

East Lothian Council

Equality in Employment Monitoring Report Workforce and Recruitment Profiles

1st April 2015 to 31st March 2016

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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 9 protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

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 Council has worked with other councils and partners and implemented the Equalities in Employment Monitoring form which is used on the 'myjobscotland' website.

The Council introduced age and gender demographic information to the monthly reporting suite for Service Managers for 2015/16 following the 2014/15 Equalities report which highlighted the challenges around age profile of the Council workforce.

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 10, which may lead to individuals being identifiable, we use an asterisk or percentage as appropriate. This is an increase from 5 of previous years in line with the best practice contained within the EHRC Scotland "Measuring Up" Report from September 2015.

3. Key Findings 2015/16

- The Council's headcount has increased by 44 over the past year. There were 613 recruitment campaigns with 820 appointments made. This was an increase of 183 appointments on 2014/15, whilst the variety of roles advertised decreased by 24.
- The number of applicants to the Council decreased by 1,326 giving a total of 12,000 applications. This decrease reflects the number of Internal Applicant Only campaigns which when removed see the applications per campaign increase from 21 to an average of 22 per campaign.
- The number of successful male applicants for Council positions increased almost 10% in 2015/16.
- The Council's workforce is comprised of 71% female employees and 29% male employees, this remains consistent year on year.
- Men and women are employed in the workforce in different ways 51% of female employees were working part time (a total of 38% of the permanent workforce) compared with 13% of the male workforce (a total of 4% of the permanent workforce).
- The number of flexible working arrangements remains at 1 male compared to 48 female taking up job share opportunities (a reduction of 2 against previous year).
- Almost 4% 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 continued to reduce in 2015/16 bringing the figure to 19%.
- The race profile of employees remains consistent with 67% of employees declaring that they are White – Scottish, a reduction of 1% to 19% choosing not to answer / unknown and 1% making up the remainder. The ethnic profile of the workforce shows that 78.85% is of Scottish / UK origin.
- The religious profile of employees has remained consistent. 46% of employees have declared a Christian faith, with 30% of employees stating that they have no religion and 23% choosing not to provide an answer to this question and other religious beliefs making up the remaining 1%.
- The Council workforce remains consistent with 56% of employees aged 46 and over. The greatest percentage remains in the 46–55 age bracket at 33%, the largest change is in the 36 – 45 and 56 – 65 age groups which has reduced and increased by almost 1% respectively.
- There is a continued confidence in employees declaring their sexual orientation in the workplace with 21% of staff (combined 'prefer not to answer' and 'no reply') choosing not to disclose this information. This is a reduction of 2% against 2014/15.
- In 2015/16 less than 1% of employees declared themselves transgender. However, the number of employees who chose 'prefer not to answer' remained consistent at 1.76%.

- In 2015/16 58% of the workforce was married or in a Civil Partnership (Civil Partnership remains at less than 1%), with 37% (an increase of 5% on 2014/15) declaring themselves not Married. This increase is not considered significant as it is in line with the reduction of 4.94% in those who responded 'unknown' or 'prefer not to answer' and the increase in those in the 16 – 25 age category.
- In 2015/16 99% of women reaching the end of Maternity Leave, returned to work.
- In 2015/16 there were no grievances or disciplinary investigation on the grounds of equality or diversity issues.
- 582 employees left the organisation within the reporting period.

4. Workforce Profile Analysis (Appendix 1)

Gender

- The Council workforce remains consistent with 71% female employees and 29% male employees.
- 3% of the workforce is comprised of males working part time while female part time employees comprise 36% of the workforce. The number of employees working on a job share basis has decreased from 51 to 49, with 97% of job share positions held by women.

Disability

East Lothian Council's Recruitment and Selection policy takes full account of the measures that impact on recruitment and selection, such as the Equality Act 2010, the Two Ticks Symbol and the enhancement of the Councils employee benefits programme.

- 3.56% or 170 of Council employees have declared that they are disabled, a slight increase on 2014/15.
- [Disability Equality Indicators](#) show that across the UK employment rates data shows that disabled people remain twice as likely to report working full time as working part-time and non-disabled people about three times as likely. Within East Lothian Council of those who declared a disability 50% work Full Time, 33.5% work Part Time and 16.4% work on a casual Basis.
- A combined 'prefer not to answer' and 'no reply' of 19% may indicate that the real figure for disabled employees could be higher. However, "Unseen Disability" remains a current topic which details and discusses a number of Disabilities which individuals prefer not to disclose either because they feel that whilst they have a disability it is not relevant to their work or prefer not to disclose for personal reasons and whilst further work may be required to ensure that employees feel confident in declaring that they have a disability the number of people reluctant to answer this question has continued to reduce.

Race

The Councils workforce remains consistent year on year and is broadly reflective of the population of East Lothian (as per the Census 2011).

- The Council's workforce is predominantly White Scottish at 67%, a negligible increase on last year.
- The Council's workforce is made up from 78.85% Scottish, 18.77% are unknown / prefer not to answer with 1.52% White other and 0.83% are of Black other Ethnic origin.

Religion, Faith and Belief

- Christianity remains the largest Religion / Faith across the council at 46%, with 29.9% of the workforce declaring no religion or Faith, 22.95% are unknown or prefer not to answer with other religions / beliefs making up 1.28%
- Church of Scotland remains the predominant religious denomination (31%) which is reflective of the 2011 Census figures of 34% across Scotland.
- Roman Catholic remains the second largest religion with 9% declaring as their religion which is 7% lower than the 2011 Census figure of 16% across Scotland.
- Jedi Knights equate to 10% of those declaring other faith, religion or belief which is in excess of the 2% declared in the 2011 Census within East Lothian.

Age

The aging population of the workforce remains a challenge within East Lothian Council. However, the workforce is in line with the [population and demographics of East Lothian](#) report, which highlights that East Lothian has a lower than national average population aged 16 – 44.

- The Council workforce remains consistent with 56% of the workforce in the 46+ age groups, 23% are 36–45, 16% are between 26-35 and 16-25 year olds accounting for 5%.
- The total number of Council employees over the age of 65 reduced by 4.
- The largest percentage of employees remains those aged between 46 and 55.
- Those aged between 16 and 25 has increased by 0.37%.

The Council has had a great focus on youth employment during 2015/16 resulting in an average of 40.5 youth initiative placements each month compared to 26.4 in 2014/15. This drive is to continue in 2016/17 with the Council progressing its status as an Investors in Young People employer.

Sexual Orientation

- 77.34% of Council employees declared themselves to be heterosexual, an increase of 1.71% on last year.
- 1.3% of employees are gay, lesbian or bisexual (decrease of 0.1%), which is consistent year on year.
- The combined 'prefer not to answer' and 'no reply' has continued to reduce in 2015/16 (by 1.53%) to 21.36% which may suggest that the number of lesbian, gay and bisexual employees is higher than that recorded. However, as this number has reduced the increase has been seen in those employees declaring themselves to be heterosexual.

Gender Reassignment

The transgender figures remain consistent for 2015/16, which is above the East Lothian demographic. However, manual analysis of the responses would indicate that the majority of these respondents (circa 90%) ticked the option in error based on the remainder of their questionnaire response. This is reflective of 2013 and 2014 Registrar General for Scotland [Gender Recognition Register](#) which has with 16 entries each year and the [GIREs report of 2011](#) which advises that organisations should assume that 1% of their employees and service users may be experiencing some degree of gender variance at some stage. The number who will seek medical care is likely to be around 0.025%, and about 0.015% are likely to have undergone transition. In any year, the number commencing transition may be around 0.003%. only about 0.2% may undergo transition with the majority of people in each group unlikely to wish to be detected.

- In 2015/16 0.86% of employees declared themselves transgender, this is a slight reduction on the 2014/15 figure.

Marriage/Civil Partnership

Marriage and civil partnership figures remain consistent for 2015/16. The largest increase is of those employees who declared themselves not married which rose by 5%. However, this increase is not considered significant as it is in line with the reduction of 4.94% in those who did were unknown or prefer not to answer and the increase in employees within the 16 – 25 age category.

- Those Married or in a Civil Partnership remained consistent in 2015/16 at 57.69% of the workforce.
- 37% of employees (an increase of 5% on 2014/15) declared themselves not Married.

Pregnancy/Maternity

East Lothian Council's Family Leave policy covers surrogacy, adoption, Foster and shared Parental Leave along with breast feeding entitlements.

In line with statute, employees who are pregnant are given special leave to attend appointments associated with their pregnancy. In addition, during family leave employees are offered the opportunity and actively encouraged to take part in "keep in touch" days. Employees on family leave are also communicated with on a regular basis in terms of keeping them up to date and ensuring a smooth transition back into the workplace.

- Of the 55 who started family leave in 2014/15 which ended in 2015/16 84% returned, of the 16% who did not remain with the Council 44% were Temporary Contracts, the remaining 56% were permanent employees, 40% of whom left the Council to take up other roles with the remainder deciding to remain at home with their children.
- In 2015/16 116 commenced family leave 44 of whom are not due to return until the 2016/17 reporting period. Of the 72 who reached the end of maternity leave 99% returned to work, the 1% who did not return were on a Temporary Contract.
- There were 2 applications received for Shared Parental Leave both of which were approved.
- There were 26 applications for paternity leave.

- There were no applications for adoption or forster leave during this reporting period.

The feedback from those employees who left was that the policy is effective and that the culture within the Council is one of inclusion. This is supported by the analysis which also showed that of those recruited in 2015 one went on Maternity Leave within 3 months of joining.

Disciplinary Cases

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

Grievance Cases

- No grievance cases were lodged, regardless of the outcome, and analysis has shown 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)

A review of the application process was conducted and for each recruitment campaign in 2015/16 East Lothian council reviewed the current job outline updating the wording used and qualification requirements to bring them in line with the SQA and National Careers Service. The Disclosure/PVG membership requirements were also re-worded as feedback from applicants was that they were confused and felt that PVG membership / Disclosure was a prerequisite which it was felt may have stopped some applicants.

The review also identified that the 'MyJobScotland' website does not offer the option to request information or submit applications in alternative formats as standard. This information is available via various routes either through an individual Council 'Home Page' or application page.

Research indicates that applicants use the site to search for jobs in different ways which can result in candidates not being aware of this option. To address this East Lothian Council have redesigned its application page for each role to include this information and promote the Two-Tick Disability Award, the Mental Health Commendation Award and the Healthy Working Lives Gold Award ensuring that all interested candidates are aware of this option and its commitment to equal opportunities.

Gender

Applicants continue to self restrict to 'traditional' male / female roles, albeit in a reduced number on 2014/15. Female only applications continue to be seen within the caring, cleaning and teaching roles where the role is within Primary teaching or Domestic Science. Male only applications were seen within manual, trade and teaching roles within Outdoor Ed and Maths.

- The number of applicants to the Council has reduced by 1,326, giving a total of 12,000 applications.
- This reduction reflects the reduced number of recruitment campaigns and the volume of internal only vacancies. The average number of applications per campaign reduces to 19.6 but when the internal only campaigns are removed the number increases to 22 which is in line with previous years.
- The highest number of applications continues to be received by Female candidates at 67% of applications received.
- 196 posts recruited to (24%) received female only applications, this is a significant reduction on 2014/15 of 37%. Further analysis shows that of the 196, 55 (28%) were Internal Only Vacancies where the post was filled from a previous campaign with female only applicants or from a 'traditionally' female role and that the reduced volume of female only applications is from the cleaning, ASN and Primary Teaching roles.
- 80 (10%) of vacancies received male only applications which is consistent with the 2014/15 percentage. Further analysis shows that these were predominantly restricted to manual and trade roles.

Disability

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.

- 3% or 363 job applicants declared their disability in 2015/16, this is a reduction of 2% on the previous year.
- The option 'preferred not to answer' was introduced in 2015/16 and this had an application and shortleeting rate of 1% and a successful rate of 0.37%. This option may indicate that the candidate has an 'unseen disability'.
- 3% of all candidates who were shortlisted for interview declared they had a disability.
- 2.44% of successful candidates declared a disability at recruitment stage.

Whilst the number of applicants declaring a disability and progressing throughout to shortleeting stage is reduced on 2014/15, analysis shows that there is no discrimination, rather a higher (albeit marginal) percentage of candidates declaring a disability are shortleeted. Of those successful applicants the percentage shows an improvement on 2014/15 where successful candidates with a disability were 1% less than the rate of application.

Race

- White Scottish applicants equate for 78% of applicants, an increase of 1% on last year. 91% of candidates declared themselves of UK origin.
- No significant percentage variations in applicants from other ethnic origin categories are obvious.
- Of all applicants shortlisted, 77% were White Scottish, 11% were White - Other British, with the remaining from other ethnic groups.
- Of all successful applicants, 77% were White Scottish, 11% were White - Other British, with the remaining 12% from other ethnic groups.

Religion, Faith or Belief

- Church of Scotland members remain at 21% of all applicants, with Roman Catholic decreasing marginally to 9.23%, and a combined 'prefer not to answer' and 'unknown' increased by 2% to 10% of applicants. Those stating no religion, faith or belief remain the largest percentage at 51%.
- Of all applicants shortlisted, 23% were Church of Scotland and 9% for Roman Catholic and 8% for other Christian belief. Those declaring no belief were 46% with the remaining 2% made up of other religions / faiths
- Of all successful applicants;
 - 48% stated "No Religion" (increase of 3%).
 - 21% stated Church of Scotland (a decrease of 4%).
 - 9% stated Roman Catholic (a decrease of 1%).
 - 7% stated "Other Christian" (an increase of 3%).
 - A combined 'prefer not to answer' and 'unknown' of 12%.
 - 2% stated Hindu, Buddhist, Sikh, Muslim or Other Religion or Belief or Unknown.

Age

- The largest volume of applications came from candidates aged between 26 and 35 at 29% with 24% of applicants between 16 and 25. 20% of applications came from candidates between 36 and 45. 19% were aged 46 to 55 with those aged between 56 and 65 equating for 5%. 3% of applicants were 65 or over or did not declare their age
- Of all applicants shortlisted, 25% were aged between 26 and 35, 24% were aged between 36 and 45, 24% aged between 46 and 55 and 18% were aged between 16 and 25. 6 % were between 56 and 65 with the remaining 3% over 65 or unknown
- Of all successful applicants;
 - 18% were aged between 16-25 years – 3% increase.
 - 25% were aged between 26-35 years.
 - 25% were aged between 36-45 years – 2% decrease.
 - 21% were aged between 46-55 years – 4% decrease.
 - 7% were aged between 56-65 years – 1% increase.
 - 0.5% were aged over 65 years.
 - 3.6% unknown – 2.1% increase.

Sexual Orientation

- Heterosexual/Straight applicants reduced by 2% to 92%.
- Of all applicants shortlisted, 92% were Heterosexual/Straight, with a combined 'prefer not to answer' and 'unknown' of 6% (increase of 2%). The gay, bisexual, lesbian and other categories made up the remaining 2% of those shortlisted.
- Of all successful applicants;
 - 92% were Heterosexual/Straight – 2% decrease.
 - 0.85% were Bisexual.
 - 0.97% were Gay or Lesbian.
 - 6.59% combined 'prefer not to answer' and 'unknown' – 2.5% increase.

Gender Reassignment

- In 2015 of all applicants;
 - 97.15% answered No,
 - 0.21% answered Yes
 - 2.08% were unknown
- Of all applicants shortlisted;
 - 96.4% answered No
 - 0.12% answered Yes
 - 3.47% were unknown
- Of all successful applicants;
 - 96% answered No

- 0% answered Yes
- 4% were unknown

Further analysis of those declaring themselves transgender who were shortlisted would appear to indicate that one candidate was shortlisted for more than one role.

Married/Civil Partnership

- 35% of job applicants were married / Civil Partnership.
- Of all applicants shortlisted, 42% were married / civil partnership. 54% were not married, with a combined 'prefer not to answer' and 'unknown' of 4% (a significant decrease of 45% on 2014/15).
- Of all successful applicants:
 - Married - 45%
 - Living with partner - 13%
 - Single - 30%
 - Widower – 1%
 - Divorced/separated - 7%
 - Unknown/Prefer not to answer – 4%

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 2015/16 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 and that it is committed to robust self evaluation and proactive improvement action. 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:

- The Council should continue to promote the benefits of flexible working. Particular effort should be made to ensure that employees are aware of the Flexible Working Policy and look to address any unconscious bias or stereotype.
- The Council should promote its status as an equal opportunities employer through the 'myjobscotland' website, highlighting the alternative format options.
- Whilst the age profile of the Council continues to represent challenges to workforce planning within the Council this is in line with the demographic of East Lothian. The Council is actively focused on young people and there are various routes into the Council, for example Apprenticeships, Graduate scheme, etc and our aim is to recruit high-calibre young people and to be

recognised as a great place for young people to work. The introduction of IYP status will support this along with the ongoing demographic reporting.

- Whilst the sexual orientation of the workforce is reflective of the East Lothian demographic, the Council should continue to promote and ensure that it is a positive workplace for lesbian, gay and bisexual employees and continue to reduce the numbers of employees who are uncomfortable in declaring their sexual orientation.
- 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.
- There have been no disciplinary or grievance cases raised on the grounds of equality or diversity.
- The Council's Local Government Employee Groups Equal Pay Audit includes all protected characteristics.
- 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 2016/17 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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SOURCES

The Scottish Government: <http://www.gov.scot/Topics/People/Equality>

UK Government: <https://www.gov.uk/browse/disabilities/work>

Scotland's Census: <http://www.nrscotland.gov.uk/statistics-and-data/census>

East Lothian Profile:

http://www.eastlothian.gov.uk/downloads/file/9581/population_and_demography_section

Gender Identity Research & Education Council:

<http://www.gires.org.uk/prevalence.php>