The Council retains a workforce comprised of 70.7% female employees and 29.2% male employees. A negligible decrease of 0.2% in female employees and an increase of 0.2% in male employees.
- f. Men and women are employed in the workforce in different ways. Female employees working part time comprise 31.4% of the Council workforce compared by 3% for men.
- g. There are a higher number of female employees benefitting from flexible working arrangements than male colleagues - only 2 men compared to 73 women are taking up job share opportunities. The total number of employees working on a job share basis fell by 9 over the course of the year.
- h. 3.9% of the workforce declared having a disability. The number of employees reluctant to answer by either giving no reply or preferring not to answer this question has increased to 20.3% indicating that people may be afraid to declare their disability in the workplace; or don't consider themselves to have a disability.
- i. In 2011-12 there has been no disciplinary or grievance cases taken on the grounds of equality or diversity issues.
- j. Employees remain sensitive about declaring their sexual orientation in the workplace with 23% of staff choosing not to disclose this information.
- k. The religious profile of employees has not changed significantly this year. Slightly less than half of employees have declared a Christian faith, with a quarter of employees stating that they have no religion and 25.8% choosing not to provide an answer to this question.

#### **4. Workforce Profile Analysis (Appendix 1)**

##### **Gender**

- The gender profile has remained static since last year – at 70.7% female down 0.2% /29.2% male employees (up 0.2%).
- 3% of the workforce is comprised of males working part time while female part time employees comprise 31.4% of the workforce. The number of employees working on a job share basis has fallen from 84 to 75, with 97% of job share positions held by women.
- Female employees now comprise 49.1% of the top 5% salaries across the Council. 37.3% of jobs in the top 2% of salaries are held by women.

##### **Disability**

- 3.9% or 196 of Council employees have declared that they are disabled. This is an increase of 104 employees on 2010/11.
- A combined 'prefer not to answer' and 'no reply' of 20.3% may indicate that the real figure for disabled employees could be higher. The number of people reluctant to answer this question has increased from 11.3%.
- Further work may be required to ensure that employees feel confident in declaring that they have a disability.

##### **Ethnic Origin**

- The Council's workforce is predominantly White Scottish at 68% though this is down 10% on last year. This remains consistent with the employee profile over the past three years and broadly reflective of the population of East Lothian.
- Very slight percentage changes can be seen across all other ethnic profiles reflecting the movement of one or two employees.

##### **Religion, Faith and Belief**

- Church of Scotland remains the predominant religious denomination (34.1%)
- 8.6% Roman Catholic.
- Following this is 'no religion' at 25.7%.
- 25.8% of employees have chosen not to answer this question or have chosen 'prefer not to reply'.
- Other Christian faiths (5.33%), Buddhists, Muslims, Hindus and Sikh are represented in small numbers across the employee population.

### **Sexual Orientation**

- 75.9% of Council employees declared themselves to be heterosexual, down by 3% on last year.
- 1.2% of employees are gay, lesbian or bisexual.
- Employees who chose not to answer this question and 'prefer not to answer' remains high at 22.7% and suggests that the number of lesbian, gay and bisexual employees is higher than that recorded. It also reflects sensitivity around answering this question within the workplace.

### **Age**

- The total number of Council employees over the age of 65 remained static again this year.
- The largest percentage of employees are aged between 46 and 55 and the number of employees in this category dropped slightly by 9 people from last year.
- The number of employees aged 16-25 continues to fall to 250 with 14 fewer employees in this age category since 2010.
- Numbers of employees within the ages 26-35 and 36-45 both decreased, with the biggest reduction in employees being those aged from 36-45, reducing by 46 people.

### **Disciplinary Cases**

- 22 formal Disciplinary Cases 2011/12
- One case involved an employee with a disability
- 19 employees were White Scottish, 2 were White English and 1 was White East European

### **Grievance Cases**

- There have been no grievance cases on the grounds of equal opportunities reported this year.

## 5. Recruitment Profile Analysis (Appendix 2)

### Gender

- The number of applicants to the Council has increased by 5307, giving a total of 21198 applications.
- A total of 522 jobs were advertised, an increase of 107 jobs from 415 in the previous year.
- The average number of applicants for each post was 40.6 up from 38.3 per post in the previous year.
- The number of male applications increased by 23%. Female applicants rose by 28%.
- Female candidates continue to have a higher percentage chance of being shortlisted for jobs, with 67.2% of shortlisted applications being female (down 5.6%) and male shortlisted candidate rising to 31.4% (up 5.7%). This reflects the change in the number of male/female applicants for posts. This may be somewhat accounted for by the nature of jobs advertised which may be stereotypically female roles that attract a higher percentage of female applicants. Despite this, however, male applicants have continued to increase. The Council continues to work to remove stereotypical attitudes to gender roles and will continue to do so in the future.
- Of those candidates who accepted a position with the Council, 73.3% were female and 24.5% were male, with 0.43% 'prefer not to answer' and 1.7% 'unknown'. These figures show an increase in male appointments of 1.23% from last year.
- The rate of appointment for male/female candidates still reflects a higher percentage of female appointments which, over time, will impact on the gender balance within the Council as a whole.

### Disability

- 4.1% or 873 job applicants declared their disability in 2011-12. This is an increase of 1.7% or 505 of all candidates on 2010/11 figures.
- The number of people who preferred not to answer the question was 0.80% which indicates that people are more comfortable declaring that they have a disability despite the job market being more competitive.
- 4.7% of all candidates who were shortlisted for interview declared they had a disability.
- 3.8% of disabled interviewed candidates went on to accept a job with the Council.
- It should be noted that the Council holds the Two-Tick Disability Award, the Mental Health Commendation Award and the Healthy Working Lives Gold Award, and actively promotes these in recruitment practices.

## **Ethnic Origin**

- White Scottish applicants comprise 76.4% of all candidates, an increase of 1.9% on last year. This largely accounts for the increase of 6.94% to 18.6% in the 'other white' category
- No significant percentage variations in applicants from other ethnic origin categories are obvious, however, due to the change in classification of ethnicity, the comparison data between previous years and 2011/12 is not meaningful.
- Of all applicants shortlisted, 76.6% were White Scottish, 18.1% were White Other.
- In summary, the successful applicants comprised of:
  - 93.2% from White Ethnic Groups, 72.8% of which were White Scottish
  - 0.3% from African Ethnic Groups
  - 1.2% from Asian Ethnic Groups
  - 0.01% from Black Ethnic Groups
  - 0.6% from Any mixed or multiple Ethnic Groups
  - 4.5% from Other/Unknown Ethnic Groups

## **Religion, Faith or Belief**

This protected characteristic has been introduced within Recruitment Profile reporting this year, therefore, there is no comparable data on previous years. (See Appendix 2)

## **Age**

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## **Sexual Orientation**

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## **6. Training Profile Analysis**

Different approaches have been adopted this year in response to training needs. These have taken the form of one-to-one and group coaching sessions for identified learning needs. This move away from a one size fits all classroom training approach facilitates inclusion for all employees, irrespective of protective characteristic.

## 7. Conclusion

The 2011/12 employee monitoring information highlights the importance of the work that the Council does to ensure it is an employer of choice, providing modern and fair employment opportunities and experiences. The analysis of this year's information highlights a number of areas for the Council to focus on in the year ahead. The main points of note, agreed with the Joint Trades Union Secretary, are:

- a. The Council needs to ensure that all employees are aware of the benefits of flexible working. Particular effort should be made to ensure that employees working in areas which are traditionally less likely to avail themselves of employee benefits are made aware of the opportunities available to them.
- b. The age profile of the Council represents a challenge to workforce planning within the Council.
- c. Work remains to be done to ensure the Council is a positive workplace for lesbian, gay and bisexual employees. Continuing our work with Stonewall Scotland is an important element in this work.
- d. Engagement with employees in relation to equal opportunities is an important means of giving the Council a more qualitative insight into the issues concerning employees and allows the Council to take these on board when reviewing and developing new policies. The Council continues to encourage employees to feel confident about declaring their disability, sexual orientation or information about other protected characteristics. An all-employee self-declaration equalities information update was conducted in Autumn 2011 and this provides updated workforce composition data to correlate to the 2011 Census data when it is published in December 2012. This data reveals increased confidence in disclosing equalities information through the questions posed in the Equalities Monitoring Questionnaire.
- e. There have been no disciplinary or grievance cases taken on the grounds of equality or diversity issues.
- f. The Council's Local Government Employee Groups Equal Pay Audit will include all protected characteristics from 2013.
- g. The Council's Equality in Employment Action Plan (attached) is informed by the employment equalities monitoring data collated and analysed jointly with Joint Trades Union colleagues. The annual data is presented in Appendix 1 and 2, with the 2011-12 Action Plan presented in Appendix 3.

Human Resources, aided by the Council's Equalities Officer and in collaboration with the Joint Trades Unions, lead the Council's approach to employment equalities across all departments. The preparation of the equalities in employment annual report is a significant piece of work for the department as it informs key aspects of the work of the overall service.