

**REPORT OF THE SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE AND
EMPLOYEES****NOTTINGHAMSHIRE COUNTY COUNCIL WORKFORCE PROFILE
INFORMATION 2019****Purpose of the Report**

1. The purpose of this report is to provide Personnel Committee with an updated annual summary of the diversity profile of the direct workforce of Nottinghamshire County Council by their “protected characteristics” and to seek approval to publish the information as part of the Council’s public sector duty under the Equality Act 2010.

Information**Background**

2. Since 2011 public sector employers with 150 or more employees have a specific statutory duty to collect and publish annually relevant, proportionate, information about the profile of their direct workforce defined by their “protected characteristics”, that is age, gender (including gender reassignment), race/ethnicity, disability, religion/belief and sexual orientation.
3. In compliance with this duty the Council reports on and compares the current profile of its workforce at April each year.
4. External comparison is made, where relevant data is available, in order to benchmark the diversity profile of the protected characteristics of the Council’s workforce against that of:
 - a. The overall community of the population of the whole of Nottinghamshire using data drawn from the most recent (2011) national Census.
 - b. The Local Labour Market (LLM) of working age people (age 16-64) of Nottinghamshire as defined by the most recent Office of National Statistics (ONS), survey 2018).
5. The intention of the report is to provide the public with the information they need to hold public bodies to account for their performance on equality in employment and to enable employers to set themselves specific, measurable equality objectives.

6. Collecting this information has facilitated the Council to undertake a year on year trend analysis, using comparable data which provides an evidence base to inform how it assesses its equality performance as an employer and to benchmark its performance against other comparable local authorities.
7. The workforce profile information informs and underpins activities around delivering the Council's People Strategy and is used to help ensure that the Council's employment practices and services are free from discrimination and prejudice. If either are identified, the profile information can be used to take any necessary remedial action and measure the success of this.
8. It will also be used to inform the review and development of actions to support the delivery of the Council's wider workforce planning priorities, including succession planning and talent management, to ensure that it has a flexible and diverse workforce which provide the skills base to enable it to deliver its future service priorities.

Basis of reporting

9. The data in the **appended** report has historically been generated through the Council's Business Management System (BMS), based on the Full Time Equivalent (fte) occupancy of posts, rather than headcount. The retrospective trend data reflects the most recent 5 year period, that is **2015 to 2019** and reporting on the basis of full time equivalent (fte) has been maintained in order to enable meaningful year on year comparison.
10. In addition, the use of full time equivalent data is a better measure of the relative impact of multiple employments which are consolidated, reflecting the complexity of working arrangements across the Council. It also provides a standard measure to enable the Council to compare our performance with other County Council's through the CIPFA Value for Money reporting regime (see paragraph 30).
11. The latest annual workforce information for Nottinghamshire County Council (NCC) is **as at April 2019** when the overall workforce of centrally employed permanent and temporary staff, many of whom are part time employees, stood at **5470.94** fte.
12. The nature of the authority's current relationship with schools means that it is unable to directly influence their recruitment, promotion and retention practices or associated action plans for improvement. As there is also no statutory obligation on a local authority to include data relating to employees of controlled schools, their employees are not included in this data set. Previous analysis has demonstrated that to include schools' data would introduce a significant variance in the percentage representation of employees by all protected characteristics when compared with the direct County Council workforce and it is therefore excluded. This approach to not include schools' information is adopted by other County Councils.
13. Data in respect of the successful candidate for each Council job vacancy is entered into the Council's Business Management System (BMS) at the point of recruitment. Comparison with previous years enables trends to be identified and reflects the degree to which the County Council's workforce has changed over time in relation to the representation of protected characteristics.

14. The full implementation of an e-recruitment portal now enables the Council to report on the profile of applicants from 2017 onward for the majority of its advertised vacancies which are now processed through this facility.
15. A breakdown of applicants, individuals shortlisted for interview and those appointed into post is set out in **section 5** of the appendix to this report.
16. Certain protected characteristics, including an employee's disability status, may change during their employment and can be updated direct by the employee on the Employee Self Service facility of the BMS system. Managers of those front line employees without direct access to BMS are encouraged to liaise with individual employees with due sensitivity to update their personal information and ensure that it is completed on their behalf.
17. To continue to improve on levels of disclosure frequent reminders are issued to encourage individual employees to complete and update their personal information. These communications promote the positive business reasons for collecting diversity data and provide reassurance that the information will be treated with utmost confidentiality.
18. Areas for ongoing improvement identified in this current report will form part of the detailed action plans which will be developed to support the delivery of the Council's People Strategy.

Key trends

19. The current workforce profile data is presented in detail in the **Appendix** to this report and sets out the position in relation to:
 - a. Disclosure rates and comparison with previous years
 - b. Overall NCC workforce profile in relation to the protected characteristics of individual employees and comparison with previous years
 - c. A breakdown of workforce profile by service department in relation to protected characteristics and comparison with previous years
 - d. Comparator community and LLM data where this is available
 - e. Profile of NCC employees by grade in relation to their protected characteristics
 - f. Recruitment profile of, applicants, shortlisted candidates and appointees by protected characteristics.
20. Underpinning this data is the ongoing impact on the Council's workforce numbers of service review and redesign in response to organizational transformation and budget pressures, including headcount reduction, transfers out to other employers and natural turnover, all of which have led to an incremental reduction in the Full Time Equivalent (FTE) number of people employed by the Council overall.
21. The current data illustrates that this ongoing trend of reduction has not in itself had a direct or negative impact on the overall diversity profile of the remaining workforce.

Commitment to Continuous Improvement:

22. The Council's People Strategy sets out its strategic workforce planning priorities in response to the challenges it faces over the coming years and the workforce transformation needed to deliver these priorities.
23. The People Strategy reflects the Council's strategic aspiration to be an Employer of Choice, this includes adopting good employment practices that are fair and equitable and acting as a role model to other employers who contribute to the economy of Nottinghamshire.
24. Key areas for action under this theme include:
 - a. Ensuring that the Council maximises and sustains its workforce capacity by creating a workforce drawn from across the wider labour market which is properly representative of communities across Nottinghamshire.
 - b. Evaluating and removing any identified barriers in the Council's recruitment and onboarding strategy which might deter under-represented groups from joining the council's workforce and ensuring that associated processes are modern, accessible and inclusive
 - c. Evaluating barriers to under-represented groups being in leadership positions, maximising potential and reflecting this in the identification of future leaders and senior managers
 - d. Promoting diversity across the Council's workforce and ensuring it is reflective of the community served using national standards to improve practice and ensuring the Council models good practice
 - e. Reviewing reporting mechanisms to ensure the Council publishes and acts on information on its Gender Pay Gap in line with legal requirements from April 2018 onward and most recently in January 2019
 - f. Continuing to create an inclusive working environment by encouraging and supporting employees to respect and value others, treat others with fairness and honesty and to challenge bad behaviour.

Priority actions for improvement during 2019/20

25. Working as appropriate in conjunction with managers, employees, the self-managed employee groups, trades unions and partner organisations' priorities for action identified to date include:
 - Embedding the review of the Council's key employment policies published in January 2018 which incorporates ensuring they are fully compliant with all of the statutory requirements of the Equality Act 2010 and inclusive to all employees. This includes using gender neutral language and, where reference is made to an employee's partner/spouse that this applies to both heterosexual and same sex couples.
 - Assessing the level of diversity of background, experience and perspective across the leadership and management cohort to identify and eliminate the barriers to under-represented groups being in leadership positions and reflect this in the identification and development of leaders for the future.

- Addressing the under representation of women in the most senior posts in the Council by equipping them for more senior leadership roles through the next phase of the Council's Leadership Development Programme, including access to individual coaching.
- Offering learning and development opportunities to support existing line managers to progress their careers as well as enabling aspiring managers to develop the skills to take on their first management post.
- Continuing to review our workforce profile to ensure that under-represented groups are encouraged to consider employment with the Council and are not disadvantaged in doing so. This will include considering how to develop the Leonard Cheshire Change 100 initiative through which the Council has taken on 4 disabled under-graduates and graduates on paid internships in services across the Council with the second cohort of additional 4/5 beginning their internships with the Council at the beginning of July.
- Actively encouraging all managers to identify and make full and creative use of any reasonable adjustments, including redeployment, to recruit and support disabled people in work and retain them in employment wherever possible. This includes ongoing work to identify additional mechanisms to support employees experiencing stress and poor mental health
- Personnel Committee recognised the council's improved status from being Disability Confident - committed to Disability Confident and agreed to becoming a Disability Confident Leader by May 2020. Actions to achieve this status will support greater inclusivity in employment across Nottinghamshire.
- Continuing to develop appropriate managerial guidance and tools to support employees with a disability, to enable them to maximize their potential and be able to remain in work is a priority. Since the previous annual report specific management guidance, developed in conjunction with the trade unions, on supporting employees diagnosed with a Terminal Illness and guidance on supporting employees with Dyslexia have been developed and promoted.
- The County Council subscribes to the annual national Stonewall Workplace Equality Index which measures the efforts of a wide range of public and private sector organisations in tackling discrimination and creating an inclusive workplace for LGBT employees. The Council is currently ranked the 30th best employer in the country, the best county council nationally and the best workplace in the East Midlands.
- Using Stonewall's criteria as a model for good practice continuing to improve the Council's engagement with its LGBT workforce. Since the previous annual report new guidance for managers on supporting Trans employees has been developed and launched, a Proud Allies scheme introduced which enables all employees to show their visible support for LGBT colleagues and a booklet and video produced in partnership to showcase LGBT role models working in public services in Nottinghamshire. Actions for further improvement have been identified with the aim of further improving this ranking for 2020. The submission for evaluation is submitted at the beginning of September

- Encouraging and supporting employees from all under-represented groups in the existing workforce to maximise their potential, remain in the Council's employment and progress their careers. Extending the workplace "Allies" initiative to BaME and Disabled employees is under active consideration through the Corporate Equalities Group to support this.
- Increasing the percentage of younger employees in the Council's workforce by reviewing, expanding and refreshing the Council's approach to offering work based learning opportunities, including Apprenticeships, Graduate Traineeships and Work Experience as part of a refocused talent management strategy.
- In compliance with its Public Sector Duty to comply with the national Apprenticeship Levy introduced from 1st April 2017, the Council has revised and extended its Apprenticeship Programme and Apprentices will now be directly employed, a significant proportion of whom will continue to be young people aged 16-24.
- Identifying how to better engage with and maximise the skills and experience of older workers, support them to embrace change and new ways of working and retain their talent in key areas.
- Further improving disclosure rates of protected characteristics by continuing to encourage existing employees to declare and update as necessary their personal data relating to their protected characteristics to provide a more robust baseline for the ongoing analysis of workforce profile data.
- The Council has a well-established network of employee support groups for its Black and Minority Ethnic; Lesbian, Gay, Bisexual and Transgender and Disabled employees which report into the Council's Corporate Equalities Group (CEG) and will be involved through this forum in identifying and developing these actions under the recently revised Terms of Reference.

Performance Benchmarking

26. The Council is performing well against the most recently published relevant indicators compared with the other Local Authorities in its Chartered Institute of Public Finance (CIPFA) benchmarking group:

Indicator	Nottinghamshire County Council (April 2018)	CIPFA average (31.3.18)
% of women in leadership posts (*CIPFA definition spinal column point 47 and above on NCC pay scale)	66.22%	51%
% of employees who consider themselves to have a disability (*declared)	5.77%	4.0%
% of employees aged 50 or over	41.15%	37%
% BaME employees (*declared)	9.57%	11.3%

Other Options Considered

27. The County Council regularly reviews the way it presents this type of statistical information with the aim to make it as clear and as concise as possible. We have a legal duty to publish the attached information under the Public Sector Equality Duty so no other options were considered.

Reason for Recommendation

28. The County Council has a statutory duty to publish workforce information on an annual basis. It is important that elected members are aware of this information when determining the strategic direction of the County Council and other related policies.

Statutory and Policy Implications

29. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

30. The data in this report and the associated appendix cannot be attributed to individual employees and therefore protects their privacy. It is important to give our workforce confidence in how their equalities information is stored and used to provide greater assurance under GDPR requirements with the intention of improving disclosure information.

Human Resources Implications

31. The human resource and equality implications are implicit within the body of the report. The Corporate Equalities Group will consider how to successfully implement the actions identified at its next meeting. Trades union colleagues will also be engaged at Central Joint Consultative and Negotiating Panel to encourage their members to disclose this information and to contribute to the further development of the identified actions.

Public Sector Equality Duty implications

32. The publication of this Workforce Information Report ensures that the County Council complies with its statutory duty under the Equality Act 2010. Actions undertaken by the Council to address any potential inequalities identified from the data as set out in the report would further support compliance with this duty.

Implications for Service Users

33. This information will be made available to Service Users and the general public via the County Council's public website.

RECOMMENDATIONS

It is recommended that Members:

- 1) Approve the publication of the annual Workforce Information Report 2018 on the Council's public website in compliance with the Council's statutory public sector duty.
- 2) Agree to receive an annual update report setting out the situation as at April 2020 and updating on progress against the actions for improvement, and that this be included in the work programme.

Marjorie Toward
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Chief Executive's department

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Constitutional Comments (KK 02/07/2019)

34. The proposals in this report are within the remit of the Personnel Committee.

Financial Comments (RWK 03/07/2019)

35. There are no specific financial implications arising directly from the report.

HR Comments (GME 28/06/2019)

36. These are set out within the body of the report and should be read in conjunction with the People Strategy and the Council's Workforce Plan.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All