

**REPORT OF SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE AND  
EMPLOYEES****NOTTINGHAMSHIRE COUNTY COUNCIL WORKFORCE PROFILE  
INFORMATION 2020****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 statutory public sector duty under the Equality Act 2010.

**Information and Advice****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:
  - The overall community of the population of the whole of Nottinghamshire using data drawn from the most recent (2011) national Census.
  - 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 2019).
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. It is recognised that the Council needs to develop more robust comparator information given the time elapsed since the last Census and the reduced involvement in the CIPFA benchmarking cohort.

7. 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.
8. The workforce profile information has previously informed and underpinned activities around delivering the Council's People Strategy. With the unprecedented situation arising from the Covid-19 ongoing pandemic, it is vital that we understand the make-up of our workforce and ensure anyone with additional vulnerabilities is properly protected. As we move from response to recovery, this information will assist the work of the Workforce Recovery Group and will be used to help ensure that the Council's existing and future 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.
9. 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.
10. The profile data informs a number of action plans including those to address the gender pay gap, to deliver the Council's priority to become a Disability Confident Leader and the newly created action plan to provide support to the Council's Black workers.

## **Basis of reporting**

11. The data in the **appendix** 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 **2016 to 2020** and reporting on the basis of full time equivalent (fte) has been maintained in order to enable meaningful year on year comparison.
12. 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 28).
13. The latest annual workforce information for Nottinghamshire County Council (NCC) is **as at April 2020** when the overall workforce of centrally employed permanent and temporary staff, many of whom are part time employees, stood at **5318.37 fte** down from **5470.94 fte** the previous year. However, this figure does not include the Children Centre employees who transferred back into the Council which increased the figure to **5553.61 fte**.
14. 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.

15. 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.
16. The full implementation of the e-recruitment portal enables the Council to report on the profile of applicants from 2017 onwards for the majority of its advertised vacancies which are now processed through this facility.
17. A breakdown of applicants, individuals shortlisted for interview and those appointed into post is set out in **section 4** of the appendix to this report. The application of stringent vacancy control reduced the opportunity to make significant changes to the make-up of the workforce. This is particularly the case at more senior levels as it should be noted that over time there has been a significant reduction in the number of service and corporate director level posts so opportunities for progression to the most senior roles in the Council are limited with only one service director appointment made in the 12 months covered by this report. This creates a further challenge to support and enable all employees to develop their careers where they wish to do so and create stimulating opportunities which will enrich and fulfil our aspirant workforce.
18. 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 frontline 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.
19. 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. Improvement in this area continues to be a priority action and work with the recognised trades unions and the self-managed groups is ongoing to consider how this can best be achieved.
20. Areas for ongoing improvement identified in this current report will form part of the detailed action plans which have been created to support the delivery of the Council's People Strategy and more recently the emerging Workforce Recovery Strategy.

## Key trends

21. The current workforce profile data as required under our public sector duty, is presented in detail in the **Appendix** to this report and sets out the position in relation to:

- Disclosure rates and comparison with previous years. In the main, these have increased slightly.
- Overall NCC workforce profile in relation to the protected characteristics of individual employees and comparison with previous years
- A breakdown of workforce profile by service department in relation to protected characteristics and comparison with previous years
- Comparator community and LLM data where this is available
- Profile of NCC employees by grade in relation to their protected characteristics
- Recruitment profile of applicants, shortlisted candidates and appointees by protected characteristics
- Information on turnover based on protected characteristics.

22. Underpinning this data is the ongoing impact on the Council's workforce numbers of service review and redesign in response to organisational 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. It should be noted that some of the service changes have been delayed whilst the Council focusses on the response to Covid-19 and greater impact may be apparent in the Profile information in April 2021.

23. 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. However further work is required to understand a proportional reduction in disclosure rates for recent new starters to understand why applicants are choosing not to disclose their equality information.

### **Commitment to Continuous Improvement:**

24. 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. However, the advent of the Covid emergency has brought into sharp focus the need to fully understand the workforce profile and the varying impacts on different groups of employees in terms of risk management and support. A new Workforce Recovery Strategy is being developed to cover the period from September through to the end of May 2021 which will shape what the future of work will be for the services who have seen significant changes in how they have worked since the end of March.

25. The Council retains its 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. We want equity and fairness to be at the heart of all that we do, where any discrimination is challenged and removed. To achieve this, we need to deliver on a number of priority areas:

- 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 all the communities in Nottinghamshire
- Evaluating and removing any identified barriers in the Council's recruitment and on-

boarding strategy which might deter under-represented groups from joining the Council's workforce and ensuring that associated processes are modern, accessible and inclusive

- Evaluating barriers to under-represented groups being in leadership positions, maximising potential and reflecting this in the identification of future leaders and senior managers
- 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
- 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 2020
- 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 2020/21**

26. Working as appropriate in conjunction with managers, employees, the self-managed employee groups, trades unions, Corporate Equalities Group, the Workforce Recovery Group and partner organisations' priorities for action identified to date include:

- Continuing to review the Council's key employment policies which includes ensuring they are fully compliant with all of the statutory requirements of the Equality Act 2010 and inclusive and accessible 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, black and disabled people 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 notwithstanding the challenges identified by limited recruitment and reduced number of posts at the most senior levels of the organisation.
- Specific action plans for the different areas of the workforce requiring particular attention have been developed and agreed by this Committee separately.
- 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 number of placements offered as part of the Leonard Cheshire Change 100 initiative through which the Council has

previously taken on 4 disabled under-graduates and graduates on paid internships in services across the Council. Unfortunately, the latest cohort were unable to commence in July due to the Covid outbreak but we have agreed to one placement starting in September. The other identified candidates felt unable to take up their placements due to their health conditions and the risk presented by Covid-19.

- 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. This work continues and we aim to submit our self-assessment by the end of the calendar year.
- Continuing to develop appropriate managerial guidance and tools to support employees with a disability, to enable them to maximise their potential and be able to remain in work is a priority and work being led by the Corporate Director for Adult Social Care and Health under the workstream Employment and Health is providing opportunities for people previously excluded from paid employment through our developing supported internships although the initial start date of September 2020 has been deferred until January 2021 due to the current Covid situation.
- 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 BME is now part of the draft Equalities (Support for Black Workers) Action Plan and for 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. As reported to July's Committee we had an unprecedented response to our Graduate Trainee Programme and the assessment centre for shortlisted applicants is due to take place in September with further updates on progress in this area to be reported to this Committee later this year.
- In compliance with its Public Sector Duty to comply with the national Apprenticeship Levy introduced from 1 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. We have also agreed to transfer a proportion of the levy to maximise our use of the available funding. This is another area which has proved challenging due to the global pandemic but work continues to be undertaken in this important area to develop future talent and create new employment opportunities.
- 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.

27. 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

28. 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. However new comparators are necessary due to the lack of timely data from this source:

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)	6.38%	4.0%
% of employees aged <b>50</b> or over	41.15%	37%
% BaME employees (*declared)	10.19%	11.3%

29. 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 continues to perform well in this area with the annual submission deferred for a year due to the current situation.

30. Similarly, the Council is classified as a Disability Confident employer. We aim to reach Leader status within the next 6 months, however, our registration at the current level has been extended to April 2022.

### Other Options Considered

31. 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**

32. 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**

33. 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 Implications**

34. 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**

35. 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**

36. 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**

37. 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) Consider the actions set out in the report and any additional ones identified as being required.
- 2) Approve the publication of the annual Workforce Information Report 2020 on the Council's public website in compliance with the Council's statutory public sector duty.
- 3) Agree to receive an annual update report setting out the situation as at April 2021 and that this be included in the work programme.

**Marjorie Toward**  
**Service Director – Customers, Governance and Employees**  
**Chief Executive's Department**

**For any enquiries about this report please contact:**

Gill Elder, Group Manager (HR) on email: [gill.elder@nottsc.gov.uk](mailto:gill.elder@nottsc.gov.uk) or 0115 9773837

### **Constitutional Comments (EP 24/08/20)**

38. The recommendations fall within the remit of the Personnel Committee by virtue of its terms of reference.

### **Financial Comments (SES 25/08/20)**

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

### **HR Comments (GME 24/08/20)**

40. These are set out within the body of the report and should be read in conjunction with the People Strategy and the emerging Workforce Recovery Strategy and Action 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