

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No. 7
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TITLE OF REPORT: EQUALITIES AND RETENTION UPDATE

REPORT OF THE CORPORATE HUMAN RESOURCES MANAGER

1. SUMMARY

- 1.1 To update JSCC on the current position with regard to equalities in employment and the Council's retention rate.

2. FORWARD PLAN

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. BACKGROUND

- 3.1 Equalities and the retention of staff are projects contained in the People Strategy. This report is to update JSCC on progress with equalities and retention in relation to our employees and outline the main provisions of the new Equality Act 2010.
- 3.2 This Report covers leavers from the Council during the period 1st January 2010 to 30th September 2010, looks at the reasons for leaving and identifies any retention issues that need to be addressed.

4. RETENTION UPDATE

- 4.1 The turnover figure for the period 1st January 2010 to 30th September 2010 was 7.9%. This gives an annualised figure of 10.54%. As a benchmark, the median average annual turnover per authority is 11.5% and the mean is 11% (taken from the 2009 Local Government Workforce Survey.) The Council's turnover rate for this period is only slightly higher than the annual figure for 1st April 2009 to 31st March 2010 (10.22%).
- 4.2 32 people (not including Play Scheme Workers on short term contracts) left the Council in the period January 2010 to September 2010. Of these 17 (53%) were voluntary resignations for new jobs or relocation and 31% (10) were due to retirement both at and prior to normal retirement age. The remainder were for reaching the end of their fixed term contract (9%), dismissals (3.5%) and other (3.5%).
- 4.3 9.4% of leavers (3 people) were from ethnic minority groups and none had a declared disability. The former figure is below the current overall percentage of ethnic minority staff in the workforce (11%).

- 4.4 The age groups of leavers was spread across the full age range of employees. 3 leavers were under 25, 15 were between 25 and 44 and 14 were over 45. As in the previous period, the largest number of leavers (10) was in the 55 to 64 years age band and is in accordance with the number of retirements. The lowest number of leavers was in the under 25 age range.
- 4.5 35% of leavers were in the grades ranging from 1 to 3. 31% were in the grade ranges of 4 to 6. 25% in the range of 7 to 9 and 9% were in the range of grades 10 to 13, with all of the leavers in the last category being for retirement.
- 4.6 The number of male (32%) and female leavers (68%) more or less reflects the overall make up of the organisation which is 35% male and 65% female.
- 4.7 The overall turnover rate remains low and no problems about retention have been identified from the leaver data.
- 4.8 For voluntary resignations exit questionnaires and or exit interviews are routinely carried out to establish clear reasons for leaving.

5. EQUALITIES PERFORMANCE

- We are maintaining our performance indicators BV11a, b and c, BV16a and 17a.
- α BV 11a - top 5% of earners that are women is currently at 35.08%
 - α BV 11b - top 5% of earners that are from ethnic minority groups remains at 0%.
 - α BV 11c - top 5% of earners that are disabled is at 11.69%,
 - α BV16a – the percentage of employees with a disability is 5.84%, which is just above the target of 5.78%
 - α BV17a – the percentage of employees from an ethnic minority group is 8.12%, above the target of 7.7%. We are still improving our levels of ethnic minority employees and are aspiring through succession planning to continue to make progress.

6. EQUALITIES DATA

- 6.1 We collect equalities data from our employees and potential employees through the recruitment process. We also periodically request updates from all employees, however a significant number of staff choose not to provide the information in certain categories e.g. disability, religion and sexual orientation.
- 6.2 Under the specific public sector duties of Gender Equality, Race Equality and Disability Equality we now collect a broader range of equalities information and data. During the summer we wrote to all employees where there were gaps in equalities data, (141 members of staff). Information was returned in over 44% of cases and as a result data held on current employees has been improved. Where an employee declined to give the information their file has been annotated accordingly to prevent future requests causing frustration or distress. We will however continue to promote the message that the more complete data we have, the more accurate an equalities picture we can obtain for the Council, which will enable us to gauge what equalities actions we need to take.
- 6.3 Following the receipt of the additional data during the summer, a breakdown of the equalities picture at the Council has been produced, analysing the information at Directorate level. This is shown as Appendix 1.

7. EQUALITIES ACT 2010

7.1 Over the last four decades, discrimination legislation has played an important role in helping to make Britain a more equal society. However, the legislation was complex and, despite the progress that has been made, inequality and discrimination persist and progress on some issues has been stubbornly slow.

7.2 The aim of the Equality Act 2010 was to provide a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

7.3 On 1 October the main provisions of the Equality Act 2010 came into force. It replaces nearly all of the existing discrimination legislation such as the Equal Pay Act 1970 and the Race Relations Act 1976.

7.4 The provisions now in force include the basic framework providing protection from direct and indirect discrimination, harassment and victimisation, based on one of the protected characteristics of:

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

7.5 As much of this basic framework is about harmonisation it does not, therefore, result in any change for local authority employers in the way they operate their equality policies in practice.

7.6 There were however some changes to discrimination law from the 1st October 2010. These are:

- Restrictions on employers asking job applicants questions about health.
- The extension of third-party harassment to all the protected characteristics, apart from pregnancy and maternity and marriage and civil partnership.
- Changes to disability discrimination, including its extension to indirect discrimination and changes to disability-related discrimination.
- A change to the definition of gender reassignment – the removal of the requirement for medical supervision.

7.7 It is the Government's intention that a new public sector Equality Duty will come into force in April 2011. This will build on the existing duties for race, disability and gender, by creating a new single equality duty covering:

- age
- disability
- gender reassignment
- race
- religion or belief

- sex, and
- sexual orientation

7.8 The Government is still consulting on the format that the workforce equality data reporting requirements, which make up the new duty, will take and more guidance will be issued following this.

7.9 As a consequence of the new legislation we have reviewed our policies to ensure consistency with the new combined discrimination provisions, reviewed our recruitment processes and considered any necessary training requirements. When the provisions regarding the new duty are published we will also assess how best to meet its requirements.

8. LEGAL IMPLICATIONS

These are outlined in the body of the report.

9. FINANCIAL AND RISK IMPLICATIONS

9.1 All actions mentioned in the report can be accommodated from within existing budgets.

9.2 Risk relating to workforce planning is currently a Top Risk for NHDC. Equalities and Diversity are no longer a Top Risk following an external assessment which found the Council to be “achieving” against the new Equalities Framework. These risks are monitored by the Audit and Risk Committee.

10. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

10.1 The HR implications are outlined in the body of the report.

11. RECOMMENDATIONS

11.1 JSCC to note the update on retention and progress with equalities.

12. APPENDICES

12.1 Appendix 1 Equalities Data by Directorate

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EQUALITIES DATA BY DIRECTORATE

APPENDIX 1

	Directorate			
	Chief Executive	Customer Services	Financial & Regulatory Services	Planning, Housing & Enterprise
Total staff	10	199	146	86
Gender				
Male	50%	34%	30%	47%
Female	50%	66%	70%	53%
Sexual Orientation				
Heterosexual	90%	67.5%	69%	76%
Lesbian		0.5%	1%	
Gay		0.5%	0.5%	1%
Bisexual			1%	
Declined	10%	6%	10.5%	3%
Not Specified		2.5%	3%	1%
Blanks		23%	15%	19%

Religion				
Atheist		2%	1.5%	5%
Agnostic		1%		
Buddhist		1%		2%
Christian	70%	50%	60.5%	58%
Jewish		1%		
Hindu		0.5%		
Muslim			1.5%	
Sikh		2.0%	2.5%	
None	20%	11%	7%	14%
Not specified	10%	23%	24%	19%
Blanks		6.5%	3%	2%
Other		2%		
Disability				
Disabled		6%	5%	4%
Not Disabled	80%	70%	68%	75%
Declined	20%	4%	10%	2%
Blanks		20%	17%	19%
Age				
Under 21	0%	2%	0%	2%
21-25	20%	6%	1%	1%
26 -34	0%	17%	15%	18%
35 – 44	10%	25%	24%	28%
45 – 54	50%	27%	39%	37%
55 – 64	20%	21%	20%	13%
65 and over	0%	2%	1%	1%

Ethnic Origin				
White British	100%	83%	92%	91%
Asian or Asian British		3.5%	5%	
Black or Black British		0%	1%	4%
Mixed		1%	0.5%	2%
Not Stated		5%	1%	1%
Other		0.5%		
Blanks		7%	0.5%	2%

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