

# MIDLOTHIAN COUNCIL'S MAINSTREAMING EQUALITY PROGRESS REPORT 2013 - 2015

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## 1.0 Purpose of Report

The purpose of this report is to demonstrate progress in mainstreaming equality throughout Midlothian Council both in the observance of its duties and functions and within its workforce during the period 2013 – 2015.

1.1 This mainstreaming equality report uses the terms 'Midlothian Council/Council' as shorthand for the Council, Education Authority and Licensing Board (all three bodies).

## 2.0 Background

2.1 In October 2010 the Equality Act 2010 came into force. This was a consolidating piece of legislation designed to strengthen the rights of the individual against harassment, victimisation and discrimination at work, at home, and in the wider community as well as advancing equality of opportunity and fostering good relations between those who share protected characteristics and those who do not.

2.2 Created by the Equality Act 2010, on 05 April 2011 the Public Sector Equality Duty came into force. This Duty consisted of a general equality duty and specific equality duties, the latter being given as a framework for 'listed bodies' to follow in order to achieve the general duty. (Appendix 1 provides details of all listed bodies under the terms of the Act).

2.3 The general equality duty required all listed bodies, of which Midlothian Council is one, to have 'due regard' in the exercise of their functions to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

2.4 Having 'due regard' in relation to advancing equality of opportunity included:

- Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
- Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
- Encouraging participation in public life and other areas where representation is disproportionately low

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2.5 Having 'due regard' in relation to the need to foster good relations between those who have a protected characteristic and those who do not required particular attention to the need to:

- Tackle prejudice; and
- Promote understanding

2.6 On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force. These regulations imposed on all listed bodies a set of duties and responsibilities that would allow them to meet the General Equality Duty in the planning and delivery of their services and public role.

2.7 The specific duties are to:

- Report on mainstreaming the equality duty;
- Publish equality outcomes and report progress;
- Assess and review policies and practices;
- Gather and use employee information;
- Publish gender pay gap information;
- Publish statements on equal pay;
- Consider award criteria and conditions in relation to public procurement; and
- Publish in a manner that is accessible

2.8 The Protected Characteristics are:

- Age
- Disability
- Gender Re-assignment
- Marriage & Civil Partnerships (restricted to elimination of unlawful discrimination in employment)
- Pregnancy & Maternity
- Race

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- Religion or Belief
- Sex (formerly known as gender)
- Sexual Orientation

2.9 Dedicated timescales exist for reporting on the specific duties, and in accordance with those, by 30 April 2013 Midlothian Council produced and published its:

- 1<sup>st</sup> Equality Outcome & Mainstreaming Report 2013 – 2017;
- Employee Information:
- Gender Pay Gap & Equal Pay Statements

2.10 The specific duties now require Midlothian Council to produce and publish by 30 April 2015 its:

- 1<sup>st</sup> Equality Outcome Progress Report 2013-2015;
- 1st Mainstreaming Equality Progress Report 2013-2015 including;
  - Workforce Profile & Analysis Report 2013 – 2015; and
  - Gender Pay Gap Information for the period 2013 – 2015

2.11 This is the Council's 1<sup>st</sup> Mainstreaming Equality Progress Report 2013 – 2015.

2.12 It is important to note that the Council as an Education Authority must also meet the requirements of the Equality Act 2010 and Regulations 2012. Further, the Council also administers the Licensing Board and needs to meet the requirements of the Act and Regulations when undertaking its duties in this regard. Accordingly, at the relevant points within this report reference will be made to all three bodies.

## **3.0 Mainstreaming Equality 2013 - 2015 – context**

3.1 In the Council's first Equality Outcome & Mainstreaming Report 2013 – 2015 it was said that:

- Mainstreaming equality meant making equality part of the day to day business of the Council, Education Authority & Licensing Board both as service planners, providers and employers, rather than a 'bolt-on' at the end of projects and other programmes of work;
- By mainstreaming equality, the Council, Education Authority & Licensing Board could ensure that equality of opportunity was part of the culture of the organisations, and

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that both employees and customers could benefit from organisations where they felt valued and their interests and issues on a level par with all others' issues and values;

- Further, by mainstreaming equality the Council, Education Authority & Licensing Board could demonstrate its commitment to the general duty by publicly demonstrating that they would not condone unlawful discrimination, victimisation and harassment; and that
- The Council, Education Authority & Licensing Board could also demonstrate that they would work to advance equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not within their own organisations and through partnership and joint working practices with neighbours and community planning partners.

The Council, Education Authority & Licensing Board remain committed to these considerations, and during the period 2013 – 2015 have worked hard to embed each of the needs of the General Equality Duty for each protected characteristic throughout all of its work.

## **4.0 Examples of progress made during 2013 - 2015 to mainstream equality throughout the Council, Education Authority & Licensing Board (all three bodies)**

### **4.1 The new Integrated Impact Assessment (IIA) process**

Working in partnership with NHS Lothian, East & West Lothian, and the City of Edinburgh Council a new Integrated Impact Assessment has been developed. This IIA looks not only to equality issues but to socio-economic problems, health inequalities, environmental and sustainability matters thereby giving service providers the bigger picture that allows them to identify priorities now and in the future.

The consultation for the IIA was carried out over the summer of 2014 and the resultant version has been piloted within the NHS for the last few months. All parties are due to meet on 05 May to start final sign-off, and it is hoped that other public organisations will look to use this system for impact assessment purposes.

### **4.2 Equality & Diversity Training**

Training continues to be an important method of mainstreaming equality and diversity and with 96% of all staff having attended an awareness course by the end of March 2013 it has been considered a continuing priority that all new staff receive such training as part of their induction process.

The importance of training for Elected Members has not been neglected. Over the two year period Elected Members have had the opportunity to attend an equality and diversity awareness course, and a course highlighting the importance of equality impact assessment in the carrying out of their duties and responsibilities.

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In addition the Council's Management Team have also received a seminar on the importance of Equality Impact Assessment focusing on the benefits that this process gives to service planning and delivery as well as staff wellbeing.

Work is currently underway with regard to a more detailed Elected Member Seminar on Impact Assessment: Taking steps to tackle poverty and inequality which will be shared both in attendance and delivery with NHS Scotland. The draft programme and seminar outline has been prepared and participants will have the opportunity to:

- Develop their understanding of the requirements and need for impact assessment
- Consider how the Integrated Impact Assessment (IIA) tool can inform the planning and delivery of services
- Explore how they can effectively use impact assessment in their role in Midlothian.

Within the next two years it is planned that all staff will receive refresher equality and diversity training, and those involved in developing service planning and delivery more detailed training in the need for and use of the new Integrated Impact Assessment tool.

### 4.3 Council's Equality Working Group (EWG)

Over the last two years Midlothian Council has been undergoing a major restructuring Programme (Business Transformation) and the structure and purpose of the Equality Working Group (EWG) has been under review.

It has been considered that membership of this group needs to be elevated to third tier officers (management level) service-wide who are currently being selected by the Heads of Service they are responsible too. This will mean that there is a senior management buy in to the group and what it plans and does. This group will be supported and guided by the Council's Equality & Diversity Officer and will in essence be responsible for the embedding of equality and diversity throughout the organisation and within the Community Planning Partnership. Initial actions of this group will be to:

- Provide a briefing note to the Council and the Community Planning Partnership as to its remit and membership;
- Identify those within each service who must have Impact Assessment training in order to ensure the service planning and delivery does reflect the needs of all citizens within Midlothian;
- Embed into the organisation an equality and diversity newsletter that continually enforces the need for a process that protects individuals from unlawful discrimination, victimisation and harassment, and progresses the need to advance equality of opportunity and foster good relations between persons who have/have not protected characteristics

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## 4.4 Joint Community Planning Equality Forum (CPEF)

As with the Equality Working Group remit and membership of the Joint Community Planning Equality Forum (CPEF) is currently under review. This Forum, which is jointly run by East Lothian Council, is in need of refreshment, and work has just begun on contacting Community Partners on the Community Planning Working Group to see who is best placed and qualified to take part in this important group. Initial work for the Forum will involve:

- Developing a strategic plan and way of working that will ensure that all service planning and delivery of the Community Planning Partners is underpinned by the principles of equality and diversity;
- Working with the new Community Planning Equality Engagement Officer in activities undertaken by the Midlothian People's Equalities Group (MPEG), Neighbourhood Planning exercises, community initiatives, and other Community Planning activities;
- Ensuring that whilst the Community Planning Partnership has decided to target actions aimed at closing the outcome gap for residents in the parts of the county identified in the top 20% of SIMD, that this does not adversely affect members with protected characteristics in other Midlothian areas

## 4.5 Working with the Procurement Section

In 2013 we noted that the Council's Equality & Diversity Officer planned to work with the Procurement Section to:

- Develop further equality issues within our procurement strategy such as buying with other community planning partners and increasing supplier diversity;
- Identify need and build a business case by reviewing the current provision for equality in procurement; building equality into the business case; and engaging with service users;
- Introduce equality requirements in contract specifications including;
  - Specifying positive action and reasonable adjustments as well as workforce requirements;
  - Using more inclusive advertising and selection of tenderers' processes;
  - Developing an inclusive award process as well as implementing equality contract conditions and monitoring them;
  - Learning lessons at the end of a contract

Due to pressures of re-organisation this work has been delayed but will be completed as a priority in the period 2015 – 2017. This will ensure that the procurement team understand their responsibilities and obligations within the Equality Act 2010 (Specific Duties) (Scotland)

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Regulations 2012, particularly to consider the use of award criteria and conditions in relation to public procurement.

## 4.6 Participation on LGBT (Lesbian, Gay, Bi-sexual & Transgender) History Month 2014



On 28<sup>th</sup> February 2014, the Council in association with LGBT Youth and ELREC (Edinburgh & Lothians Regional Equality Council) hosted a multi-cultural event at the Mining Museum, Newtongrange to celebrate LGBT History Month.

This event proved extremely popular with the local and Edinburgh based LGBT community with over 100 people in attendance on what was a cold wintery evening.

Feedback from the evening was extremely positive demonstrating the need for events to suit all members of our community.

## 4.7 Hate Crime Awareness Event

During the winter of 2013/14 Midlothian Council in association with East Lothian Council, Police Scotland and ELREC carried out a Hate Crime questionnaire consultation with local shop keepers in the East and Midlothian areas. This campaign was driven by an increase of hate incidents at 'points of sale' noted by Police Scotland.

Participation in the event was good and the event hosts decided to thank those who had participated and any other interested parties by putting on a Bowling event at East Lothian Indoor Bowling Club.

This event again demonstrated the need to involve all in the community and to confront

Do you live or work in East Lothian or Midlothian?  
Are you concerned about Hate Crime?  
If so, please come along to our

## Hate Crime Community Engagement Event Midlothian & East Lothian

**Wednesday 10 September  
6.30pm - 8.30pm**  
East Lothian Indoor  
Bowling Club  
Tranent  
East Lothian  
EH33 1LZ

This is a **FREE** event and light refreshment will be provided. Booking is essential. Please go to <http://goo.gl/PIBcuq> or contact [hatecrime@elrec.org.uk](mailto:hatecrime@elrec.org.uk) to book your place.

This is a follow up event to the joint **Hate Crime Awareness Campaign** conducted over last winter run by ELREC, Midlothian Council, East Lothian Council and Police Scotland.

The bottom of the poster features four logos: Police Scotland, Midlothian Council, East Lothian Council, and ELREC.



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issues such as hate crime within our towns and villages.

## 4.8 Hosted the ELREC Annual General Meeting (AGM)

The Council was approached by the Edinburgh & Lothians Regional Equality Council (ELREC) in 2014 and asked if they would host the organisation's AGM which it was happy to do.

The event was held in the Dalkeith Arts Centre and a buffet supper was enjoyed by all before the AGM started. Speakers included those from Police Scotland as well as ELREC with feedback forms welcoming the change of venue for this event.

Publicity beforehand resulted in several members of the public attending the event and they welcomed the opportunity to talk to others about race and disability issues in particular.

## 4.9 Establishment of a new Equality & Rights Network (EaRN)

During the first decade of the 21<sup>st</sup> century Equality professionals formed a networking group where they could consider Equality and Diversity issues as a group rather than, for many, on their own within their respective public organisation. This group covered Fife, the City of Edinburgh, the three Lothians and Scottish Borders Council, as well as the NHS, Lothian & Borders Police, Fire Rescue Service, the Procurator Fiscal & Court Service, Edinburgh University, Edinburgh and Jewel & Esk Colleges.

As the decade proceeded membership lapsed until the second half of 2014 when the City of Edinburgh Council and NHS Scotland decided to resurrect and renew the Network and make it fit for purpose as an Equality & Rights body initially for the Edinburgh area.

However, on further thought it was decided that an Edinburgh centric network would not best fit and invitations were issued to East, West & Midlothian Councils, and Queen Margaret University to join the Network.

The Network now comprises the City of Edinburgh Council, NHS, East and Midlothian Councils, Police Scotland, Fire Rescue Service, Edinburgh College, Queen Margaret University and ECAS - the voluntary organisation dedicated to giving friendly and practical help to physically disabled people.

Remit and purpose are being developed although it is sufficient to say that the needs and aspirations of all those with protected characteristics will be represented. Tenders have been received for running the organisation and a final decision on the successful candidate will be made at the City of Edinburgh Communities & Neighbourhoods Committee on 05 May 2015.

## 4.10 SWAN (Scottish Workplace Networking) for LGBT People

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SWAN was founded in 2008 by Ian Arnot and Robert Cole, who were involved with BT's LGBT Networking group, Kaleidoscope.

At the time, many companies and public sector employers had their own networking organisations but there was nothing that connected them. SWAN was created in order to fill this gap and provide a network in Scotland to bring people from different sectors together.

SWAN has become synonymous with networking within the LGBT professional community. As an organisation they have been hosted at many major businesses in the central belt of Scotland and attendance is consistently growing. SWAN aims to provide LGBT people with access to networking opportunities and with the help of our hosts we are able to do this absolutely free.

The Council in partnership with East Lothian Council have been approached by SWAN and asked if we would host an event in 2015. Discussions are ongoing.

## 4.11 Stonewall Scotland

The Council is pleased to be a member of Stonewall Scotland's Diversity Champion's Programme as well as its Good Practice Programme.

Stonewall Scotland works to achieve equality and justice for lesbian, gay, bisexual and transgender people.

By working with Stonewall we can help LGBT people to become more involved in the education, service planning and delivery in our area.

## 4.12 LGBT Youth Scotland

LGBT Youth Scotland is the largest youth and community-based organisation for lesbian, gay, bisexual and transgender (LGBT) people in Scotland. The charity's mission is to:

"Empower lesbian, gay, bisexual and transgender young people and the wider LGBT community so that they are embraced as full members of the Scottish family at home, school and in every community."

The Council attends the Lothian LGBT Development Group and as can be seen in section 4.6 above has co-hosted an event with LGBT Youth in LGBT History month last year.

## 4.13 NHS Gypsy/Traveller Health Steering Group

NHS Lothian approached the Council in 2014 requesting that the Equality & Diversity Officer attend this group which looks after the specific health issues relating to Gypsy/Travellers in the East & Midlothian area.

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2014 has seen specific issues to do with the joint Gypsy/Traveller camp at Smeaton on the East /Midlothian border. The refurbishment project is now complete.

### **Travellers Site refurbishment.**

A Gypsy Travellers site is currently operational at Smeaton on the East Lothian/ Midlothian border. Midlothian Council and East Lothian Council currently lease the site which is a rural setting, approximately 1km south of the East Lothian village of Whitecraig and approximately 1.5km north of the town of Dalkeith. The site was opened in October 1994 with 20 pitches for Gypsy/Travellers. In recent years, conditions on the site had deteriorated.

The refurbishment project is completed and involved the commitment, dedication and team work of Midlothian Council, East Lothian Council and Shelter, who have overcome huge challenges, including complex leasing negotiations, to deliver an upgraded gypsy/travellers' site that more than meets the statutory requirement in the Local Housing Strategy to provide suitable accommodation for this group within our community. By consulting extensively with the gypsy/travelling community on, for example, prioritising the work schedules and even colours for the new portacabins, relations between the authorities and this community has improved significantly. Securing a permanent site for the travelling people will also help them access education, health and employment opportunities and make for a more balanced and equal community in Midlothian. Further benefits to the Council and wider community include increased rent revenue and a rise in the number of people applying for a place on the site.

### 4.14 DisabledGo

The Council has been approached by DisabledGo an organisation established over 14 years ago, whose mission is to maximise independence and choice for disabled people in accessing their local area and the places we all want to visit.

DisabledGo work on behalf of Local Authorities, Universities, the NHS/NHS Trusts and private sector organisations to publish detailed access information on well over 125,000 places of interest across the UK and the Republic of Ireland.

Several Scottish public bodies are members of DisabledGo and disabled groups find their services very helpful. Membership costs are however high and at present enquiries are being made into possible external funding sources.

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## **5.0 Areas of development for 2015 - 2017**

5.1 In addition to ongoing projects noted in section 4, the following areas of work will be entered into during 2015 – 2017:

- In discussion with the Equality & Rights Commission (EHRC) Midlothian Council will review its Equality Outcomes to make them more equality-specific;
- The Council will address gaps in employee monitoring information and other evidence legislation and good practice requires us to have;
- We (the Council) will conduct an interim evaluation to make sure we are up to speed with the actions and outputs needed to meet our equality duties;
- Build relationships with individuals and organisations who can assist us by getting involved in the 2017 outcome setting process;
- Meet with managers and other stakeholders within the Council who can assist the Equality & Diversity Officer in mainstreaming progress and plans for the future;
- Consider how we prepare for the inclusion of race and disability in our equal pay policy and occupational segregation information from 2017 onwards;
- Evaluate and improve further our approach to the duties on Equality Impact Assessment and Procurement
- Further develop the process to be followed in the gathering of data and information for the mainstreaming report 2015 – 2017;
- Make sure that the people we involve with in equality outcome setting are empowered and have the capacity to be involved;
- Ensure that the Equal Pay Statement and the Gender Pay Gap information covers all the requirements of the Act

## **6.0 Employee Information annual breakdown & gender pay gap information for the years 2013/14 & 2014/15**

6.1 Year 2013/14

6.2 Year 2014/15

## 6.1 Midlothian Council Equality and Diversity in Employment

### Introduction

Midlothian Council's vision is to be "an Employer of Choice" delivering quality services needed by the residents of Midlothian and this is fundamental to the 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

Key areas of work include:

- Implementing Equal Pay
- Equality in recruitment and selection
- Conditions of service
- Prevention of harassment
- Employee development

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 supports a range of work that supports the equalities agenda including:

- A comprehensive Employee Assistance programme
- Childcare voucher scheme
- Use of the Two Ticks symbol for which there was successful reassessment in December 2013.
- Participation in the Stonewall Workplace Equality Index
- Taking the See Me campaign pledge
- Healthy Working Lives- Gold Award achieved September 2013.

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This following report contains an update to the workforce profile, using data as at January 2014. This lets us see the change there has been over the last 12 months. There is also an update on the progress made in meeting equality outcomes.

## **Gathering Employee Information**

In 2012 an Equal Opportunities Monitoring Questionnaire was distributed to employees. The aim of this exercise was to update the equalities information already held (disability, ethnic origin and marital status) and to gather information on the 'new' protected characteristics introduced by the Equality Act 2010 – gender reassignment, sexual orientation, and religion or belief.

A response rate of 38% was received, considered encouraging given the information sought. There were some blanks in the returns received, particularly in relation to the newer protected characteristics. This shows that there is some work to do to help employees feel confident to disclose such information and to gather a more complete data set. It has however helped update existing data and given a good set of base data for work on the newer protected characteristics. Employees can now update their own details by using a system called 'MiHR', which automatically updates the Council's main HR/payroll system from which equalities data can then be collated.

- In April 2013, it was reported that 5% of our workforce had disclosed a disability and this remains the same for 2014.
- We saw a reduction in the number of blank or 'prefer not to say' responses on ethnic origin – and a commensurate increase in the number of employees telling us they were White Scottish. The percentage of our workforce from a Black or Minority Background remained about the same.
- The majority of respondents to the Questionnaire stated that they had no religion or belief. This was closely followed by those who said they belong to the Church of Scotland.
- The majority of respondents stated they were heterosexual. The number of respondents who stated they were gay, lesbian or bisexual equated to less than 1.8 % of our workforce.

## **Our Workforce Profile –January 2014**

In March 2014, our employee headcount was 4039. Of this figure 71% of the workforce are female. This includes local authority and education authority employees. There has been a small reduction in overall employee numbers in the last 12 months.

In the last 12 months, there have been more employees taking up employment on a fixed term or temporary basis rather than on a permanent basis. This can be explained by

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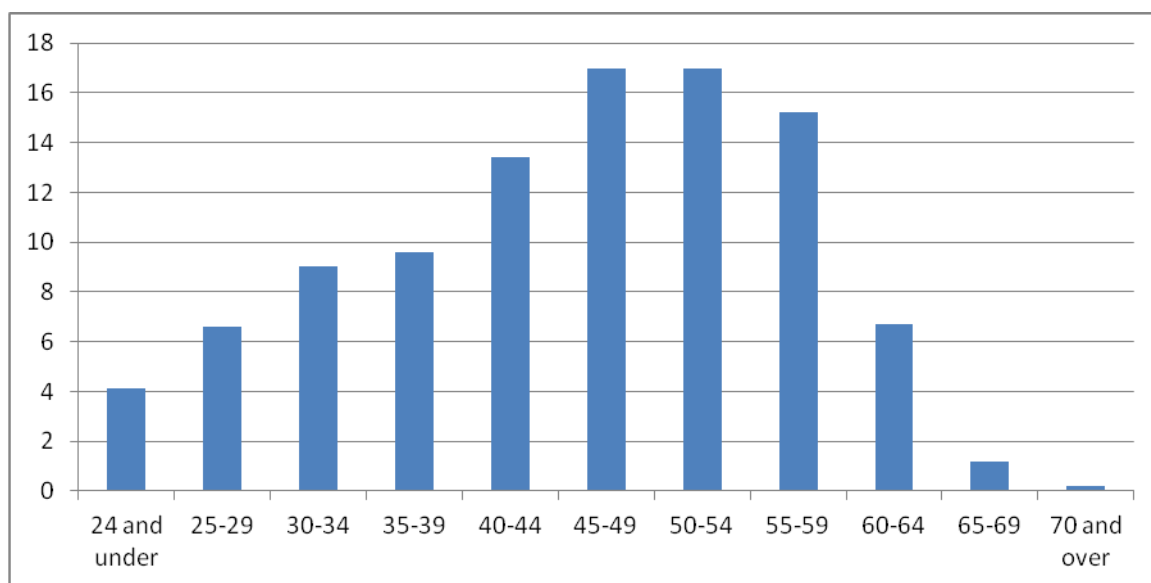
financial constraints. The Council is in a time of workforce change and there is a need to look at how we make sure we have the right people, in the right place, with the right skills. Increasing the use of fixed term or temporary contracts at this time allows the Council to be flexible in how resources are used.

As detailed in the 2013 mainstreaming report there was reference to the Mi future project which is a process to implement a no compulsory redundancy policy for Midlothian Council's workforce and an update on this is provided in the recruitment section of the report.

42% of the workforce works part-time, and there are good flexible working arrangements in place. Flexible working patterns can be seen for both males and females, although more females than males work part-time or have a flexible working pattern, such as compressed hours. There is continual promotion of flexible working opportunities to all employees to allow them to balance their home and working lives.

The Council childcare voucher scheme also remains available to all employees and 128 individuals currently participate in the scheme

### Age



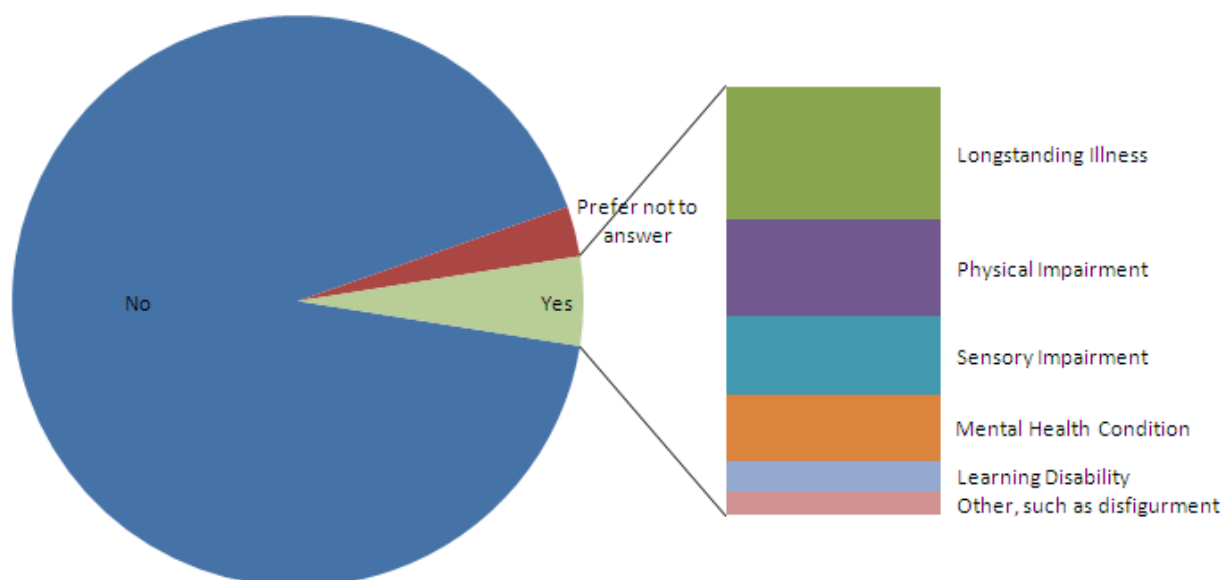
The graph above shows the age distribution of all employees, as at end March 2014. It shows the percentage of our workforce in each age band.

Our age profile continues to peak in the 45-49 and 50-54 age bands. In the last 12 months, there has been a small increase in the number of employees aged 24 and under (from 3.9% to 4.1%). This suggests we are attracting younger people to our workforce. We have however seen a small reduction in the numbers of employees in the age bands 25 – 44 and an increase to the numbers in the older age bands. This movement can be explained by

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turnover, recruitment, and birthdays which move some employees from one age band to a higher band.

### Disability



5% of workforce has declared that they have a disability. 90% have stated that they are not disabled. The remaining 5% are recorded as not known or blank data. This is a very slight increase in disability disclosure since the last report.

We believe this reflects confidence in reporting, rather than an increase in 'new' disabilities.

### Gender (Sex)

Overall, there are more female employees than male employees. 71% of our workforce is female and 29% is male.

We previously reported that two-thirds of our workforce was female. Turnover and recruitment in the last 12 months has meant we now see a slight decrease in the number of females and an increase in the number of males. This is a familiar picture across the majority of Councils.

### Maternity

Number of employees on maternity leave for the period 1/1/2013- 31/3/2014.

Employees who were on maternity leave	131
Number of employees who left after maternity leave	7

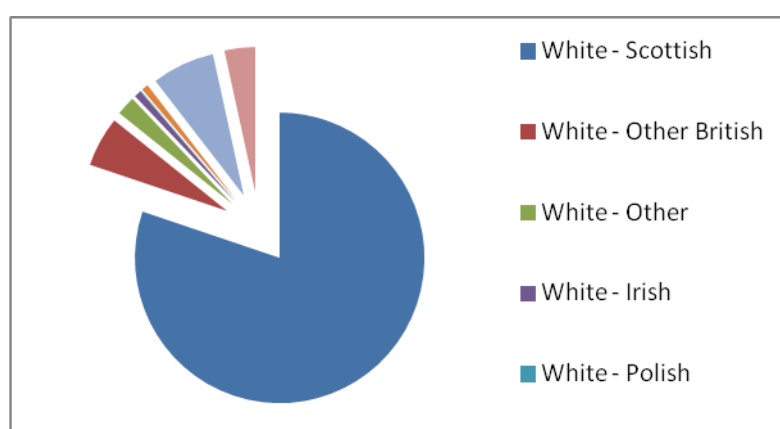


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Number who returned and reduced their hours after maternity leave	25
Number who returned to original post	99

The majority of employees return to work following maternity leave and no issues have been identified which are of any concern.

### Race (Ethnic Origin)



The chart to the left shows the profile of the workforce by ethnic origin. The majority of our workforce (64%) is White Scottish. Some of the numbers are small, so these have been given the percentages in the table below.

White - Scottish	64%
White - Other British	31%
White - Other	3%
White - Irish	0.79%
White - Polish	1%
Ethnic minority background	0.75%
Prefer not to say	2%
Blank	3%

The percentage of employees from a Black or Minority Ethnic Background has remained relatively static.

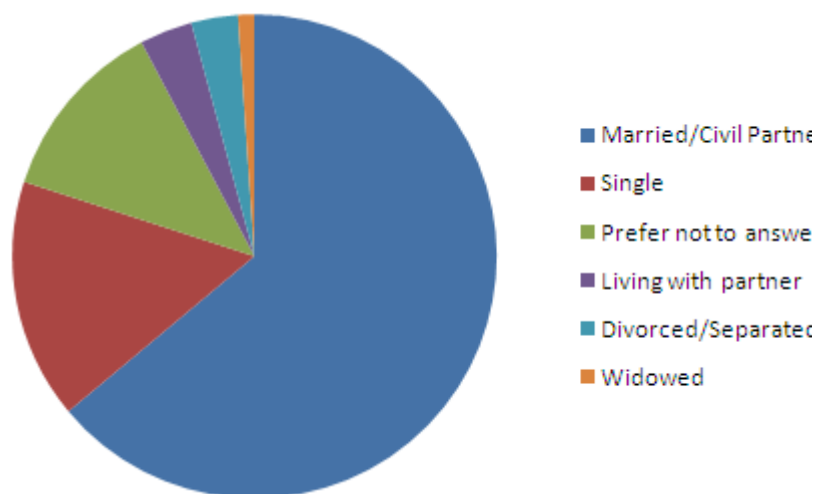
## Marriage and Civil Partnership

The chart to the right shows the marital status of the workforce.

As a result of the workforce Equal Opportunities Monitoring Questionnaire, the data set has been improved.

The percentage of the workforce who are married or in a civil partnership has slightly increased.

An increase can be seen from 2013 on the number who say they are single (from 16% to 28.2%) and a reduction in the number of those who say they live with a partner (4% to 2%). This could be due to more accurate data, rather than any trend in relationships.



## Gender Reassignment

Given the low results of this it would be inappropriate to report as it may have the unintended consequence of leading to identification.

## Sexual Orientation

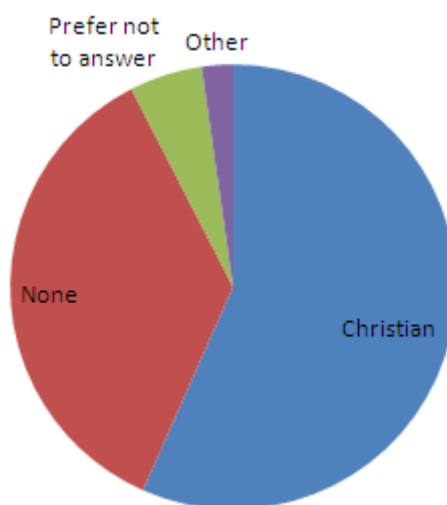
Less than 1.8% of our workforce has disclosed that they are gay, lesbian or bisexual.

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## Religion or Belief

Only a small number of employees responded to the question on Religion or Belief.

The chart to the right shows the responses, as a percentage of the total workforce.



## Equal Pay

Midlothian Council is committed to the principle of equal pay for all our employees. This is outlined in the Council's Equal Pay Statement.

The Council now undertakes an annual Equal Pay Audit. An equal pay audit involves comparing the pay of protected groups who are doing equal work, investigating the causes of any pay gaps by gender and planning to close any gaps that cannot be justified. As a general rule, any differences of 5% or more will require exploration and explanation.

### Gender Pay Gap

#### Local Government Worker

Average of Hourly Rate

Gender	Total	No	
Female	£10.76	3209	72.60%
Male	£12.53	1214	27.40%

Average Hourly Rate Local Government

Workers £11.28

The female hourly rate for local government workers is 85.8% of the male rate

#### Teachers

Average of Hourly Rate

Gender	Total	No	
Female	£21.47	878	78.60%
Male	£23.24	239	21.40%

Average Hourly Rate Teachers £21.85

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The female hourly rate for teachers is 92.4% of the male rate

## Overall Average

### Average of Hourly Rate

Gender	Total	No	
Female	£13.69	3209	72.60%
Male	£14.63	1214	27.40%

Overall Average hourly rate	£13.95
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### Top 5% High Earners

Gender	Total	Percentage
Female	91	45.27%
Male	110	54.73%

## Recruitment

For the year 2013 there was a total of 789 posts advertised 53% of which were external and 47% were internal. Of these 10% of posts were advertised on a part time basis.

	Percentage
No of males	63%
No of females	37%

### Leavers and Labour Turnover- 1<sup>st</sup> April 2012 - 31<sup>st</sup> March 2013

Retirement/ Voluntary Severance	<b>8</b>
Resignation/ Other Employment	<b>126</b>
End of fixed term/temporary contract	<b>98</b>
Permanent/ temporary incapacity	<b>17</b>
Dismissals (Conduct)`	<b>4</b>

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

Death in Service	<b>3</b>
Personal reasons	<b>62</b>
Total	318- 9.68%

### Discipline, Grievance and Harassment

**1<sup>st</sup> April 2013- 31<sup>st</sup> March 2014**

There was a total of 54 discipline grievance and harassment cases in the last financial year. No equalities issues have been identified.

### Using Employee Information

It is important that there is an attempt to 'fill in the gaps' in the equal opportunities data to give the best possible picture of Midlothian Council's workforce. Reference to this data is to help identify trends, inform HR policies and procedures, and help ensure that there is no unlawful discrimination or harassment on the basis of a protected characteristic. This data is also used to help identify where steps might be taken to advance equality of opportunity or foster good relations.

The Council refers to equalities data when equality impact assessments are undertaken of new or revised HR policies and procedures, or where a proposal is considered that would affect the workforce.

### Action Plan and Equality Outcome

We set an Equality Outcome with a clear workforce focus:

*Creating and maintaining an inclusive culture where equalities in employment is an integral function which ensures that employment matters are determined solely on the basis of capability, qualifications, experience, skills and performance which will result in a supported, engaged and highly performing workforce.*

Some actions were set out that would help achieve the above outcome over the period April 2013 to April 2015. Good progress is being made against the action plan, and there is recognition that there is still a lot of work to do to meet the aims.

- There is an additional internal investment in apprenticeships and traineeships as part of the commitment to youth employment within the workforce.
- Successful retention in 2013 of our 'Positive About Disabled People' symbol (double tick) status.

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

- The Scottish Local Government Living Wage implemented in January 2013 brought a benefit to all employees on the lower paid grades. There are significantly more women than men on these lower paid grades, so this was a positive step in helping us close the gender pay gap.

### **Equality and Diversity in Employment – Next Steps**

Midlothian Council will continue to work on our action plan – and look at what else can be done to fulfil commitments that have been made.

By 30<sup>th</sup> April 2015 a fuller update will be provided on employee information, and give a profile of applicants, leavers, those undertaking training and development, and those who are involved in discipline or raise a grievance. Information will be given on the gender pay gap and occupational segregation.

### **Good Practice Examples**

#### **Member of the Stonewall Diversity Champions Programme**

Stonewall's Diversity Champions programme is Britain's good practice forum in which employers can work with Stonewall, and each other, to promote lesbian, gay and bisexual equality in the workplace. Midlothian joined the programme in 2013. The Workplace Equality Index is the national benchmarking exercise in which organisations are examined to establish their standards of good practice in LGB equality in the workplace. The top 100 employers are published annually following a detailed submission from each organisation. Membership of the Stonewall Diversity Champions programme provides the Council with the opportunity to challenge us to achieve a high standard of LGBT equality for our employees and to test our progress each year. As Diversity Champions we also gain access to best practice sharing, networking opportunities and national research.

**6.2 Midlothian Council  
Equality and Diversity in Employment  
2014/15**

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## **Introduction**

Maximising the benefits of equality and diversity in employment for Midlothian Council means managing, individual differences in a way that capitalises on them and enables everyone to reach their full potential. Supporting and respecting individual differences helps every employee to be engaged and aim to be highly performing whilst fully contributing to the delivery of the Councils strategic priorities.

To do this we need to have an in-depth understanding of the effect that our workplace culture, employment policies, practices and procedures have on all of our employees. Collating and analysing data on employees by protected characteristics provides a good starting point to develop this understanding. This provides a robust evidence base to identify any differences in outcomes for different employee groups in order that the Council can continue to create a culture of opportunity for all.

## **Equalities Monitoring**

Midlothian Council is committed to being a transparent, open, honest and accountable organisation. This will be monitored through the Council's public performance reporting system and in equality progress reports where it will be published as to what is done, how well this is done, and where there needs to be an improvement.

The following report details the current equalities monitoring requirements of the Council in line with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. Developing, publishing and implementing the specific duties is one of the methods through which the Council will achieve and sustain being an accountable and inclusive organisation.

In line with the specific duties employers are required to publish information as follows:

- 1) Employee information and/or profile
- 2) The recruitment, development and retention of employees
- 3) Equal pay statement
- 4) Gender pay gap information and occupational segregation

## **Current Position**

To date equality and diversity information on: employees in post; applications for employment, development and promotion, bullying and harassment cases; grievance procedures; disciplinary proceedings; and cessation of employment have been and will continue to be analysed to identify any existing or potential equality and diversity in employment issues for those with protected characteristics.



# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

Midlothian Council also has information from applicants for employment via the National Recruitment Portal. The information obtained through this process is in accordance with the data collected via the national census.

This information, once analysed allows the Council to highlight priority areas that it needs to examine in relation to its role as an employer.

## **The Statutory Context**

The Equality Act 2010 has brought all of the previous equalities legislation together into one. This was done to modernise the law and 'even up' the protection given to individuals. 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.

Midlothian Council will therefore have 'due regard' that when making decisions and in carrying out its day to day activities to consciously consider the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

## **Equality Impact Assessment**

A thorough EQIA is carried out and published for new or revised Human Resource employment policies, procedures and practices which helps to identify any likely or potential equalities impact on those with a protected characteristic. A systematic approach is taken when using an equality impact assessment tool. This gives an indication about how a policy or proposed practice might be relevant to and affect individuals with different protected characteristics in different ways or in different circumstances. Doing this enables the Council to consider if any changes to employment policies and procedures need to be made in order to minimise the potential for unlawful discrimination and making the most of opportunities to promote equalities and foster good relations.

## **Data Collection for 13/15**

The data collected is in line with the amended classification requirements for protected characteristics which are:

- age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

In line with the specific duties there will now be a legal obligation to publish with an analysis of employment monitoring data from April 2013 and thereafter every two years. The data will however, be collected annually.

## **Key Findings**

### **General**

- The Council retains a workforce comprised of 71% female employees and 29% male employees. This shows a decrease of 2% in female employees and a increase of 3% for male employees.
- The Council's workforce is changed over the past 2 years. Although the majority of employees remain between the ages of 40 and 55 the Council has increased the employment of young people in the age range of 16 – 24 by 5%. 16% are aged over 55 and 3% are aged over 65.
- 1.4% of employees consider themselves to have a disability. The majority of those declaring their disability had a longstanding illness followed by a physical impairment, sensory impairment and/or a mental health condition.

Compared to previous annual results less employees are declaring that they consider themselves to have a disability. The Council continues to promote a number of initiatives regarding health and wellbeing. Through employees declaring they consider themselves to have a disability individuals are more likely to be able to communicate with line managers or employee health support services, where for example reasonable adjustments are required.

- Indicators are that employees can be sensitive about declaring their sexual orientations with 73.7% of respondents not known and 5.6% of respondents preferring not to answer this question. 20.4% of Council employees responding consider themselves to be heterosexual. 0.3% of employees have identified themselves as lesbian, gay and bisexual.
- 49% of respondents are married or in a civil partnership with 8% preferring not to answer.
- The religious profile of employees has not changed in any significant way over the past 12 months. 13% of employees identify as part of a Christian faith with two

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

thirds of employees stating that they are of no religion and 3% choosing not to provide an answer to this question.

Other religions are represented in the workforce profile such as Muslim and Buddhist.

### **Workforce Analysis of 2013/15 data**

This data is based on the sensitive information details held in iTrent the Council's HR database. The responses received are provided voluntarily and on a self serve basis.

### **Disability**

1.4% of respondents declared that they consider themselves to be disabled, and 1.17% selected 'Prefer not to answer'. This figure is not reflective of the population of Midlothian which as at May 2014 is 7.1% of the working age population reported that they have a disability, which is below the Scottish average of 7.7%.

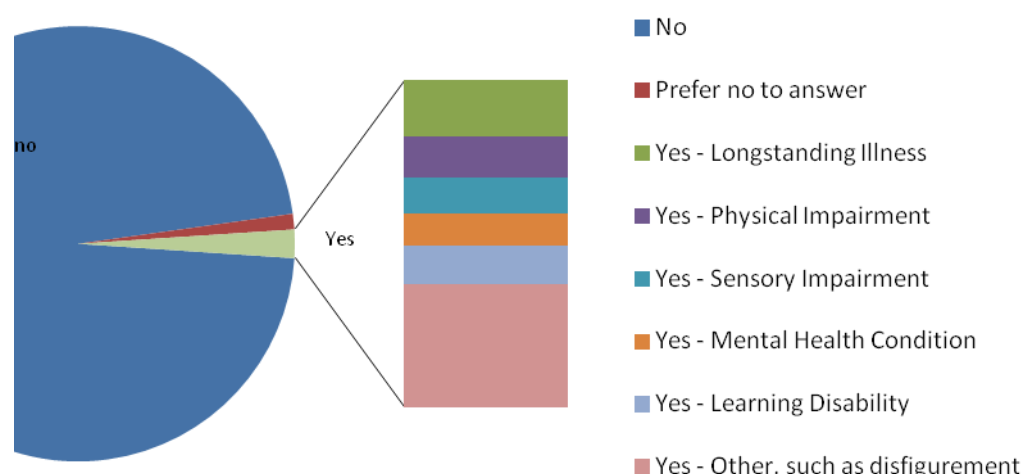
The types of disability were classified as:

- Longstanding illness
- Physical impairment
- Sensory impairment
- Mental health condition
- Learning disability
- Other, such as disfigurement

Out of the total number of response to the monitoring questionnaire the percentages are as follows:

	<b>Percentage</b>
No	97.42%
Prefer not to answer	1.17%
Yes - Longstanding Illness	0.37%
Yes - Physical Impairment	0.27%
Yes - Sensory Impairment	0.23%
Yes - Mental Health Condition	0.21%
Yes - Learning Disability	0.25%
Yes - Other, such as disfigurement	0.8%

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015



A positive example of employees declaring that they have a disability is that reasonable adjustments have been implemented, which have resulted in improved performance, job satisfaction and attendance at work.

Within Midlothian Council there is a lapsed Disability Consultation Forum who in the past

### Learning Difficulties

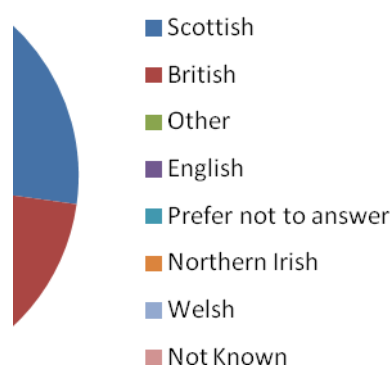
Only a few employees declared they have a learning disability and the Council does provide for example literacy and numeracy support through a community support service. (MALANI- Midlothian Adult Literacy and Numeracy Support). This service is also accessible to employees.

### Nationality

27.19% of respondents identify their nationality as Scottish and 17.81% as British. Of the remaining respondents 0.79% were other British nationalities (English, Welsh and Northern Irish), and 0.64% preferred not to answer this question.

	Percentage
Scottish	27.19%
British	17.81%
Other	1.12%
English	0.57%
Prefer not to answer	0.44%
Northern Irish	0.17%
Welsh	0.05%
Not Known	52.66%

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015



## Race

30.47% of respondents identify themselves as White Scottish and 3.71% as White Other British. 0.64% of employees preferred not to answer this question.

	Percentage
White Scottish	30.47%
White Other British	3.71%
White Other	0.78%
White Irish	0.43%
White - Eastern European (eg Polish)	0.10%
Asian Pakistani (inc Scottish/British)	0.12%
Ethnicity, if Other please specify	0.02%
Mixed - any other mixed background	0.12%
African (inc Scottish/British)	0.06%
African Other	0.08%
Asian Indian (inc Scottish/British)	0.06%
Arab (inc Scottish/British)	0.02%
Asian Bangladeshi (inc Scottish/British)	0.02%
Asian British	0.02%
Asian Other (inc Scottish/British)	0.04%
Black (inc Scottish/British)	0.00%
Caribbean or Black (other)	0.02%
White Gypsy/Traveller	0.02%
Prefer not to answer	0.64%
Not known	63.27%

*The 0% figures reflects that either there is less than 10 or no respondents allocated to these particular groups.*

(Chart below excludes 'Prefer not to answer' and excludes not known)

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

- White Scottish
- White Other British
- White Other
- White Irish
- White - Eastern European (eg Polish)
- Asian Pakistani (inc Scottish/British)
- Ethnicity, if Other please specify
- Mixed - any other mixed background
- African (inc Scottish/British)
- African Other
- Asian Indian (inc Scottish/British)
- Arab (inc Scottish/British)
- Asian Bangladeshi (inc Scottish/British)
- Asian British
- Asian Other (inc Scottish/British)
- Black (inc Scottish/British)
- Caribbean or Black (other)
- White Gypsy/Traveller

The below is reflective of the population of the Midlothian 2014 report where according to latest figures there are totals of:

White	African	Asian, Asian Scottish or Asian British	Caribbean or Black	Other Ethnic Groups
81,715	159	910	99	304

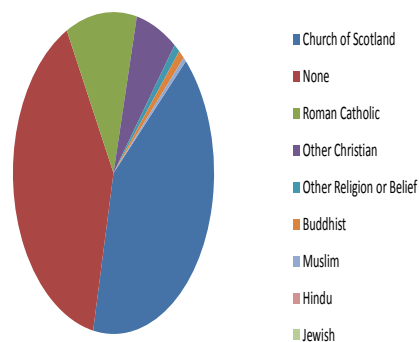
# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## **Religion**

12.3% of respondents identify with a Christian faith (including 8.5% Church of Scotland, 2.4% Roman Catholic and 1.4% Other Christian). The second most common response was No religion.

	Percentage
Church of Scotland	8.5%
None	8.2%
Roman Catholic	2.4%
Other Christian	1.4%
Other Religion or Belief	0.2%
Buddhist	0.2%
Muslim	0.1%
Hindu	0%
Jewish	0%
Prefer not to answer	3.1%
Not known	75.9%

(Chart below excludes 'Prefer not to answer' and excludes not known)



## **Marriage and Civil Partnership**

49% of employees are married or in a civil partnership. 8% of employees prefer not to answer this question.

	Percentage
Married/Civil Partnership	49%
Single	19%
Living with partner	3%
Divorced/Separated	3%
Widowed	1%
Prefer not to answer	8%
Not Known	17%

(Chart below excludes 'Prefer not to answer' and excludes not known)





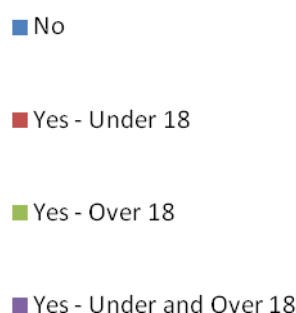
# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## **Caring responsibilities**

8.01% of respondents identified as having caring responsibilities, most commonly for someone under the age of 18.

	Percentage
No	12%
Yes - Under 18	6%
Yes - Over 18	2%
Yes - Under and Over 18	0%
Prefer not to answer	0%
Not Known	80%

(Chart below excludes 'Prefer not to answer' and excludes not known)



Midlothian Council has implemented many work/ life balance policies and procedures such as flexible working practices. Employees have benefitted and taken advantage of for example mobile working practices allowing them to more effectively balance work and home life.

## **Gender Reassignment**

As the numbers of those responding 'yes' as to whether they 'ever identified as transgender or trans person' are small it would be inappropriate to be specific as this could lead to individuals being identified.

## **Age Profile**

The average age of a Midlothian Council employee is 44 with 9% in the age range 16- 24, 16% over the age of 55 and 3% aged 65 or over. There has been an increase in the age range

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

16-24 of 5% over the past 2 years and this may be attributed to Midlothian Council's drive on positive destinations for the young people of Midlothian communities.

Through the operation of the Mi Future scheme, there will be opportunities for apprenticeships and traineeships thereby having a positive impact on the 16-25 age group, who are particularly disadvantaged in the current climate.

### **Sex**

71% of employees are female and 29% male employees.

### **Pregnancy and Maternity**

For those employees who are pregnant or on maternity leave their roles are risk assessed to determine any potential negative health impacts and they are, in line with statute, and best practice given special leave to attend appointments associated with their pregnancy. During maternity leave they are again, in line with statute, 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.

There is much emphasis on the importance to foster good relations in order that when an employee returns to work after a period of maternity leave the transition back to work is one where the employee feels fully integrated as soon as possible. Many of those returning from maternity leave apply for and are granted more part time and/or flexible working opportunities.

### **Recruitment**

Recruitment of Midlothian Council Employees is via the National Recruitment Portal, this changed in January 2015 from I-Grasp to Talentlink. All our external posts are advertised via the myjobscotland website, and internal jobs are advertised on our Internal Jobs Hub. The National Recruitment Portal provides easy access to jobs and streamlines the recruitment process across Councils and other public sector bodies in Scotland. The Portal ensures there is consistency to the application process and the system can provide jobseekers, if registered with 'myjobscotland', with job alerts – ie the jobseeker can identify the type of post, the location, salary etc they wish to be considered for and if a post becomes available that meets their criteria they will be automatically alerted to it via email.

The Council uses the portal as the primary recruitment tool and the main objective is to reach out to the wider community and attract a more diverse audience to apply for positions. In order to help those who do not have access to a computer they can use IT facilities in local libraries. In Midlothian some staff within libraries are trained to give assistance with 'myjobscotland'. Also in certain circumstances paper applications are still accepted. For staff who have been displaced on our Switch programme, we have a team

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

providing assistance to apply for positions and also providing coaching on interview techniques.

In Summary for 2012/13 and 2013/14

- A higher number of applications, 65%, were received from females than males
- 4.6% of applicants declared themselves to have a disability
- 2.85% of appointees had declared a disability
- 2.7% of applicants declared they were from a minority ethnic background
- 27% of applicants declared they were married or in a civil partnership
- 27% of appointees declared their religion as Church of Scotland, 44% declared no religious beliefs, and 1% of appointees were Hindu, Jewish, Sikh or Pagan.
- 92.9% of appointees were heterosexual.

### **Mi Future**

The Council has a no compulsory redundancy policy for permanent employees and delivers this using a mechanism called SWITCH (Supporting Workers in Transition and Change) under the Mi Future project.

Midlothian Council, through its People Strategy, (see page 19), has a clear commitment to developing a supported, engaged and high performing workforce. Developing and retaining high quality employees, supporting and managing staff effectively through a challenging period of change and financial austerity, is a key element. Avoiding compulsory redundancies and 'growing' the skills of existing internal talent assists in achieving this.

The Mi Future project provides a mechanism for moving employees from one job in the Council to another by assessing their skills and giving them priority over vacant posts. Mi Future is widely promoted to employees with information available in paper and electronic format. Information can also be made available in 'easy read' and large print where required. The function operates on an equal basis regardless of gender, race, age, and other protected characteristics. Adaptations/ alternative strategies and approach will be made as necessary for those identified as having for example a learning disability.

The main positive impact will be that there will be no compulsory redundancies for permanent employees regardless of protected characteristic. Other positive impacts are:

- Opportunities will be available to all staff regardless of protected characteristic to be more accurately matched into appropriate positions suited to their assessed potential skill set.

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

- To develop placement opportunities at no additional cost which ensures redeployees regardless of protected characteristic are gainfully employed until a permanent role is secured.
- For employees who have become disabled or generally due to ill health can no longer fill the requirements of their current substantive post they will be more appropriately 'matched' into a suitable alternative and/or given appropriate support until such time as an alternative position can be secured
- Employees who identify or are likely to have specific needs to complete psychometric tests, e.g. employees who have literacy or numeracy difficulties, those that do not have access to a computer will be given appropriate support and guidance.
- There is the potential for employees in traditional blue collar posts to move to white collar positions and vice versa. (This has proven to be the case in other organisations, who have operated such a scheme).
- There will also be more opportunities for female employees to be move into traditional male roles and vice versa
- Through the operation of such a scheme there will be opportunities for apprenticeships and traineeships thereby having a positive impact on the 16-24 age group who are particularly disadvantaged in the current climate.

### Leavers

During the calendar year 2013/2015 there was 723 leavers. The table below gives a breakdown of reasons for leaving.

2012/13	318	2013/14	405
Retirement/ Voluntary Severance	14.5%	Retirement/ Voluntary Severance	23%
Resignation	24.5%	Resignation	21.7%
End of fixed term/temporary contract	33%	End of fixed term/temporary contract	20.2%
Permanent/temporary incapacity	5.3%	Permanent/temporary incapacity	3.7%
Dismissals (Conduct)	1.3%	Dismissals (Conduct)	3.5%
Death in Service	2%	Death in Service	0.5%
Resignation Unknown	17%	Resignation Unknown	14.1

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

Further analysis of the above shows that:

- The majority of leavers were female which is representative of the composition of the Council's workforce.
- The majority of leavers were from a white ethnic background.
- The majority of leavers were in the age group 40-55.

## **Learning and Development**

Midlothian Council employees are actively encouraged to participate in learning and development opportunities. Following the introduction of the Making Performance Matter in 2013 there is now a much more robust system to meet with employees and formally identify and agree development activities.

A number of development activities are mandatory for employees and these are e-learning modules on:

- **Corporate Induction**

This module is for new recruits. The induction covers a broad spectrum of areas such as Conditions of Service and Health and Safety.

- **Equality and Diversity**

This is for employees to understand their obligations and responsibilities to promote and embed equality and diversity across the Council.

- **Information Management**

This module reinforces an employee's responsibilities in terms of sharing information and the main focus is on personal and sensitive information.

- **Health, Safety and Wellbeing**

Employees are given a good understanding of the fundamental principles of the above and are reminded of their obligations in taking responsibility as far as possible for their own health, safety and wellbeing.

- **Customer Care**

Employees in this module are reminded of the Council's standards and expectations of service for internal and external customers.

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

At the end of each of the above modules there is an assessment which the employee should pass in order to check that they have read and understand their responsibilities, obligations and expectations.

The above is in the format of e learning programmes and for those employees who do not have access to a computer they were taken through the modules as a group with their line manager. For those employees who had special needs such as extra support with literacy skills this was provided via colleague support and/or engaging the services of our MALANI and MiTech programme. MALANI and MiTech provide help with literacy and numeracy skills and are an educational facility package of training, employment opportunities and local support services for the community and employees of Midlothian.

All employees in agreement with their line manager have the opportunity to identify their learning and development needs or requirements through the Competency Framework process. For teachers, needs are identified via the Performance, Development and Review process.

### Making Performance Matter Framework

Midlothian Council uses an appraisal framework called Making Performance Matter. This is supported by a Competency Framework that sets out 8 core competencies to ensure a consistent approach to managing performance and standards. This is achieved by helping managers assess competencies, recognise work well done, provide constructive feedback and develop employees in line with Council outcomes. The introduction of Making Performance Matter continues to require all local government employees (excluding casual workers and teachers) to participate in an Individual Performance Meeting twice every year with an identified appraisal manager.

The framework facilitates incremental progression where applicable and the agreed identification of learning and development needs. Where underperformance is identified a Performance Improvement Policy will apply with a view to support and develop an employee to reach their full potential.

All outcomes of Making Performance Matter must be evidence based as agreed between individuals and their manager. Appraisal results will be monitored to audit results for indication of bias. A quality assurance framework ensures consistency of standards is applied across the organisation.

Additional assistance has been identified for those, with particular support needs to allow their full participation in the process. It is recognised that the same standards will apply to these groups but targets must reflect the reasonable adjustments made to accommodate their contribution in the workplace.

### Applications and number of employees receiving training

Centrally there are records of applications for corporate learning events and activities however employees retain their own records via the Competency Framework process.

## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

Learning and Development activities consist of both internal and external opportunities plus on the job development courses.

Learning and development opportunities are agreed between the employee and their manager via the Competency Framework process depending upon the relevance to their particular role. If certain development activities cannot be offered or agreed due to for example budgetary constraints then alternative methods of acquiring skills and knowledge will be considered such as an in house course activity.

In summary for 2012/13 and 2013/14 there have been **12,860** instances of employees receiving training, including Health and Safety training courses.

Please note that many employees will receive more than one opportunity for training/ other learning and development activities throughout the year and this is reflected in the figure above. Please note the figure includes mandatory e-learning modules.

- The majority of those trained are from white Scottish or white other British ethnic origin. However minority ethnic groups are also represented in the total numbers and are indicative of the workforce profile.
- The largest number of those applying for, and receiving training were in the age bracket 40-55 which is again reflective of the composition of our workforce.

### Midlothian Leadership Development Programme

Over the past few months the Organisational Development team have been working, as part of the People Strategy (see details on page 21), to develop and implement a new Midlothian Leadership Pathway Programme. The programme is to develop managers, supervisors and team leaders, to engage and empower them, thereby releasing their full potential as leaders across the organisation. This in turn creates a working environment and culture which delivers promises and aspirations.

The programme has been designed in order that managers become more self-aware, recognising their strengths and development needs and, most importantly, how their behaviour affects other people.

Effective leadership is critical in terms of eliminating discrimination, advancing equality of opportunity and fostering good relations among all equality groups. Leadership that 'walks the talk' on diversity and inclusion and behaves authentically sets the tone for the organisation and its employees.

A number of those with staff responsibility have now completed part of the programme. To date the gender and age breakdown is as follows:

Gender	
Male	50%
Female	50%

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## **Equal Pay**

### **Equal Pay Statement**

Midlothian Council believes in equal opportunities in employment and is committed to the fundamental principle that procedures to determine the pay and conditions of employment of all our employees do not discriminate unlawfully and aims to eliminate any sex bias or any form of discrimination. The Council recognises that in order to achieve equitable pay it should operate a pay system which is transparent and based on objective criteria.

The Council believes that pay is one of the key factors affecting motivation and relationships at work and therefore considers it important to develop pay arrangements that reward employees fairly. The Council will work with Trade Unions to develop fair and non-discriminatory pay and progression systems which are understood and accepted by employees and by the managers who operate the system. All aspects of the pay package will be reviewed and monitored regularly to ensure it delivers equal pay. Any pay inequalities which cannot be justified will as far as is possible be eliminated.

The Council will aim to:

- Continue to use objective, justifiable and proportionate job-related information and an analytical job evaluation scheme to determine the salaries of jobs and the Council's salary structures.
- Monitor existing and future pay practices and the impact or potential impact on men and women.
- Assess and review the findings of monitoring activities and take action where necessary.
- Provide development and guidance for managers and others directly involved in decisions about pay and benefits.
- Continue to work with the recognised Trade Unions on equal pay and equalities in employment.
- Inform employees of how our pay practices work and how their own pay is determined.
- Respond promptly and investigate where necessary grievances on equal pay.



## Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

Our commitment to equal pay extends to both race and disability and whilst able to monitor this as our systems are developed to check for bias we will be in a position to more accurately report this in 2017.

### **Gender Pay Gap**

The gender pay gap is the difference between men's full time hourly earnings and women's full time hourly earnings. Normally the main causes of the pay gap are:

- Occupational Segregation
- A lack of flexible working opportunities
- Discrimination in pay and grading structures

In Midlothian Council there are a number of opportunities to work on a flexible or part time basis and more females than males have taken advantage of this.

The average basic hourly pay (excluding overtime) between men and women divided by the current gender headcount is as follows:

- Average Female Hourly Rate: £15.18
- Average Male Hourly Rate: £14.66
- Average Overall Hourly Rate: £14.92

This means that on average men earn 3.6% less than women and this is for a number of reasons:

- More female employees are at a higher grade due to management restructures with the council since the last report in 2012.
- Fixed Term Zero Hours women workers have had a higher average hourly rate and have worked more hours compared to men.
- The higher number of women in lower grade posts.
- The higher number of women working part-time, either because the job is part-time or because they have chosen to work reduced hours as a flexible working pattern.

# Midlothian Council Mainstreaming Equality Progress Report 2013 - 2015

## **Occupational Segregation**

The Council recognises that occupational segregation is one of the key barriers which prevents women and men from fulfilling their potential and consequently contributes to the pay gap.

Research shows that women and men tend to work in gender segregated roles. Occupational segregation by gender refers to the differences in the distribution of women and men across job grading bands and job types.

The composition of our workforce gives examples of horizontal segregation and this in summary is:

- Women in more traditional type roles of cleaners, care workers and caterers.
- Men in traditional roles such as refuse collectors, labourers, drivers and mechanics.

Other examples of vertical and horizontal segregation can be shown by:

- A higher number of women in lower grades and the higher number of men in more senior positions. However in recent years Midlothian Council has seen an increase in the number of females on the senior management team.
- There are more female than male teachers and three-quarters of newly qualified probationary teachers are female. In particular the Council is aiming to recruit more male teachers into the primary school sector.
- More females than males work in 'Care' positions such as Residential Care Worker, Community Support Worker and Social Work Assistant.
- More males than females hold 'trades' or 'craft' type jobs.

The challenge for the Council is therefore to address the inherent issues relating to horizontal and vertical segregation in service areas or job roles where they are currently dominated by male or female employees. It is anticipated however that this is changing and through the Mi Future initiative (see page 13), the Council will be actively encouraging for example males in traditional 'blue collar' manual roles to consider 'white collar' roles.

## **Living Wage**

Ultimately the Council's People Strategy outlines our commitment and responsibilities to ensuring fairness and equity when determining pay structures and practices and in addition:

*The 'Living Wage' was implemented in Midlothian effective as of 1<sup>st</sup> January 2013 Drivers behind the Living Wage (£7.65 per hour at the time of writing), considered that in the*

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*last decade distribution of income across the UK population has changed very little, and that the income gap has not reduced. In Scotland we also know that the percentage of the population within the bottom 3 income deciles has remained fairly constant at around 13-14% of overall income and that employees who earn less than £7 per hour are more likely to be part-time, and across all age groups are more likely to be female.*

*Those that will most benefit from the above are part -time female employees who will see an average increase in salary of approx 3.5%. The increase in base pay with the application of the living wage will result in improved maternity payments for those taking maternity leave who qualify for occupational maternity and paternity pay.*

*The aim to introduce a living wage to the Council also deals with some of the issues associated with poverty and as a result this is largely due to traditional occupational segregation.*

### **Harassment, Grievance and Discipline**

We review our policies and procedure on a regular basis to update them in accordance with statute and best practice. Managers also receive appropriate development to be able to effectively manage these issues. In relation to harassment there is a network of harassment support officers for staff to attempt to resolve issues on an informal basis in the first instance. The use of this network has increased which means that employees feel that they can come forward and admit to feeling harassed and/or bullied.

In summary for 2013/15:

- There were 14 formal harassment complaints and of these 10 were female and 4 were male. The age distribution was reflective of the overall workforce composition with the majority of employees being aged between 40 and 59. Of the 14 employees one declared they had a disability and one other declared they were Roman Catholic. There was no indication that the employees' disability or religious beliefs were related to the Harassment complaints.

As the numbers of harassment cases are quite small we do not wish to be too specific in case it has the unintended consequence of enabling any individual being identified.

- There were 55 disciplinary cases initiated which resulted in a sanction or warning being applied and of these 55 cases, 46 were male and 9 were female. The analysis showed no evidence of disproportionate treatment because of age, disability' ethnic origin or gender.
- There were 74 grievance cases, 42 of which were raised by females and 32 that were raised by males which again is reflective of the composition of the workforce. The

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majority of employees raising a grievance were in the age category 45-64 and this will continue to be monitored for potential age discrimination.

### **Equality and Diversity in Employment**

The following paragraphs demonstrate areas of best practice in 'embedding' the principles of equality and diversity in employment eliminating discrimination, advancing equality of opportunity and fostering good relations.

### **People Strategy**

Midlothian Council has developed a People Strategy covering a three year period from 2011- 2014. (A new strategy is being developed for 2015- 2018). This was largely in response to public sector reform, substantially reduced budgets and new approaches to partnership and cross-authority working which will impact directly on employees.

In developing the strategy employee feedback was crucial and this was obtained through an employee survey, Investors in People Assessment, Workforce Information etc.

In summary the strategy has six themes which are:

**Culture**-the Council is committed to creating an inclusive organisational culture which is open and is articulated through clear leadership and recognisable people values that demonstrate one Council working together to make things better.  
At the core of our values will be a commitment to equalities and recognition that the principles of equal opportunity must be fully 'embedded' and communicated.

**Recognition**- this element of the strategy focuses on the need to celebrate and recognise the successes and achievements of employees and support the continuous improvement of services and working practices.

**Working Lives**- the Council recognises that employee must juggle competing demands both in and outside of work, and there is a need to provide and promote a range of policies, practices and options that allow all irrespective of protected characteristics to achieve a sustainable work/life balance,

**Management**- there is the need to develop managers for the future which provides opportunities for employees and helps to develop services in a sustainable way that is consistent with the People Values and Competencies.

**Performance and Development**- evidence from staff surveys suggests that employees do not always understand how their contribution and therefore any development activities they undertake relates to corporate plans and objectives. There is therefore a need to give every employee the opportunity to understand how their role contributes to the Council's goals. Every employee needs to believe that that they are supported and encouraged by

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their manager to learn new skills that will assist their effectiveness and sustained employability.

Listed below are some examples of initiatives under each main theme of the People Strategy:

## Culture

### Annual employee surveys

Each year Midlothian Council encourages all employees to complete the survey and 'have their say' on for example:

Me and my job, Me and my manager, Me and the organisation, Me and my team. Questions and ratings under these particular headings allow the Council to formulate service action plans and engagement sessions as to where improvements require to be made or areas of best practice can be enhanced.

It has been very encouraging that in 2014 the response rate to the survey was 46% and for 2013 it was 59%. This demonstrates that employees are more involved in the process of 'having their say' and that they can see that the results of the survey and their views influence Council objectives, service plans and individual plans.

The specific questions with the greatest increase in percentage of respondents who agreed or strongly agreed were:

- I believe that we recognise, celebrate and share our achievements (down 2.9 percentage points to 68.1%)
- I receive constructive feedback from my line manager on how well I am doing (down 2.9 percentage points to 70.6%)
- I can see how my objectives link to my team's objectives and priorities (down 2.4 percentage points to 86.7%)

It is also encouraging that on average 88.2% of employees believe that we are an equal opportunities employer.

## People Values

In response to feedback from employees and in line with organisational best practice the, Council has developed a set of People Values of **celebrate** our success and achievements, **respect** each other's differences, strive for **excellence** in everything we do, **support** one another and work **together** (CREST).

These values are now embedded into everything the Council does and they are promoted on a regular basis via the staff magazine and other communications.

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## Staff Suggestion Scheme

The 'Making Us Better Scheme' is a staff ideas group which meets with employee representatives plus the Chief Executive to put forward ideas and suggestions submitted by staff. This scheme has resulted in for example a review of the flexible working hours scheme and employees have commented that this has allowed them to have an improved work/life balance subject to operational requirements..

## Recognition

### Celebrate Midlothian

Celebrate Midlothian allows recognition of the outstanding performance and worthy efforts of employees, providing excellent service delivery, customer care, colleague support, or simply making a positive impact where it really matters. A judging panel will consider all nominations received and create a shortlist of nominees for each category.

One of the awards is for 'diversity in action' which celebrates and recognises achievement for embedding equalities into working practices and service delivery. Last year this was awarded to a team who had clients referred to them by Supported Employment Services which aims to successfully integrate people with disabilities into the labour market.

## Working Lives

### Healthy Working Lives (HWL) Gold Award

We've won a prestigious Healthy Working Lives (HWL) Gold Award, from the Scottish Centre for Healthy Working Lives. This award recognises our ongoing commitment to improving the health, and wellbeing of employees. Some of the initiatives contributing to this award are an occupational health and physiotherapy service and also the employee assistance programme.

### Integrated Employee Health Support Service

The Council provides an integrated and easily accessible employee health support service to support employee health, wellbeing and the ability to sustain regular attendance at work. These services such as Occupational Health can help by giving advice and recommending interventions or adjustments enabling employees to remain at work therefore preventing sickness absence and/or facilitating a return to work following a period of ill health.

In particular as a result of these services the Council has supported a number of employees including those who have declared that they consider themselves to have a disability.

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## **Management**

### **Chief Executive question time sessions**

These sessions provide employees with an opportunity to ask a range of questions with the Council's Chief Executive. The sessions are valued by employees who can ask questions on any Council issues and/or service delivery.

### **Management Competencies and Development**

As previously detailed the above area is crucial to the overall and sustained development of the organisation. In particular it is expected that the development of managers in Midlothian will have a positive impact on all employees.

## **Performance and Development**

Details have been provided earlier in this document on for example the Making Performance Matter Scheme and Leadership Pathway Programme.

## **Summary**

This report demonstrates the methods by which equality and diversity issues are integral to Midlothian Council and there are many examples of good practice. The essential aim is to foster good relations activities at both corporate and operational level. It is recognised that there is a system of continuous improvement required in many areas to tackle prejudice and promote understanding. The following action plan details activities that will be undertaken to strive to meet the Council's equality and diversity in employment outcome to eliminate discrimination, advance equality of opportunity and foster good relations.

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Outcome: Creating and maintaining an inclusive culture where equalities in employment is an integral function which ensures that employment matters are determined solely on the basis of capability, qualifications, experience, skills and performance which will result in a supported, engaged and highly performing workforce.				
<b>Actions to be taken to achieve equality in employment outcome, eliminate discrimination, advance equality of opportunity and foster good relations.</b>	<b>Protected characteristic</b>	<b>Action</b>	<b>Date</b>	<b>Comment/s</b>
The Council will be fully aware of the make -up of the workforce and actively encourage more participation in completing the equality monitoring questionnaire to more accurately reflect the composition of the workforce.	All	Collection exercise of equalities monitoring data to be repeated 2014	2014	Employees will be advised to update/ review their 'sensitive' data on line or by paper.
Midlothian Council employees will have increased understanding of Equal Opportunities in Employment and their obligations in line with the Equality Act 2010.	All	Continuing review of employment policies and practices Completion of Equality and Diversity e learning module which is mandatory for all employees.	Ongoing	Monitoring will also take place via the EQIA process.
Midlothian Council will minimise	All	Monitored via	Ongoing	Review as necessary all HR,



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and eliminate discrimination in all employment practices by continuing to complete EQIAs and adjust processes accordingly to eliminate discrimination and foster good relations.		recruitment plus review and implementation of policies, procedures and practice. This also takes place via the EQIA process.		processes and procedures on an ongoing basis/ as advised by best practice and relevant bodies such as Equality and Human Rights Commission.
Midlothian Council will engage with employees to improve our understanding of their experiences of employment in the workplace.	All	Monitored through 'new eyes' scheme, via Corporate Induction programme. This data can also be collected through the employee survey	Ongoing	This will also be achieved via development opportunities such as MILO (e-learning training package).
Midlothian Council will be an employer of choice for disabled people and reasonable adjustments will continue to be made to support disabled people in employment.	Disabled employees	Monitored via the Disability Forum, Maximising Attendance Policy, Procedure and Guidance.	Ongoing	This will also be monitored via recruitment and the application for the 'two ticks' guaranteed interview scheme.
Midlothian Council will ensure gender equality in employment and take steps to encourage women into craft and trade roles that are traditionally viewed as male roles. Steps will also be taken to encourage men into for example care positions that are traditionally viewed as female roles.	Gender	Monitored via gender pay gap information collected on an annual basis	Annually	Monitoring will also take place via the flexible working scheme
Midlothian Council will be an	Sexual	Action via formulating	Ongoing	Monitored via annual Equalities

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employer of choice for LGBT people and there is a commitment to increase understanding and knowledge of barriers those from this protected characteristic 'face' in employment.	orientation	links with organisations such as 'Stonewall'.		Information collected each year.
Midlothian Council will eliminate as far as possible discrimination in employment, education and training on the basis of age via appropriate monitoring.	Age	Monitoring of recruitment data, learning and development opportunities ensuring that there are no patterns of potential discrimination on the grounds of age.	Annually	Monitored via annual Equalities Information collected each year. It has been identified via monitoring that employees within the age bracket 16-25 continues to fall however there are trainee schemes, work placement opportunities to address this.
Ensure that Midlothian Council offer a non-discriminatory package of employee benefits and work/life balance practices.	All	'People Policies' within the Council apply to all equality groups and monitoring will take place via analysis. Living wage.	Ongoing	