

**REPORT OF THE SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE
AND EMPLOYEES****NOTTINGHAMSHIRE COUNTY COUNCIL WORKFORCE PROFILE
INFORMATION 2021****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 directly employed workforce of Nottinghamshire County Council and to seek approval to publish the information in line with the Council's 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. 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.
4. If available, next year's Workforce Profile Information report will include updated information gathered as part of the 2021 Census but this is not yet accessible to be used in preparing this report.
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. The equality objectives are reviewed every four years and a review of the current objectives will be undertaken as part of the work to develop a new People Strategy later this year.

6. The workforce profile information has previously informed and underpinned activities delivering the Council's People Strategy and various action plans which sit beneath it to ensure the Council has a diverse and inclusive workforce where all people are treated fairly and equitably with employment policies and practices which reflect our values and priorities as a Council. Where action is required, profile information can be used to provide a baseline and measure the impact of any actions taken. This year's report is an abridged version due to the unique situation around the Covid-19 pandemic and only includes information required to meet the Council's statutory obligations.
7. The unprecedented situation arising from the Covid-19 ongoing pandemic means 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, the profile information will assist the cross-council officer Workforce Resilience and Recovery Group, to take steps to ensure that the Council has sufficient employees with the relevant skills to ensure continued delivery of high-quality services to local people as the Council builds back from covid.
8. The data 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 the Council has a flexible and diverse workforce which provide the skills base to enable it to meet 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.
10. 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.
11. The latest annual workforce information for Nottinghamshire County Council (NCC) reflects the position at June 2021 when the overall workforce of centrally employed permanent and temporary staff, many of whom are part time employees, stood at **5582.55** up from **5318.37 fte** the previous year, an overall increase of **264.18 fte**. This increase can be accounted for by the transfer of Children Centres back into the Council's employment from June 2020.
12. The nature of the authority's current relationship with schools means that the Council is unable to directly influence the recruitment, promotion and retention practices or associated action plans for improvement in non-maintained schools. As there is also no statutory obligation for a local authority to include data relating to employees of schools outside of their control, these 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. Whilst comparison

is a useful tool to enable trends to be identified and reflects the degree to which the County Council's workforce has changed over time, the previous 18 months are something of an anomaly with reduced recruitment and turnover due to factors relating to the Covid pandemic. Some of these issues continue to be reflected in the Council's ongoing ability to recruit appropriately qualified and skilled staff with a number of reported shortages across a range of services.

14. 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. This data is used to identify resourcing strategies and in workforce planning which will become increasingly valuable in the challenging recruitment context which many employers, including the Council, are now operating in.
15. 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.
16. To continue to improve on levels of information sharing, previously referred to as disclosure, frequent reminders are issued to encourage individual employees to complete and update their personal information. These communications promote positive business reasons for collecting diversity data and provide reassurance that the information will be treated with utmost confidentiality.
17. Areas for ongoing improvement identified in this current report will form part of the detailed action plan which is being created to support the development of the Council's new People Strategy to enable delivery of the new Council Plan and currently, the Workforce Resilience and Recovery Strategy.
18. The current workforce profile data is presented in detail in the attached **Appendix 1** and sets out the position in relation to:
 - a. Disclosure rates
 - b. The overall NCC workforce profile in relation to the protected characteristics of individual employees
 - c. The recruitment profile of applicants, shortlisted candidates and appointees by protected characteristics.
19. Underpinning this data is the ongoing impact on the Council's workforce numbers of the Covid pandemic, service review and redesign in response to organisational transformation and budget pressures, including headcount reduction, transfers in and out to other employers and natural turnover. The increase in this year's headcount can be explained by the TUPE transfer of Children Centre employees back into the Council and the need for additional capacity to meet the demands of the pandemic.
20. Further analysis will be required to determine whether this increase in numbers continues or the ongoing trend of reduction returns to being the norm. Turnover has reduced in the last 12 months from around 12% to 8% which is a significant change for this Council and one which

we will need to consider to identify if there has been a positive or negative impact on the overall diversity profile of the remaining workforce.

Commitment to Continuous Improvement

21. The Council's emerging People Strategy will set out its strategic workforce planning priorities in response to the challenges it faces over the coming years and what workforce transformation is needed to deliver these priorities. The advent of the Covid emergency has brought into sharp focus the need to fully understand the workforce profile and the varying impacts of different groups of employees in terms of risk management and support.
22. 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.
23. Key areas for action under this theme include:
 - 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.
 - 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 the most recently published data for January 2021.
 - 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 poor behaviour.

Priority actions for improvement during 2021/22

24. Working in conjunction with managers, employees, the self-managed employee support groups, trades unions, Corporate and departmental Equality Groups 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.
 - Assessing the level of diversity of background, experience and perspective across the leadership and management cohort to identify and eliminate barriers to under-represented groups being appointed to 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.
- 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 suitable 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.
- 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 enable them to support employees experiencing stress and poor mental health. The ability to access expert advice and support through the Business Disability Forum from 1 September 2021 will be a significant enhancement to our current management guidance and support.
- Personnel Committee has previously recognised the council's improved status as being a Disability Confident organisation and is receiving information at this Committee on the work undertaken on our submission to achieve Disability Confident Leader accreditation.
- 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 2022 due to the current Covid situation.
- Continuing to work with staff support networks and trades union colleagues to encourage and support all employees, including employees from under-represented groups, in the existing workforce to maximise their potential, remain in the Council's employment and progress their careers.
- 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, Kickstart and Work Experience as part of a refocused talent management strategy. A review of our existing strategy has been commissioned to ensure it is aligned with the Council's priorities of skills development and economic growth. As reported to

June's Committee we again had an exceptional response to our Graduate Trainee Programme and further updates on progress in this area will be reported to this Committee later this year.

- As part of the national Apprenticeship Levy introduced from 1 April 2017, the Council has revised and extended its Apprenticeship Programme and Apprentices are now 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 unspent levy to Nottinghamshire businesses 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 across Nottinghamshire.
- Identifying how to better engage with and 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 who provide regular updates to the Council's Corporate Equality Group (CEG) and will be involved through this forum in identifying and developing these actions.
- Maximise the skills and experience of older workers, support them to embrace change and new ways of working and retain their talent and skills in key areas, particularly where there are skills shortages.
- Further improving information sharing (disclosure rates) of protected characteristics by continuing to encourage existing employees to declare and update as necessary their personal data.

Other options considered

25. 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

26. 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

27. 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

28. 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 information is stored and used to provide greater assurance with the intention of improving the numbers prepared to share this information. This also ensures the Council meets its legal obligations under data protection legislation.

Human Resources Implications

29. The human resource and equality implications are implicit within the body of the report. The Corporate Equality 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 share this information and to contribute to the further development of the identified actions.

Public Sector Equality Duty Implications

30. 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

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

RECOMMENDATION

It is recommended that Members:

- 1) Approve the publication of the annual Workforce Information Report 2021 on the Council's public website in compliance with the Council's statutory public sector duty and consider the actions set out in the report.

Marjorie Toward
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Chief Executive's department

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Constitutional Comments (KK 06/09/21)

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

Financial Comments (RWK 06/09/21)

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

HR Comments (BC 06/09/21)

34. These are set out within the body of the report.

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