

**Equality and Diversity in Employment**

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## 1. Introduction

- 1.1 Perth & Kinross Council is committed to understanding the needs of different communities, eliminating discrimination and reducing inequality. In June 2016 Perth & Kinross Council and Perth & Kinross Community Planning Partnership jointly established our Fairness Commission. The commission's aim is to build a consensus across public organisations, employers and communities in Perth & Kinross of the need to tackle poverty and inequality. This view of fairness is mirrored in the Council's updated Corporate Equalities policy which acknowledges that equality goes beyond the recognised "protected characteristics" and issues such as health, income, gender identity, employment status and housing status can also have an impact on people's life chances.
- 1.2 Echoing the work being carried out by the Fairness Commission, the Council has been driving forward the Fair Work agenda to ensure that fairness is at the heart of all the Council's employment practices.
- 1.3 We are committed to delivering services which are fair and inclusive for all of our citizens and to promoting equality and diversity across our workforce. This document details our progress in the last 12 months (1 April 2016 -31 March 2017) and what we plan to do next to mainstream equalities to ensure equality is considered in decisions that affect our workforce.

## 2. Our Equality Duties

- 2.1 There are nine protected characteristics covered by the Equality Act (2010). These are age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.
- 2.2 The Act introduced a "general equality duty" for listed public bodies. This requires the Council, in the exercise of our functions, to have due regard for the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct which is prohibited by the Act
  - 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
- 2.3 In May 2012 the Equality Act (Specific Duties) (Scotland) Regulations 2012 came into force. This introduced specific duties which public bodies must undertake to help achieve the general equality duty at not more than two yearly intervals. This means that by 30 April 2017 we were required to:
  - Gather and use employee information and to present this in a mainstreaming report

- Publish our gender pay gap information
- Publish our equal pay statement which includes our policy on equal pay, detailing information on occupational segregation

2.4 The workforce data for 2016/2017 which is published on the Council's website at [www.pkc.gov.uk/equality](http://www.pkc.gov.uk/equality) was used for this purpose.

### **3. Our Commitment to Equality and Diversity in Employment**

3.1 The Council's commitment to equality and diversity in employment is reflected in our Corporate Equalities Policy and our Equal Pay Policy which provide the frameworks within which we work.

3.2 In 2016/2017 the Council delivered a number of equality initiatives. Some of the highlights are below.

#### **3.3 Youth Employment**

3.3.1 In 2012, the Council made a significant investment of annual funding of £250,000 to grow the programme to encourage youth employment, with an expectation that over a 5 year period, 250 apprenticeship opportunities and 30 professional trainee (PT) opportunities would be offered. The table below shows that we have met both these targets a year early.

<b>Period</b>	<b>Number of MA Opportunities</b>	<b>Cumulative Total</b>	<b>Number of PT Opportunities</b>	<b>Cumulative Total</b>
2012/13	59	59	10	10
2013/14	55	114	5	15
2014/15	71	185	5	20
2015/16	86	271	10	30
2016/17	57	328	13	43

3.3.2 During 2016/17 we have developed the MA Programme to enable a wider offer of opportunities; this includes Pupil Support Modern Apprentices and Social Services and Healthcare for Adults Modern Apprenticeships.

3.3.3 Of those who completed the MA programme in 2016/17 94% achieved a positive outcome.

#### MA's with Additional Support Needs

3.3.4 A strong partnership has been developed with Perth Autism Support/Number 3 to increase Modern Apprentice opportunities available to young people with autism. During 2016/17 four young people have been recruited through this route, with the required support in place from the outset.

### Professional Trainees

- 3.3.5 Since 2012 the Council has offered 45 Professional Trainee opportunities, the duration of these ranges from 2 to 4 years. 24 professional trainees have now left the programme, all having achieved a positive outcome as shown below:

Currently undertaking Traineeship	Secured Employment in PKC	Secured Employment Externally	Undertaking Post Graduate Qualification at University	Total
21	15	8	1	45

### Graduate Work Experience

- 3.3.6 During 2016/17 the Graduate Work Experience programme has been a great success including positive feedback received from the Transformation Team and Project Leads. Of the cohort of 7 Graduates recruited in August 2016, 3 have secured posts - 2 with the Council and 1 with a charitable organisation. They have said they wouldn't have been in a position to apply for and secure these posts had it not been for this programme. The remaining 4 Graduates continue in their placements until they finish at the end of August 2017.

### **3.4 Disability**

- 3.4.1 The Council continues to support disabled people into work through the Guaranteed Job Interview Scheme and in work with the professional advice of our Occupational Health provider, People Asset Management (PAM) where difficulties arise, or potentially could arise, in the course of employment.
- 3.4.2 In 2016/17, 699 employees were referred to the Occupational Health Service. Of this number, 438 were assessed by the Occupational Health Nurse in the context of the Equality Act (2010). 105 were identified as likely to be covered by the Act, ie approximately 1 in 5 of this group or 1 in 7 of the total number of referrals.
- 3.4.3 This suggests that despite low disclosure rates, the employment rates of Council employees with a medical condition covered by the Equality Act (2010) may be closer to the figures published by [Scope](#), which estimates that 18% of the working age population have a disability.
- 3.4.4 Typical adjustments recommended by Occupational Health are - temporary adjustment to duties, additional breaks during working hours for rehabilitation/treatment or purchase/modification of equipment.

### 3.5 Fair Work Practices

#### Living Wage

- 3.5.1 Each year, normally in the first week in November, the new Living Wage is announced. Accredited Living Wage Employers have six months from the date the new rate is announced to implement the uprated amount. The November 2015/October 2016 rate was £8.25 per hour and the current rate £8.45 per hour.
- 3.5.2 As a result of the Local Government Finance Settlement for 2016-2017, from 1 October 2016 all social care workers engaged by care providers to deliver a service for or on behalf of Perth & Kinross Council were paid at least £8.25 per hour. From 1 April 2017 this has increased to at least £8.45 per hour.

#### Fair Work

- 3.5.3 The Fair Work framework creates a vision that people in Scotland should and can have a world-leading working life where fair work drives success, equality wellbeing and prosperity for all.
- 3.5.4 To help improve understanding of Fair Work, benchmark existing practice and identify areas where improvements could be made, employees and trade unions were asked for their insight to assess our policies and practices against the five principles within the Fair Work Framework.
- 3.5.5 A series of focus groups, jointly facilitated by Human Resources and Organisational Development, were held in October and November. Forty participants actively engaged in the process, providing a rich source of qualitative information. Employees across the organisation who were unable to attend the focus groups were able to contribute and offer their views through a survey which had 261 responses.
- 3.5.5 The insight gained from the Fair Work focus groups and survey indicated that the Council is regarded as a Fair Work employer and our policies and procedures support Fair Work. We should recognise the good work in the Council and the feedback from the focus group and survey is helping shape our Fair Work priorities for 2017/18.
- 3.5.6 We can have confidence that we are focussing on the right things to support Fair Work and begin our journey from a strong starting point. Areas for improvement and priorities have been identified:
- The importance of **managers** and their influence over employees' day to day experiences of fair work
  - Creating an enabling **employment framework** which supports the changing workplace, drives behaviour and attitudes, and has policies and procedures that are easy to apply
  - Improving **communication channels**, developing opportunities for dialogue with employees and trade union representatives which recognise

fair work and can support and tackle wider social priorities such as poverty and inequalities and

- **Building on our learning culture** to nurture talent, provide **all** employees with access to learning opportunities for personal growth and career advancement, helping people to reach their full potential in their working lives.

In response to feedback our commitments are:

- **Review our employment policies and procedures** to improve their accessibility in terms of presentation, purpose, and key messages. We will ask the focus group participants for their ongoing involvement as part of this improvement process and prioritisation
- **Review how we communicate** and develop more innovative ways of communications. We will also invite Trade Unions to Corporate Induction events, Modern Apprenticeship Connections & Graduate network opportunities
- **Rollout a new Managers Induction programme** initially for newly appointed Managers. This will be an opportunity for them to understand our policies and people practices. We will incorporate feedback on the role of line managers in our leadership and development programmes and Learning Opportunities

3.5.7 This is the first step on our Fair Work journey and we will continue to engage with employees and trade unions, we should recognise that it takes time for change to become embedded. In 2017/18 our Fair Work agenda will involve engagement with prospective employees and partner organisations and we should recognise the wider benefits the Council's commitments to Fair Work as an employer has on our work on fairness for our communities.

## 3.6 Health & Wellbeing Projects

3.6.1 The Council continues to recognise the link between employee health and wellbeing and productivity. Building a resilient workforce will help the Council's journey of change and transformation. An update of projects being progressed that positively contribute to the health and wellbeing of Council employees of all protected characteristics is below:

### 3.6.2 Healthy Working Lives

The Council attained Healthy Working Lives (HWL) Silver Accreditation in June 2016. The silver award campaign included various site visits from an external assessor who highly commended the work undertaken by Perth & Kinross Council.

### 3.6.3 Mental Health

The success of the Council's Learning Lunch on "Let's talk about Employee Mental Wellbeing" reinforced our commitment to mental wellbeing and supporting mental health in the workplace. We continue to work with See Me and the results of a workplace Mental Health Check survey help us understand our employees' views and experiences relating to Mental Health. The survey results informed an action plan jointly agreed with See Me.

### 3.6.4 Carers Kitemark

Following on from the achievement of the 'Engaged' status with Carer Positive we have been working towards 'Established' status. This included joint working with PKAVS to raise awareness of the issues faced by working carers and to raise the profile of carers within the Council which will contribute to our portfolio of evidence for assessment.

### 3.6.5 Winter Flu Vaccination Programme

For the past few years the Council has run a Winter Flu Vaccination Programme for employees who work with vulnerable groups and who occupy front line roles.

In 2016/17, the Winter Flu Vaccination Programme was available for all employees. The Council worked in partnership with NHS Tayside to enable employees receive their flu vaccination. 407 employees took up this option at a number of pharmacies within Perth and Kinross.

### 3.6.6 Workplace Chaplaincy Service

Promotion of the Workplace Chaplaincy Service has included the Chaplains attending the TES Ops and IT Management Teams to explain what the Service can offer and introduce themselves to employees. These have been well received in Services with further visits planned.

### 3.6.7 Building Resilient Teams

The Council's Building Resilient Teams workshop enables teams and employees to develop their own resilience journey. This has been delivered to Senior Managers in Housing and a programme agreed to cascade to teams in Housing throughout the remainder of the year. The workshop has also been delivered to the Senior Management Team in The Environment Service.

## 4. Gathering and Using Employee Information

- 4.1 Information from employment monitoring ensures a focus on workplace equality issues when carrying out policy review and development.
- 4.2 The key points from the employee information as at 31 March 2017 are presented in this section. More detailed information for this year and trend information is available on request from the Corporate Human Resources Manager.

### 4.3 Protected Characteristics – Religion or Belief and Sexual Orientation

- 4.3.1 Since the Council introduced monitoring of religion or belief and sexual orientation in 2014 the disclosure rates from employees have continued to improve.

Protected Characteristic	31/05/2014	31/05/2015	31/05/2016	31/05/2017
Religion or Belief	6.3%	7.9%	10.5%	14.7%
Sexual Orientation	6.2%	8.2%	10.6%	14.8%

- 4.3.2 We recognise that increasing the disclosure rates for personal information is challenging, employees may be reluctant to self-identify for a number of reasons. In an attempt to increase these rates and also employee confidence in the process, we continue to use Inside News Bulletins to communicate the importance of holding the correct information for employees and how this helps us shape our policies and practices going forward.
- 4.3.3 As Stonewall Diversity Champions, Council representatives attended a Stonewall Allies Programme. The programme gives non-LGBT individuals the opportunity to explore what it means to be an ally and the space to identify how they can create an inclusive environment for everyone in the workplace.
- 4.3.4 Human Resources have conducted a benchmarking exercise with other Local Authorities to establish if any other council has a Transitioning Policy or a Trans Inclusive Statement. This information will form part of HR's work to develop guidance for managers supporting any employees who are transitioning.
- 4.3.5 This supports the ongoing work being carried out throughout the Council. Learning Lunch sessions have been organised by Organisational Development in conjunction with Stonewall Scotland. The purpose of the sessions is to raise awareness of the some of the challenges that face LGBT employees and service users and encourage our employees to consider these challenges when delivering services. At one Learning Lunch session attendees proposed to establish an LGBT staff network, it was agreed to take this forward supported by colleagues in Organisational Development.

4.3.6 During 2016/17 the Council submitted its first official submission to Stonewall's Workplace Equality Index (WEI). The WEI is an audit tool to measure how LGBT inclusive the workplace is for companies across the UK. It is the biggest LGBT inclusive index in the country and has been running for 14 years. The index challenges organisations to improve by examining their practices against best practice and recognise that we live in a landscape that is constantly changing.

## **5. Equality Impact Assessments**

5.1 We continue to use the Integrated Impact Assessment (IIA) toolkit to carry out our Equality Impact Assessments (EqIA). During 2016/17 an EqIA was carried out on the Framework for Managing Change, a summary of this is outlined below:

### **5.2 Framework for Managing Change**

5.2.1 The Framework for Managing Change brought various policies relating to organisational change together into one framework document which could be applied in workforce change scenarios. It is one of a number of tools used to support transformation and other service redesign projects. The Framework was reviewed to ensure that it remained relevant and fit for purpose to support the Council's Transformation agenda in enabling workforce change reviews to take place smoothly and timeously.

5.2.2 The Framework promotes fair, consistent and equitable treatment of our employees. It also supports a culture of innovation, learning and our ongoing commitment to employability and positive approaches to managing our employees. The Council remains committed to continue to provide support and learning opportunities for all employees leading or affected by change and transformation.

5.5.3 The EqIA resulted in two actions;

- The language in the Framework is now more inclusive
- Monitoring measures have been introduced and are reviewed throughout the Service Review process

## 6. Our Workforce Profile – Employee Information

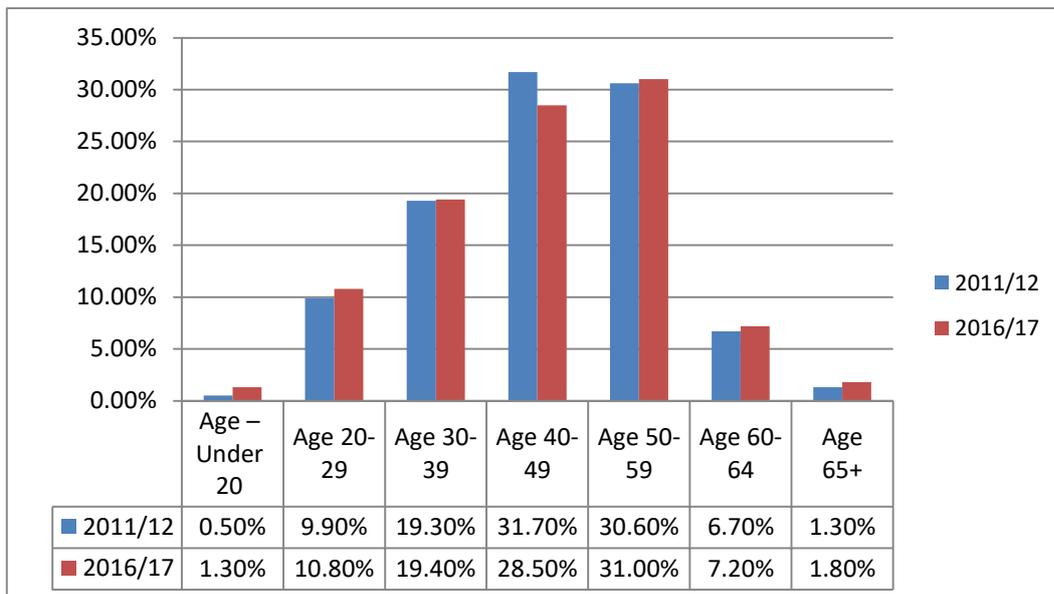
In this section, we highlight relevant variations and trends over recent years.

### 6.1 Trends - 2016/17 - Workforce Comparison

#### Age

6.1.1 In 2011 there was concern that the removal of the default retirement age could have an adverse effect on the Council's age profile. At that time we made a commitment to monitor the number of employees in those age bands. To date the impact of the removal of the default retirement age has been minimal with the percentage of employees age 65+ rising from 1.3% in 2011/12 to 1.8% in 2016/17.

6.1.2 We do however recognise that we still have an aging workforce. When comparing the data from 2011/12 to date the impact of the Workforce Management Measures has seen a slow but steady reduction in the number of employees in the age category 40-49 from 31.7% to 28.5%. However, during this time period there has been little impact on the number of employees in the age band 50-59 30.6% to 31.0%.



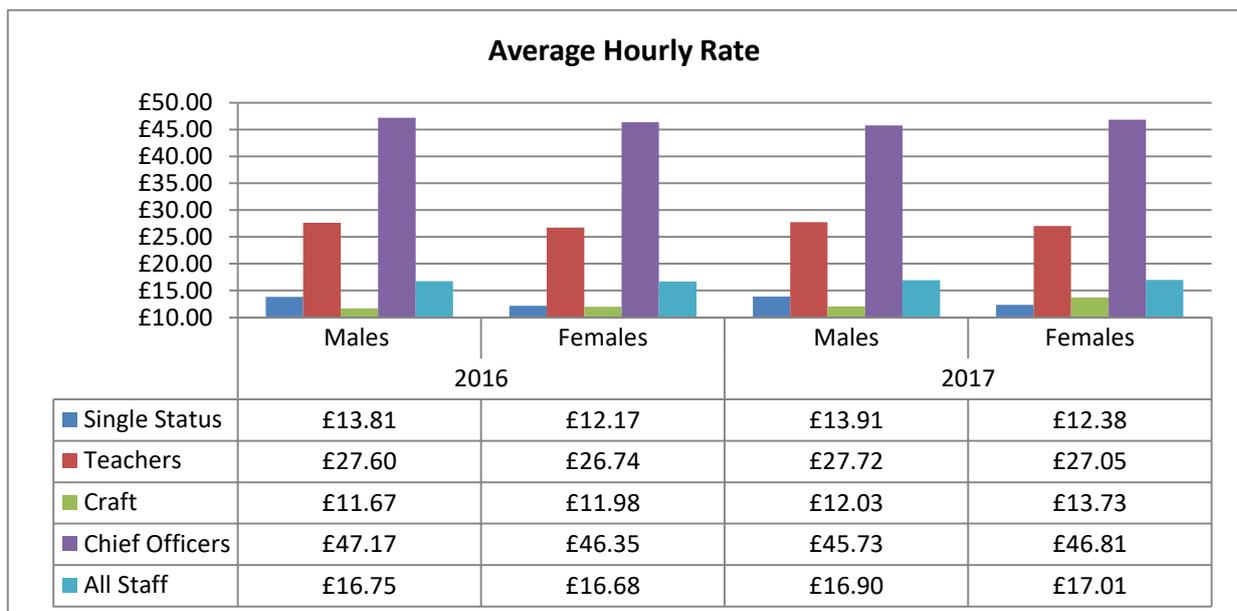
6.1.3 At the other end of the spectrum it is clear that the investment that the Council has made to youth employment has been successful and we have seen an increase in the number of employees in the age bands Under 20 and 20-29, this can be seen in the graph above.

6.2.1 Following analysis of the data collated there are no other new significant trends emerging in the equalities categories of disability, ethnicity and sex.

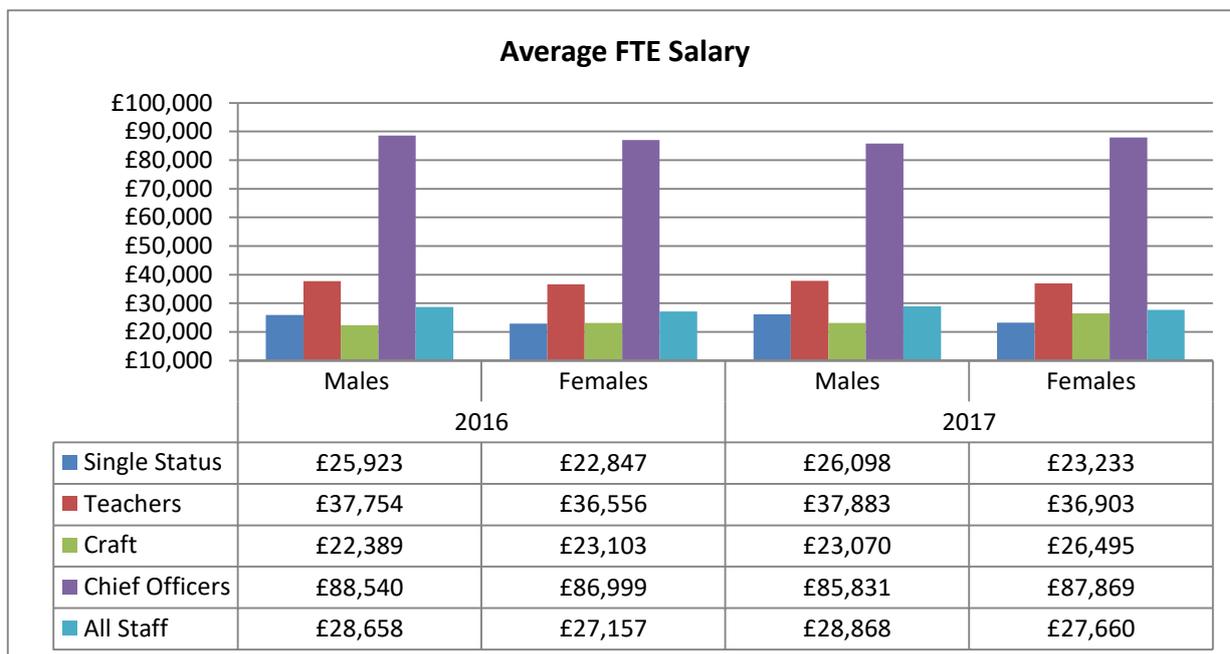
## 7. Pay Practices

### 7.1 Equal Pay Audits

- 7.1.1 The Council is required (under Section 7 of The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012) to carry out an equal pay audit every two years. This covers all employees groups and includes an analysis of the protected characteristics of gender, age, age and gender combined, ethnicity and disability. It is based on the number of contracts which are held by males and females as at 31 March.
- 7.1.2 The findings of the 2015/16 Equal Pay Audit were reported in the annual Equality & Diversity in Employment report to the EOT on 11 October 2016.
- 7.1.3 The Local Government Benchmarking Framework (LGBF) brings together information about how all Scottish councils perform. The Improvement Service instigated the identification and establishment of Equalities Family Groups that consisted of councils that shared similar challenges in order to share good practice. Human Resources represented Perth & Kinross Council in Family Group 2 along with colleagues from East Ayrshire Council, Fife Council, North Ayrshire Council, Midlothian Council, Moray Council, Stirling Council, South Ayrshire Council. As a result in 2016/17 the Improvement Service introduced a new Gender Equality Indicator. This indicator will report on the gender pay gap in Councils in addition to the existing indicator which reports on the percentage of women in the top 5% of earnings, excluding teachers. An interim Equal Pay Audit for 2016/17 was therefore carried out to enable us to comply with this requirement.
- 7.1.4 The new indicator requires Councils to calculate the gender pay gap using the average basic hourly rate of pay. The results are shown in the table below.

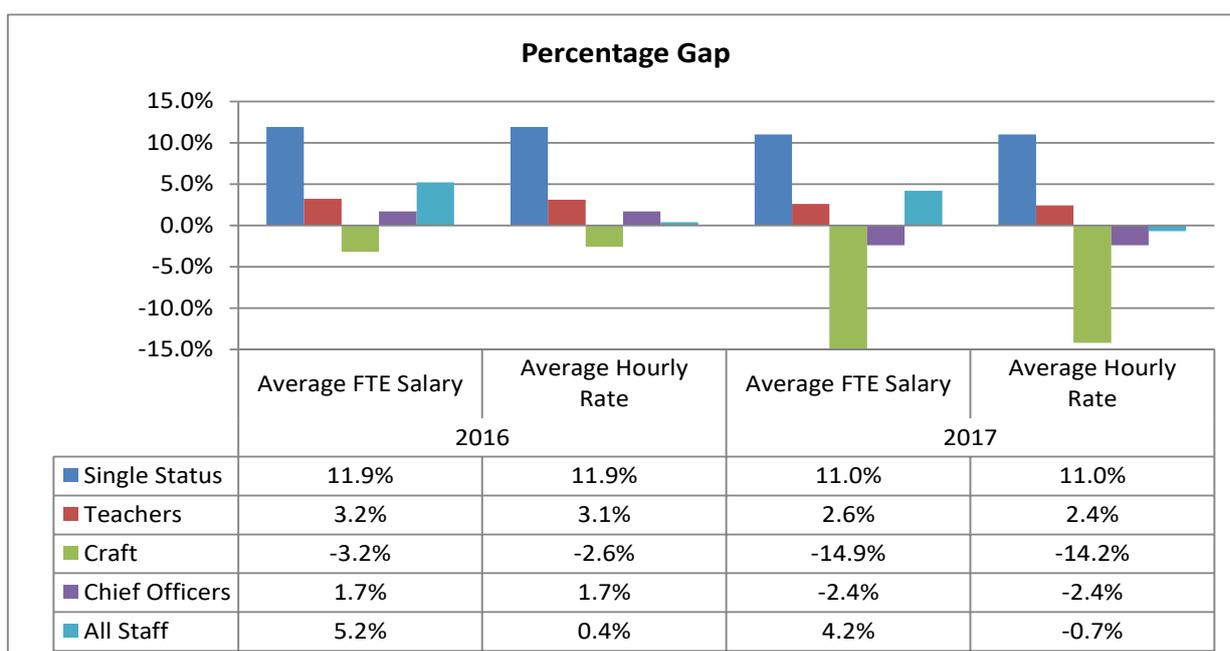


7.1.5 The following table shows the results using the previous methodology, ie using the average “full time equivalent” salary.



7.1.6 The average hourly rate calculation produces a narrower pay gap as the previous calculation did not take into account differences in the standard working week, ie 35 hours for Teaching and 36/37 for Single Status/Craft employees. As the majority of teachers are female this impacts on the gender pay gap for the Council.

7.1.7 The overall gender pay gap is now 0.7% in favour of women as compared to 0.4% in favour of men using the “average full time equivalent” salary. A full breakdown of the difference is shown in the table below.



- 7.1.8 The information that was provided to the Improvement Service for the 2016/17 LGBF indicators has not been published for comparison. However, we can look at the gender pay gap data provided by for 2015/16 - it ranged from - 7.09% to 16.43% and Perth & Kinross Council was ranked 5<sup>th</sup> behind Glasgow City, East Lothian, West Lothian and Aberdeen City Council. It must be recognised that there are significant differences between councils in terms of directly provided services, ie ALEOs, Trusts, Joint Boards etc which affects the composition of the workforce and influences the gender pay gap.
- 7.1.9 In 2017/18 we will carry out an Equal Pay Audit using both methodologies to monitor the impact on the results.

## **8. Summary and Next Steps**

8.1 This section highlights work which has been undertaken in this year and is/will be undertaken next year to mainstream equalities.

### **8.2 In 2016/2017**

The Council:

- Jointly facilitated a series of Fair Work focus groups with Organisational Development
- Successfully supported the Modern Apprenticeship Programme, Graduate Work Experience Programme and Professional Traineeships
- Maintained the Healthy Working Lives Bronze and Silver Award and assessed the criteria for progression to the Gold Award
- Achieved Established status in the Carers Kitemark Scheme
- Successfully migrated from the “Two Ticks” Guarantee Job Interview Scheme to Level 2 of the Disability Confident Scheme
- Delivered Building Resilient Team workshops to Senior Managers in Housing and the Senior Management Team in The Environment Service.

### **8.3 In 2017/2018**

We will:

- Engage with prospective employees and partner organisations in respect of the Council’s commitment to Fair Work
- Demonstrate collective leadership across the Community Planning Partnership by committing to or having a plan in place to pay the living wage and publish commitments to fair work. This includes maintaining Living Wage Accreditation and promoting Living Wage employer status to businesses in Perth & Kinross
- Develop a planned programme of awareness raising, about the causes and consequences of poverty and inequalities in Perth and Kinross, for the wider community and public private and third sector organisations

- Review strategies, policies and procedures with an explicit focus on promoting fairness and equality, reflecting our culture which supports those experiencing poverty / inequality to move forward with dignity
- Focus on people skills and managing relationships, supporting empowering environments which encourage people to influence improvements and / or innovations in working practice
- Build resilience across the Council, partnership and communities so our people are contributing, included and valued at every life stage. This includes continuing to roll out the Building Resilient Teams workshops to Services
- Develop the workforce to ensure all service delivery is respectful, person-centred and preserves the dignity of the individual with a greater focus on equalities and cultural awareness
- Maximise corporate parenting responsibilities by guaranteeing a positive destination for all care experienced children and young people, including apprenticeships across the partnership Ring-fencing 1 MA opportunity for a care leaver and explore options for other protected characteristics through our participation in the SPDS Developing the Young Workforce Portfolio Group
- Further develop socially inclusive, inter-generational opportunities to reduce isolation, share skills and knowledge and increase the resilience of individuals and communities
- Continue to recognise the role of carers, and provide support to help them best cope with the challenges they may face. This includes the Council aiming to secure Established status in the Carers Kitemark Scheme  
Review the Council's Health & Wellbeing Strategy
- Continue to maintain Healthy Working Lives Bronze and Silver Awards
- Continue working towards securing the Healthy Working Lives Gold Award
- Embark on developing a new Health & Wellbeing Framework to replace Council's policies on Maximising Attendance and Health & Attendance for Teachers
- Carry out an assessment against the criteria required for maintenance of Level 2 and progression to Level 3 of the Council's Disability Confident status.
- Continue to encourage staff to plan for retirement and to raise awareness of the Council's retirement options, e.g. via Learning Lunches
- Review the Council's Pay and Grading Structure as agreed by the EOT on 11 October 2016
- Carry out a full Equal Pay Audit
- Continue to support the Modern Apprenticeship Programme, Graduate Work Experience Programme and Professional Traineeships
- Investigate Graduate Modern Apprenticeships in partnership with Dundee University

8.4 In conclusion, the Council will continue to eliminate unlawful discrimination and to advance equality of opportunity through its role as an employer and through its work with community planning partners and other employers.

8.5 Progress on this will be reported to the Executive Officer Team in August 2018.

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