

The Moray Council Mainstreaming Report 2015

Introduction

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires local authorities to publish a report on the progress it has made in integrating the general equality duty to the exercise of its functions, so as to better inform that duty. The report must be published not later than 30 April 2013 and subsequently at intervals of not more than two years. This is the second mainstreaming report of the Moray Council and Moray Council's Education and Social Care Department (the Education Authority).

The report must include:

- An annual breakdown of the information it has gathered under its duty to gather and use employee information.
- Details of the progress that it has made in gathering and using that information to enable it to better perform the general equality duty.
- Details of how equality is taken into account in the way the authority exercises its functions

Although there is no specific requirement to mainstream the equality duty, the principle behind mainstreaming may help authorities to „pay due regard“ to the general equality duty in the exercise of its functions.

The General Equality Duty

Section 149 of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.
- 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.

The duty covers the protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The public sector duty also covers marriage and civil partnerships, with regards to eliminating unlawful discrimination in employment.

Employee information

The EHRC recommends publishing the following information:

- “The race, disability, gender and age distribution of your workforce at different grades, and whether they are full- or part-time employees
- “An indication of the likely representation in terms of sexual orientation and religion and belief, provided that no individuals can be identified as a result
- “An indication of any issues for transsexual staff, based on involvement of transsexual staff or equality organisations
- “Details and feedback from involvement with staff and trade unions
- “Quantitative and qualitative research with employees, e.g. staff surveys
- “Records of how you have shown due regard to the needs of the duty in decision-making concerning employment in your organisation, including any assessments of impact on equality and any evidence used
- “Details of policies and programmes that have been put in place to address equality concerns raised by staff and trade unions.” (Equality and Human Rights Commission Scotland, 2012: *Employee information and the public sector equality duty: A guide for public authorities (Scotland)*)

Breakdown by sex

Table 1: Workforce

	Number	Percentage
Total Workforce	5,144	100
Female	3,783	73.54
Male	1,361	26.46

Table 2: Applicants

	Number	Percentage
Total Workforce	14,846	100
Female	9,698	65.32
Male	4,678	31.51

Table 3: Shortlisted applicants

	Number	Percentage
All employees	2,142	100.00
Male employees	1,145	53.45
Female employees	935	43.65
Prefer not to say	4	0.19
Unknown	58	2.71

Breakdown by race

Table 4: Workforce

	Number	Percentage
Total number	5144	100.00
Ethnic minority employees:		
A White:		
Scottish	1622	31.53
English	247	4.80
Welsh	11	0.21
Irish	8	0.16
Northern Irish	11	0.21
Polish	9	0.17
Scottish: Polish	0	0.00
Any other white background	302	5.87
B Mixed:		
Any mixed background	2	0.04
C Asian, Asian Scottish, Asian English, Asian Welsh or other British Asian:		
Indian	2	0.04
Pakistani	2	0.04
Bangladeshi	1	0.02
Chinese	1	0.02
Any other Asian background	1	0.02
D Black, black Scottish, Black English, Black Welsh or other Black British:		
Caribbean	1	0.02
African	2	0.04
Any other Black background	0	0.00
E Other ethnic background:		
Any other background	4	0.08
F Unidentified		
Unknown	2918	56.73

Table 5: Applicants

	Number	Percentage
Total number	14846	100.00
Ethnic minority employees:		
A White:		
Scottish	9721	65.48
English	610	4.11
Welsh	41	0.28
Irish	136	0.92
Northern Irish	0	0.00
Polish	77	0.52
Scottish: Polish	0	0.00
Any other white background	3209	21.62
B Mixed:		
Any mixed background	41	0.28
C Asian, Asian Scottish, Asian English, Asian Welsh or other British Asian:		
Indian	66	0.44
Pakistani	39	0.26
Bangladeshi	5	0.03
Chinese	23	0.15
Any other Asian background	38	0.26
D Black, black Scottish, Black English, Black Welsh or other Black British:		
Caribbean	6	0.04
African	101	0.68
Any other Black background	29	0.20
E Other ethnic background:		
Any other background	86	0.58
F Unidentified		
Unknown	618	4.16

Table 6: Shortlisted applicants

	Number	Percentage	Percentage of shortlisted candidates appointed
Total number	2,142	100.00	31.70
Ethnic minority employees:			
A White:			
Scottish	1,492	69.65	33.18
English	0	0.00	
Welsh	0	0.00	
Irish	16	0.75	18.75
Northern Irish	0	0.00	
Polish	12	0.56	16.67
Scottish: Polish	0	0.00	
Any other white background	512	23.90	27.34
B Mixed:			
Any mixed background	4	0.19	50
C Asian, Asian Scottish, Asian English, Asian Welsh or other British Asian:			
Indian	1	0.05	
Pakistani	4	0.19	25
Bangladeshi	0	0.00	
Chinese	3	0.14	
Any other Asian background	0	0.00	
D Black, black Scottish, Black English, Black Welsh or other Black British:			
Caribbean	1	0.05	100
African	8	0.37	25
Any other Black background	10	0.47	10
E Other ethnic background:			
Any other background	11	0.51	36.36
F Unidentified			
Unknown	68	3.17	41.18

Table 7: Ethnicity in Moray, 2011 Census

	Moray Council Area	Scotland
All People	93,295	5,295,403
% White - Scottish	77.7	84.0
% White – Other British	18.0	7.9
% White – Irish	0.5	1.0
% White – Polish	1.1	1.2
% White - Other	1.7	2.0
% Asian, Asian Scottish or Asian British	0.6	2.7
Other Ethnic groups	0.5	1.3

Due to the high level of non-response, it is impossible to draw conclusions about whether the workforce at the Moray Council reflects the demographics in Moray. The following table compares the different ethnic groups across the various stages of the recruitment process:

Table 8: ethnicity during the various stages of recruitment

	applicants	shortlist	appointed
All People	14,846	2,142	680
% White - Scottish	65.48	69.95	73.10%
% White – Other British	4.39	0	0.00%
% White – Irish	0.92	0.75	0.44%
% White – Polish	0.52	0.56	0.29%
% White - Other	21.62	23.9	20.58%
% Asian, Asian Scottish or Asian British	1.14	0.38	0.29%
Other Ethnic groups	1.5	1.4	1.18%
Unknown	4.16	3.17	4.11%

Breakdown by disability

Table 9: Workforce

	Number	Percentage
Yes	18	0.35
No	2245	43.64
Did not answer	2881	56.01

Table 10: Applicants

	Number	Percentage
Yes	616	4.15
No	10692	72.02
Did not answer	3538	23.83

Table 11: Shortlisted

	Number	Percentage
Yes	123	5.74
No	1937	90.43
Did not answer	82	3.83

Breakdown by religion

Table 12: Workforce

	Number	Percentage
Christian	1,186	23.06
Not known	3,385	65.80
None	493	9.58
Other	30	0.6
Prefer not to say	50	.97

Table 13: Applicants

	Number	Percentage
Church of Scotland	2,564	17.27
Roman Catholic	1,031	6.94
Protestant	571	3.85
Other Christian	1,957	13.18
No religious group	6,289	42.36
Not known	853	5.75
Other	706	4.75
Prefer not to say	875	5.89

Table 14: shortlist

	Number	Percentage
Church of Scotland	558	26.05
No religious group	919	42.90
Other Christian	253	11.81
Other Religion or Belief	49	2.28
Prefer not to answer	140	6.54
Roman Catholic	139	6.49
Unknown	76	3.55

Transgender

It has been decided not to publish these figures at the moment.

Sexual orientation

It has been decided not to publish these figures at the moment.

Non-response

Non-response rates

Generally, there have been high levels of non-response among the workforce for questions regarding most protected characteristics (table 11). The non-response is substantially higher for questions regarding sexual orientation and religion.

Table 15: 2013/2014

	Workforce	Applicants	Shortlisted Applicants
Sex	0	3.02	2.71
Race	56.73	4.16	3.17
Disability	56.01	23.83	3.83
Religion	65.8	5.75	3.55
Transgender	65.49	23.31	3.36
Sexual Orientation	63.04	5.67	3.5

There has been a slight improvement due to the lower non-response rate among new applicants. There won't have been a change among the existing workforce because there hasn't been a new survey to update the information.

The high rate of non-response to equality questionnaires among existing staff is a matter of some concern for the Moray Council. Some significant work has been done to create a culture of trust among the workforce which, in the long term, will help in obtaining more reliable workforce data.

In June 2013 The Moray Council undertook an organisation-wide opinion survey with all employees. One of the key points to come from the survey was that 8% of respondents stated they had experienced harassment or victimisation in the workplace.

To assess the extent of this issue across the organisation, a further survey was undertaken with all employees in April 2014.

Of those who completed a questionnaire and answered the question, 30% stated that they had experienced bullying or harassment within the previous 12 months, 62% stated that they hadn't and 8% did not answer the question.

Of those respondents who stated they had experienced bullying and harassment 43% stated it involved a manager, 36% stated it involved a colleague and 22% stated it involved a supervisor.

Respondents were asked if they believed that this behaviour was a result of the protected characteristics as defined under the equalities act 2010, just under a quarter of those who indicated that they had experienced bullying or harassment gave a response to this, with the main reason being because of age – 10%, 5% gender and 3% race.

The findings were presented to the Moray Council at a special meeting on 2 July 2014. At this meeting it was agreed to develop and implement a programme of cultural change; establish a working party to develop and implement the action plan, monitor progress and investigate training issues, the membership of which would comprise of three Councillors, three union representatives and such officers as

necessary to provide the relevant support to the working party; delegate authority to Group Leaders to make appointments of Councillors to the working party and advise the Clerk accordingly and that the working party will report to Policy and Resources Committee regarding resources and actions requiring approval.

Another employee survey is planned for June 2015 as part of the overall programme aimed at creating a culture of trust among the workforce.

Mainstreaming activities:

Equality impact assessments have become an integral part of the reports going to committees. The annual report for 2013 can be found [here](#). The report for 2014 will be published before the summer of 2015.

Whilst the equality impact assessments are becoming more mainstreamed within the Moray Council's decision making process, there has also been a drive to improve the quality of the assessments and to include human rights considerations within the overall process. To this end a seminar was held in October 2014. More than 60 officers and elected members engaged in discussions around a number of case studies, and identified the relevant equality and human rights issues. The full report of the seminar can be found [here](#).

There is now an online training packet on equal opportunities available for the workforce within the Moray Council. At the moment, just over 500 employees have completed the training. Additional, more in-depth training, tailored to the needs of specific services has been delivered to newly qualified social workers, head teachers and deputies, essential skills tutors, planning officers and elected members.