

# **East Lothian Council**

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

**1st April 2013 to 31st March 2014**

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## 1. Introduction

East Lothian Council's Equality Plan 2013-2017 states the Council's vision 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

The Council's long-term Employment Outcome is that "*East Lothian Council is a positive workplace for all employees*" providing a workplace free of harassment and discrimination, eliminating the pay gap between employees and having a range of flexible employment practices in line with business need.

Fundamental to achieving this Employment Outcome 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 continues to provide challenges. Over past years the Council has worked with other councils and partners and implemented the Equalities in Employment Monitoring form which is now used on the 'myjobscotland' website.

#### **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 2013/14

- a. The Council's headcount has fallen by 117 people over the past year (a total of 473 over five years). The number of male applicants for Council positions reduced marginally by 0.8% in 2013/14 with the number of female applicants reducing by 1.4%. 426 jobs were advertised by the Council – a decrease of 93 jobs on the previous year. Competition for jobs has decreased with an average of 21 people applying for each post.
- b. The number of applicants to the Council has decreased by over 4,436, giving a total of 9,055 applications. This reduction is due to a marked decrease in the number of recruitment campaigns (reduction of almost 100 on 2012/13).
- c. 567 employees left the organisation within the reporting period.
- d. The number of both female and male applicants decreased significantly, however, this was due to the reduction in the number of posts advertised.
- e. The Council's workforce remains comprised of 71% female employees and 29% male employees.
- f. Men and women are employed in the workforce in different ways. 33% of female employees were working part time (a decrease of 2%) of the Council workforce compared with 3% of men (a decrease of 0.6%).
- g. There are a higher number of female employees undertaking flexible working arrangements than male colleagues - only 1 male compared to 62 female are taking up job share opportunities.
- h. 3.6% 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 remains the same as 2012/13.
- i. 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% choosing not to provide an answer to this question.
- j. The Council has an aging workforce with a high percentage (33%) of employees aged between 46 and 55. The number of employees aged 16-25 has risen slightly. The number of employees aged 16-25 years was 264, an increase of 16 employees on 2012-13. This significant increase is due the Council's Youth Unemployment Initiatives and this trend is set to continue as a result (See Appendix 3a). The number of employees aged 36-45 also fell in 2013/14 (by 40).

- k. Employees remain sensitive about declaring their sexual orientation in the workplace with 24% of staff (combined 'prefer not to answer' and 'no reply') choosing not to disclose this information
- l. In 2013/14 a very small percentage of employees declared themselves transsexual.
- m. In 2013/14 58% of the workforce were married, with 32% declaring themselves single and less than 1% were in Civil Partnerships.
- n. In 2013/14 84% of women reaching the end of Maternity Leave, returned to work (16% chose not to return to work at the end of their Maternity Leave).
- o. In 2013/14 there were no disciplinary or grievance cases taken on the grounds of equality or diversity issues.

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

##### **Gender**

- The Council retains a workforce comprised of 71% female employees and 29% male employees.
- 3% of the workforce is comprised of males working part time while female part time employees comprise 34% of the workforce. The number of employees working on a job share basis has decreased from 81 to 63, with 98% of job share positions held by women.
- The number of females in the top 2% of salaries remains unchanged (42.6%).

##### **Disability**

- 3.6% or 171 of Council employees have declared that they are disabled, a slight decrease on 2012/13.
- A combined 'prefer not to answer' and 'no reply' of 22% may indicate that the real figure for disabled employees could be higher. The number of people reluctant to answer this question remained unchanged.
- 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 66%, a negligible increase on last year. This remains consistent with the employee profile over the past four years and broadly reflective of the population of East Lothian (as per Census 2011).

- 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 (32.1%), with 8.6% declaring Roman Catholic as their religion.
- Other Christian faiths (7.3%), Buddhists, Muslims, Jews and Hindu are represented in small numbers across the employee population.

### Age

- The total number of Council employees over the age of 65 remained static.
- The largest percentage of employees are aged between 46 and 55 and the number of employees in this category dropped by 48 people on last year.
- The number of employees aged 16-25 continues to rise to 264, an increase of 16 on last year (See Appendix 3a).
- Numbers of employees within the ages 26-35 and 36-45 continue to decrease.

### Sexual Orientation

- 74% of Council employees declared themselves to be heterosexual, a slight decrease of 1% on last year.
- 1.2% of employees are gay, lesbian or bisexual (decrease of 0.1%).
- A combined 'prefer not to answer' and 'no reply' of 24% may suggest 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.

### Gender Reassignment

- In 2013/14 0.9% of employees declared themselves transexual. *\*NB: The equalities monitoring returns were manually checked in relation to this question as the figure was disproportionate to East Lothian's demographic. It is assumed, therefore, that some individuals ticked the wrong box in error.*

### Marriage/Civil Partnership

- a. In 2013/14 58% of the workforce were married, with 32% declaring themselves single and a small number were in Civil Partnerships.

### Pregnancy/Maternity

- a. In 2013/14 84% of women reaching the end of Maternity Leave, returned to work (16% chose not to return to work at the end of their Maternity Leave).

- b. In line with statute, employees who are pregnant are given special leave to attend appointments associated with their pregnancy. In addition, during maternity leave they are offered the opportunity and actively encouraged to take part in “keep in touch” days. Employees on maternity leave are also communicated with on a regular basis in terms of keeping them up to date with any changes.

### **Disciplinary Cases**

- Where disciplinary action has been taken, regardless of the outcome, analysis has shown no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

### **Grievance Cases**

- Where were grievance cases were lodged, regardless of the outcome, analysis has show no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

### **5. Leavers Profile Analysis**

- See Appendix 1a.



## 5. Recruitment Profile Analysis (Appendix 2)

### Gender

- The number of applicants to the Council has decreased by over 4,436, giving a total of 9,055 applications.

This reduction is due to a marked decrease in the number of recruitment campaigns (reduction of 92 on 2012/13).

- The number of both female and male applicants decreased significantly, however, this was due to the reduction in the number of posts advertised.
- Female candidates continue to have a higher percentage chance of being shortlisted for jobs, with 73.2% of shortlisted applications being female (up 5.9%) and 26.2% male shortlisted candidates (down by 5.5%). 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, 76.1% were female and 22.9% were male, with a combined 'prefer not to answer' and 'unknown' of 0.9%. These figures show a small increase in female appointments of 1% from last year and a decrease in male appointments of 0.7%.
- 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

- 5.3% or 481 job applicants declared their disability in 2013/14.
- The number of people who preferred not to answer the question remained static which indicates that people remain comfortable declaring that they have a disability despite the job market being more competitive.
- 5.5% of all candidates who were shortlisted for interview declared they had a disability.
- 3.1% 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% of all candidates, an increase of 1.5% on last year.

- No significant percentage variations in applicants from other ethnic origin categories are obvious.
- Of all applicants shortlisted, 73% were White Scottish, 15% were White - Other British, with the remaining 12% from other ethnic groups.
- Of all successful applicants, 76% were White Scottish, 15% were White - Other British, with the remaining 9% from other ethnic groups.

### Religion, Faith or Belief

- Church of Scotland members decreased slightly by 1% to 23.3% of all candidates, with Roman Catholic decreasing by 0.8% to 10.3%, and a combined 'prefer not to answer' and 'unknown' of 9% of applicants choosing not to disclose their religion, faith or belief.
- Of all applicants shortlisted, 25.2% were Church of Scotland and 11.2% Roman Catholic.
- Of all successful applicants;
  - 43.3% stated "No Religion" (slight increase of 2.4%).
  - 28.1% stated Church of Scotland (a decrease of 1.4%).
  - 10.5% stated Roman Catholic (an decrease of 0.6%).
  - 8% stated "Other Christian" (static on last year).
  - A combined 'prefer not to answer' and 'unknown' of 8%.
  - 3.8% stated Buddhist, Other Religion or Belief or Unknown.

### Age

- 29.9% of all candidates were aged between 26-35 years.
- 23.6% aged between 16-25 years.
- 20.4% aged between 36-45.
- 18.5% aged between 46-55.
- 5.4% aged between 56-65.
- 0.2% aged over 65.
- 1.7% unknown.
- Of all applicants shortlisted, 29.8% were aged between 26-35, 21.2% were aged between 36-45, 23.4% aged between 46-55 and 18.5% were aged between 16-25.
- Of all successful applicants;
  - 14% were aged between 16-25 years.
  - 31.2% were aged between 26-35 years.

- 26.7% were aged between 36-45 years.
- 19.6% were aged between 46-55 years.
- 6% were aged between 56-65 years.
- 0.8% were aged over 65 years.
- 1.7% unknown.

### **Sexual Orientation**

- Heterosexual/Straight applicants remained static at 92% of all candidates.
- Of all applicants shortlisted, 93% were Heterosexual/Straight, with a combined 'prefer not to answer' and 'unknown' of 5%.
- No significant percentage variations in applicants from other Sexual Orientation categories are obvious.
- Of all successful applicants;
  - 92% were Heterosexual/Straight.
  - 0.9% were Bisexual.
  - 1.5% were Gay or Lesbian.
  - 5.8% combined 'prefer not to answer' and 'unknown'.

### **Gender Reassignment**

- In 2013/14;
  - 97% of job applicants answered No, 0.08% answered Yes, with a combined 'prefer not to answer' and 'unknown' of 3.2%.
  - Of all applicants shortlisted, 97.6% answered No, with a combined 'prefer not to answer' and 'unknown' of 2.4%.
  - Of all successful applicants, 96% answered No, with a combined 'prefer not to answer' and 'unknown' of 3.8%.

### **Married/Civil Partnership**

- 17.5% of job applicants were married, 37.3% were not married, with a combined 'prefer not to answer' and 'unknown' of 45%.
- Of all applicants shortlisted, 22% were married, 37% were not married, with a combined 'prefer not to answer' and 'unknown' of 40.6%.
- Of all successful applicants, 18.6% were married, 32.7% were not married, with a combined 'prefer not to answer' and 'unknown' of 48.6%.

## **6. Training Profile Analysis**

Different approaches such as one-to-one, group coaching sessions and leadership management courses for identified learning needs. This move away from a one size fits all classroom training approach continues to facilitate inclusion for all employees, irrespective of protected characteristic.

## 7. Conclusion

The 2013/14 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 continues to represent challenges 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. This year's data continues to show an increased confidence in disclosing equalities information.
- 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 now includes all protected characteristics.
- 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 2013/14 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.

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