

East Lothian Council

Equality in Employment Monitoring Report Workforce and Recruitment Profiles

1st April 2014 to 31st March 2015

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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 2014/15

- a. The Council's headcount has increased marginally over the past year (40 people). 637 jobs were advertised by the Council – an increase of 210 jobs on the previous year. Competition for jobs has remained consistent with an average of 21 people applying for each post.
- b. The number of applicants to the Council has increased by 4,271, giving a total of 13,326 applications. This increase reflects the increased number of recruitment campaigns and average number of applications remains in line with 2013/14. The number of male applicants for Council positions reduced by 3% in 2014/15 with the number of female applicants increasing by 4%. With a reduction in the number of applicants preferring not to answer this question by 1%.
- c. The Council's workforce is comprised of 71% female employees and 29% male employees, this remains consistent year on year.
- d. Men and women are employed in the workforce in different ways 50% of female employees were working part time (a total of 36% of the permanent workforce) compared with 12% of the male workforce (a total of 3% of the permanent workforce).
- e. The number of flexible working arrangements remains at 1 male compared to 50 female taking up job share opportunities.
- f. 3% 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 reduced by 2% bringing the figure to 20%. This increased confidence is reflected in the Engagement Survey report which shows a 1% increase to 91% of respondents agreeing that they felt able to discuss personal information such as religious belief, sexuality or any disability.
- g. The ethnic profile of employees remains consistent with 67% of employees declaring that they are White – Scottish, 12% White other, 20% choosing not to provide an answer and 1% making up the remainder. The ethnic profile of the workforce shows that 78.5% is of Scottish / UK origin.
- h. The religious profile of employees has remained consistent. 46% of employees have declared a Christian faith, with 28% of employees stating that they have no religion and 24% choosing not to provide an answer to this question and other religious beliefs making up the remaining 2%.
- i. The Council has an aging workforce with 55% of employees aged 46 and over. The greatest percentage remains in the 46–55 age bracket at 34% (an increase of 1% on 2013/14), next is the 36–45 group consistent at 24%, The 56 – 65 age group remains consistent with 19%, as does the 26-35 group remains at 16% and 65+ at 2% with the 16–25 reducing by 0.5% to 5%. This decrease is largely due to the number of YES funded Paid Work Experience Placement contracts coming to an end (32), in addition to the Youth Unemployment Scotland Fund's European Social Funding ceasing on 31 December 2014, reducing the number of new Paid Work Experience Placements

available. New funding is expected 2015/16, therefore, it is anticipated that the number of 16-25 workforce will begin to increase (See Appendix 3a).

- j. Employees remain sensitive about declaring their sexual orientation in the workplace with 23% of staff (combined 'prefer not to answer' and 'no reply') choosing not to disclose this information. However, this is a reduction of 1% against 2014/15 and again is reflective of the Engagement Survey report which shows a 1% increase to 91% of respondents agreeing that they felt able to discuss personal information such as religious belief, sexuality or any disability.
- k. In 2014/15 a very small percentage of employees declared themselves transgender. However, the number of employees who chose 'prefer not to answer' reduced marginally from 2% to 1.75%.
- l. In 2014/15 58% of the workforce was married or in a Civil Partnership (Civil Partnership remains at less than 1%), with 32% declaring themselves not Married.
- m. In 2014/15 92% of women reaching the end of Maternity Leave, returned to work. Of those who did not return 57% were on a Temporary Contract, 14% joined the Supply Register and the remaining 29% (2) Resigned from the Council.
- n. In 2014/15 there were no grievances and 1 disciplinary investigation on the grounds of equality or diversity issues. However, the finding of the investigation was that the case was not upheld.
- o. 593 employees left the organisation within the reporting period.

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 36% of the workforce. The number of employees working on a job share basis has decreased from 63 to 51, with 98% of job share positions held by women.
- The number of females in the top 5% of salaries is 52% (108 against a total of 208)

Disability

- 3.4% or 160 of Council employees have declared that they are disabled, a slight decrease on 2013/14.
- [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 51% work Full Time, 33% work Part Time and 16% work on a casual Basis.

- A combined 'prefer not to answer' and 'no reply' of 20% may indicate that the real figure for disabled employees could be higher. However, Unseen Disability is a very 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 reduced by 2% on 2013/14. Again this is reflective of the Engagement Survey report which shows a 1% increase to 91% of respondents agreeing that they felt able to discuss personal information such as religious belief, sexuality or any disability.

Ethnic Origin

- The Council's workforce is predominantly White Scottish at 67%, a negligible increase on last year. This remains consistent with the employee profile over the past five years and broadly reflective of the population of East Lothian (as per Census 2011).
- The Council's workforce is made up from 78.5% Scottish, 20% are unknown / prefer not to answer with 1.25% White other and 0.25% are of Black other Ethnic origin.

Religion, Faith and Belief

- Christianity remains the largest Religion / Faith across the council at 46%, with 28% of the workforce declaring no religion or Faith, 24% are unknown or prefer not to answer with other religions / beliefs making up 2%
- Church of Scotland remains the predominant religious denomination (31%), with 9% declaring Roman Catholic as their religion.

Age

- The Council has an aging workforce with 55% of the workforce in the 46+ age groups, 24% 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 increased by 17.
- The largest percentage of employees are aged between 46 and 55 and this has increased by 1% against last year, as have those in the 56 to 65 age group.
- Those aged between 16-25 has reduced by 1%

Sexual Orientation

- 75.6% of Council employees declared themselves to be heterosexual, a slight increase of 1% on last year.
- 1.4% of employees are gay, lesbian or bisexual (decrease of 0.2%).
- A combined 'prefer not to answer' and 'no reply' of 23% may suggest that the number of lesbian, gay and bisexual employees is higher than that recorded.

Gender Reassignment

- In 2014/15 0.9% of employees declared themselves transgender. **NB: The equalities monitoring returns were manually checked in relation to this question as the figure was disproportionate to East Lothians demographic. It is assumed, therefore, that some individuals ticked the wrong box in error.*

Marriage/Civil Partnership

- a. In 2014/15 58% of the workforce were married or in a Civil Partnership, with 32% declaring themselves as not married and 10% unknown or preferring not to answer

Pregnancy/Maternity

- a. In 2014/15 92% of women reaching the end of Maternity Leave, returned to work, of the 8% (7) who did not return 57% were on Temporary Contracts, 14% joined the supply / casual register leaving the remaining 29% permanent employees who left Council Employment.
- 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 grievance cases were lodged, regardless of the outcome, 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)

Gender

- The number of applicants to the Council has increased by 4,271, giving a total of 13,326 applications.
- This increase reflects the increased number of recruitment campaigns and average number of applications remains in line with 2013/14.
- The highest number of applications continues to be received by Female candidates at 69% of applications received. However, of the female applicants where both genders applied only 10% were successful, against 23% of male applicants.
- Of the 637 vacancies 233(37%) received only female applications and 61 (10%) of vacancies received male only applications. Within these single sex applications the applicants appear to be self restricting applications to traditionally Male / Female roles within Amenity Services and Nursery Nursing.

Disability

- 5% or 663 job applicants declared their disability in 2014/15.
- 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.
- 6% of all candidates who were shortlisted for interview declared they had a disability.
- 4% of successful candidates declared a disability at recruitment stage.
- 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 Group

- White Scottish applicants equate for 76% of applicants, an increase of 1.5% on last year. 93% of candidates declared themselves of UK origin, the remaining 3% of applicants were of other ethnic origins (it is worth noting that of these there are 1.6% who are possibly of UK origin (It has been highlighted to MyJobScotland/COSLA that the categories do not allow a clear breakdown)
- No significant percentage variations in applicants from other ethnic origin categories are obvious.
- Of all applicants shortlisted, 77% were White Scottish, 14% were White - Other British, with the remaining 9% from other ethnic groups (2.3% of which are possibly of UK origin as in point 1 above) .

- Of all successful applicants, 75% were White Scottish, 17% were White – Other British, with the remaining 8% from other ethnic groups (1.37% of whom may be of UK origin – see point 1 above).

Religion, Faith or Belief

- Church of Scotland members decreased slightly by 2% to 21% of all applicants, with Roman Catholic decreasing by 1% to 9.5%, and a combined 'prefer not to answer' and 'unknown' reducing by 1% to 8% of applicants. The largest percentage was 49% which was applicants stating no religion, faith or belief.
- Of all applicants shortlisted, 24% were Church of Scotland and 10% for both Roman Catholic and other Christian belief. Those declaring no belief were 46% with the remaining 3% made up of other religions / faiths
- Of all successful applicants;
 - 45% stated "No Religion" (increase of 2%).
 - 25% stated Church of Scotland (a decrease of 3%).
 - 10.5% stated Roman Catholic (a slight decrease of 0.1%).
 - 10% stated "Other Christian" (an increase of 2%).
 - A combined 'prefer not to answer' and 'unknown' of 6.5%.
 - 3% 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 30% with 26% of applicants between 16 and 25. 20% of applications came from candidates between 36 and 45. 18% were aged 46 to 55 with those aged between 56 and 65 equating for 5%. 1% of applicants were 65 or over or did not declare their age
- Of all applicants shortlisted, 27% were aged between 26 and 35, 25% were aged between 36 and 45, 24% aged between 46 and 55 and 17% were aged between 16 and 25. 6% were between 56 and 65 with the remaining 1% over 65 or unknown
- Of all successful applicants;
 - 15% were aged between 16-25 years.
 - 25% were aged between 26-35 years.
 - 27% were aged between 36-45 years.
 - 25% were aged between 46-55 years.
 - 6% were aged between 56-65 years.
 - 0.5% were aged over 65 years.
 - 1.5% unknown.

Sexual Orientation

- Heterosexual/Straight applicants remained consistent at 94%.

- Of all applicants shortlisted, 94% were Heterosexual/Straight, with a combined 'prefer not to answer' and 'unknown' of 4%.
- No significant percentage variations in applicants from other Sexual Orientation categories are obvious.
- Of all successful applicants;
 - 94% were Heterosexual/Straight.
 - 0.09% were Bisexual.
 - 1.5% were Gay or Lesbian.
 - 4% combined 'prefer not to answer' and 'unknown'.

Gender Reassignment

- In 2014/15;
 - 97.84% of job applicants answered No, 0.12% answered Yes, with unknown totalling 2.04%.
 - Of all applicants shortlisted, 98% answered No, 0.11% answered Yes and 1.53% were unknown.
 - Of all successful applicants, 98.08% answered No, 0.18% answered Yes and 1.74% were unknown.

Married/Civil Partnership

- 15% of job applicants were married / Civil Partnership with 8% Living with their partner, 26% were single, with a combined 'prefer not to answer' and 'unknown' of 48% with the remaining 3% divorced, widowed or separated.
- Of all applicants shortlisted, 19% were married (a 3% reduction on previous year), 7% were Living with a partner. 21% declared themselves single, with a combined 'prefer not to answer' and 'unknown' of 49% (an increase of 9% on 2013/14) the remaining 4% were Widowed, Divorced or Separated.
- Of all successful applicants, 18% were married, 6% were living with a partner, 16% declared themselves single, 3% were Widowed, Divorced or Separated with a combined 'prefer not to answer' and 'unknown' of 57%.

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 2014/15 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 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 the unconscious bias / stereotype that flexible working is for females returning to work after maternity leave.
- b. The age profile of the Council continues to represent challenges to workforce planning within the Council.
- c. 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. 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 has been one disciplinary and no grievance cases raised on the grounds of equality or diversity issue. The finding of the investigation was that the case was not upheld.
- 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 2015/16 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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