



Midlothian Council  
Equality  
Mainstreaming  
Progress Report  
2015 - 2017

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# Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

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## Foreword by the Chief Executive, Midlothian Council

Welcome to the Midlothian Council Equality Mainstreaming Progress Report for the period 2015 - 2017.

The Council last reported progress on 30 April 2015 as required under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and this report can be found [here](#)

Further progress has been made over the last two years as the Council still believes that equality is a fundamental right that everyone should have. No one should be denied opportunities because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation or socio economic status, and everyone should be able to be themselves.

It is my opinion that this principle must underpin all of the work the Council plans and does, and I am determined that the Council will do this through:

- Recognising that some people are not always treated fairly and can experience discrimination and inequality;
- Ensuring that our services meet the needs of all people in our communities, and that communities have choice and control over the services they use where appropriate;
- Challenging ourselves to tackle the inequality that exists in our communities, and working with community planning partners to improve outcomes for equality groups; and
- Tackling prejudice and negative attitudes towards people and celebrate the diversity within our communities

I and my fellow Council employees commit to working hard to deliver the highest quality of public services for the people of Midlothian. We look forward to supporting equality in all aspects of the Council's work and employment practices, and to setting a new Equality Plan for the period 2017 – 2021 on which we will report in 2019 and 2021.

Yours sincerely

Kenneth Lawrie

Chief Executive

Midlothian Council

## 1.0 Purpose of Report

- 1.1 The purpose of this report is to demonstrate current progress in mainstreaming equality throughout Midlothian Council both in the observance of its duties and functions and within its workforce during the period 2015 – 2017.
- 1.2 This equality mainstreaming progress report uses the terms ‘Midlothian Council/Council’ as shorthand for the Council, Education Authority and Licensing Board (all three bodies).
- 1.3 The Council has also produced an Equality Outcome Progress Report which outlines how the Council has progressed its agreed equality outcomes in its role as a service provider and as an employer during the period 2015 - 2017.

## 2.0 Legislative Background

- 2.1 In October 2010 the Equality Act 2010 (the Act) came into force. This was a consolidating piece of legislation gathering together 40 years of previous discrimination legislation.
- 2.2 On 05 April 2011 the Public Sector Equality Duty (PSED) came into force. The PSED replaced the separate duties on public bodies relating to race, disability and gender equality.
- 2.3 The new PSED extended the scope of equality legislation to include not only race, disability and gender but also age, gender re-assignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation.
- 2.4 These nine categories are now known as the protected characteristics.
- 2.5 In 2017 we understand that the Scottish Government will enact the socio economic characteristic/duty.
- 2.6 The PSED as set out in the Act is known as the ‘general equality duty’ (GED).
- 2.7 The GED requires public listed authorities in the planning and exercising of their public duties and functions to have ‘due regard’ to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
  - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

- Foster good relations between people who share a relevant protected characteristic and those who do not
- 2.8 These three areas are sometimes known as the ‘three needs’.
- 2.9 Having ‘due regard’ in relation to advancing equality of opportunity includes:
- Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
  - Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
  - Encouraging participation in public life and other areas where representation is disproportionately low
- 2.10 Having ‘due regard’ in relation to the need to foster good relations includes:
- Tackling prejudice; and
  - Promoting understanding
- 2.11 As previously noted at present there are nine protected characteristics and there is no hierarchy to those nine. In alphabetical order they are:
- Age
  - Disability (learning difficulties, mental health, physical and sensory)
  - Gender re-assignment
  - Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
  - Pregnancy and Maternity
  - Race
  - Religion or Belief
  - Sex (formerly known as gender)
  - Sexual orientation
- 2.12 On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force.

- 2.13 These Regulations imposed duties on listed public bodies for the purpose of enabling the better performance by the listed authority of the duty imposed by section 149(1) of the Equality Act 2010, the PSED.
- 2.14 These duties are to:
- Report progress on mainstreaming the equality duty;
  - Publish equality outcomes and report progress;
  - Assess and review policies and practices;
  - Gather and use employee information;
  - Publish gender pay gap information;
  - Publish statements on equal pay, etc;
  - Consider award criteria and conditions in relation to public procurement;
  - Publish in a manner that is accessible, etc;
  - Consider other matters; and
  - Scottish Ministers to publish proposals to enable better performance
- 2.15 The 2012 Regulations dictate when reports and progress reports have to be published (outcome reports every four years, progress reports every two years starting on 30 April 2013). The Regulations also state that all new and/or revised policies must be impact assessed against the needs of the GED, and that workforce profiling, gender pay gap and equal pay statements should form part of the mainstreaming report for organisations who have more than 150 employees at prescribed times. Finally, the Regulations look for listed bodies to improve their procurement activities and to publish all materials in a manner that is accessible to all.
- 2.16 On 11 June 2015 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 came into force.
- 2.17 This set of Regulations increased the number of listed bodies who are required to adhere to the Act and includes Integration Joint Boards established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014 (3).
- 2.18 This means that the Midlothian Integration Joint Board (ELIJB) is now subject to the duties and responsibilities of the Equality Act 2010 and its subsequent Regulations.

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The MLIJB has its own Equality Mainstreaming Report and is therefore outwith the scope of this report.

2.19 On 18 March 2016 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 came into force.

2.20 This new set of Regulations:

- Introduced a new requirement on listed public authorities to publish the gender composition of their Boards, and to produce succession plans to increase the diversity (across all protected characteristics) of their Boards; and to
- Lower the threshold for listed bodies to publish information on their gender pay gap and equal pay statements, from those authorities with more than 150 employees to those with more than 20 employees

2.21 With regard to local authorities and in relation to the first part of 2.20 above it must be ensured that the democratic process is not interfered with in any initiatives undertaken to improve the gender composition of Boards. Consideration of such initiatives will form part of mainstreaming equality throughout the Council during the period 2017 – 2021.

2.22 This is the Council's 2<sup>nd</sup> Equality Mainstreaming Report and is for the period 2015 – 2017. In the Council's first Mainstreaming Progress Report several areas were identified as key to where the organisation could demonstrate commitment to mainstreaming equality as part of everything it plans and does. Section 4 of this report will provide details of progress in these areas and detail new areas of activity.

2.23 It is important to note that the Council as an Education Authority must also meet the requirements of the Act and subsequent Regulations. Further, the Council also administers the Licensing Board and it too needs to meet the requirements of the Act and Regulations when undertaking its duties. Accordingly, at the relevant points within this report reference will be made to all three bodies.

### **3.0 Mainstreaming Equality 2015 – 2017- context**

3.1 In the Council's last Equality Outcome & Mainstreaming Report 2013 – 2015 it was said that:

- Mainstreaming equality meant making equality part of the day to day business of the Council, Education Authority & Licensing Board both as service planners, providers and employers, rather than a 'bolt-on' at the end of projects and other programmes of work;

- By mainstreaming equality, the Council, Education Authority & Licensing Board could ensure that equality of opportunity was part of the culture of the organisations, and that both employees and customers could benefit from organisations where they felt valued and their interests and issues on a level par with all others' issues and values;
- Further, by mainstreaming equality the Council, Education Authority & Licensing Board could demonstrate its commitment to the general duty by publicly demonstrating that they would not condone unlawful discrimination, victimisation and harassment; and that
- The Council, Education Authority & Licensing Board could also demonstrate that they would work to advance equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not within their own organisations and through partnership and joint working practices with neighbours and community planning partners.

The Council, Education Authority & Licensing Board remain committed to these considerations, and during the period 2015 – 2017 have worked hard to embed each of the needs of the General Equality Duty for each protected characteristic throughout all of its work.

#### **4.0 Progress made 2015 – 2017 to mainstream equality throughout all three bodies (Council, Education Authority & Licensing Board)**

##### **4.1 Understanding the impact of our work – the new Integrated Impact Assessment (IIA)**

Working in partnership with NHS Lothian, East & West Lothian, and the City of Edinburgh Council a new Integrated Impact Assessment was developed during the period 2014 - 2016. This IIA looks not only to equality issues but to socio-economic inequality, health inequalities, environmental and sustainability matters thereby giving service providers the bigger picture that allows them to identify priorities now and in the future.

This IIA process was launched throughout Midlothian Council in 2016 and is now in regular use. Other public organisations are beginning to use this process and future developments in respect of the IIA will include an online version and further training sessions to ensure that the IIA process starts at the beginning of every relevant project Council, Education Authority and Licensing Board wide.

Completed impact assessments are published on the Council website as required by the Act and can be found [here](#).



### 4.2 Building Organisational Capacity

#### Equality & Diversity Training

Training continues to be an important method of mainstreaming equality and diversity throughout the Council, Education Authority and Licensing Board. Talks are currently underway with East Lothian Council to share training opportunities and this will allow Midlothian employees to immediately benefit from East Lothian's existing Equality Training Plan 2015 – 2018. This will:

- Ensure that Midlothian Council is able to meet its general and specific duties under equalities and human rights legislation.
- Provide employees with opportunities for learning and awareness of their role and responsibilities under equality and human rights legislation.
- Develop a skilled, motivated and culturally capable workforce that can bring about changes that will improve services and tackle inequalities.

In addition, updates for the Council's Management Team and Elected Members on Equality & Diversity Awareness and the new Integrated Impact Assessment focusing on the benefits that this process gives to service planning and delivery as well as staff wellbeing have been delivered.

Further, over the last two years all staff have been encouraged to undergo refresher equality and diversity training, and those involved in developing service planning and delivery to request more detailed training in the need for and use of the new Integrated Impact Assessment tool.

### 4.3 Council's Equality Working Group (EWG)

In the Council's first Mainstreaming Progress Report it was noted that the structure and purpose of the Equality Working Group (EWG) was under review.

It has now been agreed that membership of this group needs to be elevated to third tier officers service-wide which will mean that there is a senior management buy in to the group and what it plans and does. This group will be supported and guided by the Council's Equality & Diversity Officer and will in essence be responsible for the embedding of equality and diversity throughout the organisation and within the Community Planning Partnership. Initial actions of this group will be to:

- Provide a briefing note to the Council and the Community Planning Partnership as to its remit and membership;

- Identify those within each service who must have Impact Assessment training in order to ensure the service planning and delivery does reflect the needs of all citizens within Midlothian;
- Embed into the organisation an equality and diversity newsletter that continually enforces the need for a process that protects individuals from unlawful discrimination, victimisation and harassment, and progresses the need to advance equality of opportunity and foster good relations between persons who have/have not protected characteristics

#### 4.4 Joint Community Planning Equality Forum (CPEF)

As with the Equality Working Group remit and membership of the Joint Community Planning Equality Forum (CPEF) is now under review. This Forum, which is jointly run by East Lothian Council, is in need of refreshment, and work is about to begin on contacting Community Partners to see who is best placed and qualified to take part in this important group. Initial work for the Forum will involve:

- Developing a strategic plan and way of working that will ensure that all service planning and delivery of the Community Planning Partners is underpinned by the principles of equality and diversity;
- Working further with the Community Planning Equality Engagement Officer in activities undertaken by the Midlothian People's Equalities Group (MPEG), Neighbourhood Planning exercises, community initiatives, and other Community Planning activities;
- Ensuring that whilst the Community Planning Partnership has decided to target actions aimed at closing the outcome gap for residents in the parts of the county identified in the top 20% of SIMD, that this does not adversely affect members with protected characteristics in other Midlothian areas

#### 4.5 Working with the Procurement Section

For the period 2015 – 2017 the Equality section identified further work with the procurement section in order to:

- Develop further equality issues within our procurement strategy such as buying with other community planning partners and increasing supplier diversity;
- Identify need and build a business case by reviewing the current provision for equality in procurement; building equality into the business case and engaging with service users;
- Introduce equality requirements in contract specifications including;

- Specify positive action and reasonable adjustments as well as workforce requirements;
- Use more inclusive advertising and selection of tenderers' processes;
- Develop an inclusive award process as well as implementing equality contract conditions and monitoring them;
- Learn lessons at the end of a contract

This will ensure that the procurement team understand their responsibilities and obligations within the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, particularly to consider the use of award criteria and conditions in relation to public procurement.

#### 4.6 Participation in LGBT (Lesbian, Gay, Bi-sexual & Transgender) History Month 2017

On 20 February 2017 the Council in association with Midlothian Young Peoples' Advice Service (MYPAS), LGBT Youth Scotland and East Lothian's Sense of Place Initiative held an event in the Dalkeith Arts Centre to understand and celebrate the past, present and future of LGBT life in Midlothian.

In particular the event was celebrating the birth of a new young person's LGBT Midlothian Group and learning about the experiences others had gone through in previous years in Midlothian.

It was an evening of sorrow, hope and joy and was enjoyed by all. The evening also allowed valuable input from the Midlothian LGBT community into actions that they would like to see the Council undertake in order to fulfil its responsibilities under the Equality Act 2010.

#### 4.7 Participation in Equality & Rights Network (EaRN)

The Equality and Rights Network (EaRN), is a member-led network that seeks to advance equality, promote human rights and tackle inequality and poverty in Edinburgh and surrounding areas.

Midlothian Council along with East Lothian Council has been extended an invitation to join this network and is looking into this possibility and how it could best benefit our communities by attending meetings as a sleeping partner at present.

It is anticipated that further details about participation with this network will be forthcoming in the next equality progress report in 2019.

### 4.8 SWAN (Scottish Workplace Networking) for LGBT People

SWAN was founded in 2008 by Ian Arnot and Robert Cole, who were involved with BT's LGBT Networking group, Kaleidoscope.

At the time, many companies and public sector employers had their own networking organisations but there was nothing that connected them. SWAN was created in order to fill this gap and provide a network in Scotland to bring people from different sectors together.

SWAN has become synonymous with networking within the LGBT professional community. As an organisation they have been hosted at many major businesses in the central belt of Scotland and attendance is consistently growing. SWAN aims to provide LGBT people with access to networking opportunities and with the help of corporate hosts they are able to do this absolutely free.

The Council in partnership with East Lothian Council have been approached by SWAN and asked if we would host an event. It is anticipated that this will take place within the period 2017 – 2019.

### 4.9 Stonewall Scotland

The Council is pleased to be a member of Stonewall Scotland's Diversity Champion's Programme.

Stonewall Scotland works to achieve equality and justice for lesbian, gay, bisexual and transgender people.

By working with Stonewall we can help LGBT people to become more involved in the education, service planning and delivery in our area.

### 4.10 LGBT Youth Scotland

LGBT Youth Scotland is the largest youth and community-based organisation for lesbian, gay, bisexual and transgender (LGBT) people in Scotland. The charity's mission is to:

“Empower lesbian, gay, bisexual and transgender young people and the wider LGBT community so that they are embraced as full members of the Scottish family at home, school and in every community.”

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The Council is an active member of the Lothian LGBT Development Group and as can be seen in section 4.6 above has co-hosted an event with LGBT Youth in LGBT History month this year.

### 4.11 NHS Gypsy/Traveller Health Steering Group

NHS Lothian approached the Council in 2014 requesting that the Equality & Diversity Officer attend this group which looks after the specific health issues relating to Gypsy/Travellers in the East & Midlothian areas. The group is currently being refreshed and Midlothian Council is playing an active role in this activity.

### 5.0 **Other ongoing work in support of equal opportunities**

During the last two years there have been a number of equality themed community events co-ordinated by the Council's Equalities Engagement Officer which has further helped the organisation to be proactive in relation to its duties and responsibilities under the Equality Act 2010. A summary timeline of a selection of these activities follows:

- Sept 2015 – Midlothian Mela 2015
- Oct 2015 – Black History Month event
- Jan 2016 - Holocaust Memorial Day display in Dalkeith library with related library book display; 2<sup>nd</sup> display in Fairfield House/ council intranet and displays used by Midlothian Scouts and Brownie packs.



### March 2016 – Equal Midlothian Week events

- People First: History of People First and Hate Crime film showings followed by Q&A session with People First members
- Moving Minds – MECOPP'S (Minority Ethnic Carers of People Project) Gypsy Traveller exhibition – travelling Dalkeith, Lasswade and Penicuik libraries over 6 weeks.
- Gypsy Traveller Cultural Awareness Training
- Jam session – ethnic minority gathering held by Health in Mind's Equal Access project.
- Woodburn Women's Health and Motivation open morning

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- International Women’s Day exhibition held by Women’s Aid
- Bookbugs “Around the World” Sessions at Midlothian Libraries
- Suicide Talk – Choose Life Awareness Raising Session
- Midlothian People’s Equality Group (MPEG) - Human Library at Penicuik High School
- Midlothian Mela 2016

June 2016 - MPEG Police Contact Centre visit – 7 members attended



July 2016 – MPEG AGM – Guest Speaker from the Scottish Refugee Council’s Speaker Programme



Oct 2016 - Hate Crime Awareness Week;-

- Disability Hate Crime event – 15 people attended
- Facts and Fears about Islam event – 32 people attended
- Hawthornden Primary School input – School assembly – “Celebrating difference and diversity” p 4-7 (approx 220 pupils and 10 staff); Human library with 3 x primary 7 classes – 60 pupils, 10 adult volunteers.

Oct 2016

- Black History Month event – 48 people attended
- Penicuik Library – Black History Month Book display

Dec 2016 and Jan 2017 - Gypsy-Traveller Cultural Awareness Training – 12 people attended Dec session and 13 people attended January session.

Dec 2016 – MPEG fundraising - Winter raffle

Jan 2017 – Diabetes/ weight management consultation with women at Bonnyrigg Muslim Community Centre (BMCC)

MPEG – Monthly board meetings (approx 10 board members)

The Engagement Officer has also provided ongoing support over the year to Bonnyrigg Muslim Community Centre (BMCC) and MPEG in successful funding applications.

Planned work for 2017 – 2021 includes:

- Continued support to BMCC to access funding. Continue to build links with the Muslim community in Midlothian. Support the implementation of consultation outcomes (e.g. women’s only swimming session; nutritional advice)
- Continued support to MPEG to increase membership, representation across the protected characteristics, and increase funding for project based work.
- Continue to network with minority groups in Midlothian and support community equalities groups where there is evidence of need.
- Continued support to schools to address equalities issues. Roslin Primary and PAVE alternative educational resource have both requested some input as a result of issues arising.
- Continued support towards the establishment of LGBT representative groups within Midlothian, LGBT events and encourage commitment to the LGBT Youth Charter Mark.
- Continued training for frontline staff to enable them to have better understanding of the barriers to accessing services and better engagement with equalities group. (e.g. Gypsy-Traveller Cultural Awareness ; Interfaith Scotland; ELREC/ Amina Hate Crime sessions)
- LLE Equalities course for members of the public
- Deliver actions as allocated on SMP:
  1. Continue to address all prejudiced based bullying/ discrimination/ inappropriate behaviour in schools and colleges.
  2. Develop the role of neighbourhood planning groups in creating and sustaining inclusive communities.
  3. Develop community engagement, involvement and consultation practices so that all protected characteristic groups are included in service planning and delivery exercises.
  4. Find opportunities for equalities characteristic groups to maximise influence by working together.

### **6.0 Areas of development for 2017 – 2021**

6.1 In addition to ongoing projects/work noted in section 4, the following areas of work will be further developed in the period 2017 – 2021:

- The Council will address gaps in employee monitoring information and other evidence legislation and good practice requires us to have;
- We (the Council) will conduct an interim evaluation to make sure we are up to speed with the actions and outputs needed to meet our equality duties;
- Build relationships with individuals and organisations who can assist us by getting involved in progressing equality outcomes;
- Meet with managers and other stakeholders within the Council who can assist the Equality & Diversity Officer in mainstreaming progress and plans for the future;
- Consider further how we prepare for the inclusion of race and disability in our equal pay policy and occupational segregation information from 2017 onwards;
- Evaluate and improve further our approach to the duties on Equality Impact Assessment and Procurement
- Further develop the process to be followed in the gathering of data and information for the mainstreaming report 2017 - 2019;
- Make sure that the people we involve with in equality outcome setting are empowered and have the capacity to be involved;
- Ensure that the Equal Pay Statement and the Gender Pay Gap information covers all the requirements of the Act for 2017 -2019

### **7.0 Employee Information Analysis for the year 2015/2016**

7.1 Key Findings

- Far too many employees are reluctant to answer equality monitoring questions and understanding the reason/(s) for this must be a priority action for the Council within the next reporting period.



- The Council needs to address what data and information it gathers in relation to its workforce, those leaving the organisation and those being short-listed in recruitment exercises to fully understand and relate to its workforce, leaver and recruitment profiles.
- The organisation needs to try and attract a more diverse workforce to fully reflect those within its communities as detailed in the 2011 Census.
- The Council's workforce remains comprised of 72% female employees and 28% male employees.
- The number of female casual employees is more than double that of male casual employees.
- Job-share and part time positions are predominantly held by female employees, with under 5% of male employees taking up similar positions.
- There is double the number of female employees to male employees in the displaced employee section known as SWITCH.

### 7.2 Workforce Profile Analysis

#### Age

During the year 2015/16 the age profile of the workforce was:

Age Band	Number	Percentage
16 - 24	534	9.5%
25 - 39	1619	28.8%
40 – 55	2418	43.0%
56 – 59	506	9.0%
60 – 64	356	6.3%
65+	185	3.3%
<b>Total</b>	<b>5618</b>	<b>100.0%</b>

The greatest number of employees falls into the 40 – 55 age band but employees in the 16 – 24 age band (9.5%) are now almost equal to the 60+ cohort.

The average age of a Midlothian Council employee is 43 a fall of one year since 2015, and the percentage of employees in the 16 – 24 age band has increased by 0.5%. For those aged 55 and over the percentage has dropped by 0.7%.

#### Disability

During the year 2015/16 the disability profile of the workforce was:

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Type of Disability	Number	Percentage
<b>DID NOT ANSWER</b>	3342	59.5%
Learning Disability	13	0.2%
Longstanding Illness	20	0.4%
Mental Health Condition	13	0.2%
No disability	2121	37.8%
Other, such as disfigurement	5	0.1%
Physical Impairment	16	0.3%
<b>Prefer not to answer</b>	76	1.4%
Sensory Impairment	12	0.2%
<b>Total</b>	<b>5618</b>	<b>100%</b>

The number of employees who did not answer the disability question remains disappointingly high at 59.5% and the reason/(s) for this need full investigation during the period 2017 - 2021. Of the 1.4% of employees who did report a disability enquiries need to be made as to how they find the Council as an employer and what actions they consider would enable better reporting of this protected characteristic.

### Gender Re-assignment

In answer to the question 'have you ever identified as a Transgender person or Trans person?' in 2015/2016 the following was recorded:

Answer	Number	Percentage
Did not answer	4597	81.8%
No	998	17.8%
Prefer not to answer	23	0.4%
Yes	0	0%
<b>Total</b>	<b>5618</b>	<b>100%</b>

With less than one fifth of employees answering this question as with disability this is very disappointing and again full investigations as to why employees are reluctant to answer this question need to be made during the period 2017 – 2021. It would also appear that those answering 'yes' to the question in 2014/15 have either left the organisation or are now unwilling to answer the question and again this needs investigation.

### Marriage and Civil Partnership

In 2015/2016 the workforce profile in this category was as follows:

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Status	Number	Percentage
Divorced/Separated	191	3.4%
Living with partner	185	3.3%
Married/Civil Partnership	2655	47.3%
No answer provided	953	17.0%
Prefer not to answer	409	7.3%
Single	1180	21.0%
Widowed	45	0.8%
<b>Total</b>	<b>5618</b>	<b>100.0%</b>

As with other protected characteristics the Council needs to look into why just under a quarter of its workforce are reluctant to provide details of their marriage, civil partnership or other status.

### Pregnancy and Maternity

No data available at the time of reporting.

For those employees who are pregnant or on maternity leave their roles are risk assessed to determine any potential negative health impacts and they are, in line with statute and best practice, given special leave to attend appointments associated with their pregnancy. During maternity leave they are again, in line with statute, offered the opportunity and actively encouraged to take part in 'keep in touch days'. Employees on maternity leave are also communicated with on a regular basis in terms of keeping them up to date with any changes.

There is much emphasis on the importance to foster good relations in order that when an employee returns to work after a period of maternity leave the transition back to work is one where the employee feels fully integrated as soon as possible. Many of those returning from maternity leave apply for and are granted more part time and/or flexible working opportunities.

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### Race

Ethnic Origin	Number	Percentage
African (inc Scottish/British)	*	0.0%
African Other	*	0.1%
Asian Bangladeshi (inc Scottish/British)	*	0.0%
Asian British	*	0.1%
Asian Indian (inc Scottish/British)	*	0.0%
Asian Other (inc Scottish/British)	*	0.1%
Asian Pakistani (inc Scottish/British)	9	0.2%
Bangladeshi	*	0.0%
Black (inc Scottish/British)	*	0.0%
Caribbean or Black (other)	*	0.0%
Other	*	0.0%
Irish	*	0.0%
Mixed - any other mixed background	11	0.2%
Pakistani	*	0.0%
Prefer not to answer	40	0.7%
White - Eastern European (eg Polish)	8	0.1%
White and Black African	*	0.0%
White and Black Caribbean	*	0.0%
White Gypsy/Traveller	*	0.0%
White Irish	27	0.5%
White Other	69	1.2%
White Other British	225	4.0%
White Scottish	2007	35.7%
<b>DID NOT ANSWER</b>	<b>3193</b>	<b>56.8%</b>
<b>Total</b>	<b>5618</b>	<b>100.0%</b>

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

During the period 2017 – 2021 investigation needs to take place as to why over half the workforce do not wish to provide their ethnic origin details.

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### Nationality

<b>Nationality</b>	<b>Number</b>	<b>Percentage</b>
British	1151	20.5%
English	32	0.6%
Northern Irish	12	0.2%
Other	88	1.6%
Prefer not to answer	33	0.6%
Scottish	1605	28.6%
Welsh	6	0.1%
DID NOT ANSWER	2691	47.9%
Grand Total	5618	100.0%

Again, during the period 2017 – 2021 investigation needs to take place as to why just under a half of the workforce does not wish to provide details of their nationality.

### Religion or Belief

<b>Religion or Belief</b>	<b>Number</b>	<b>Percentage</b>
Buddhist	8	0.1%
Church of Scotland	424	7.5%
Hindu	*	0.0%
Muslim	6	0.1%
None	439	7.8%
Other Christian	67	1.2%
Other Religion or Belief	9	0.2%
Prefer not to answer	180	3.2%
Roman Catholic	124	2.2%
DID NOT ANSWER	4360	77.6%
Total	5618	100.0%

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

With over 75% of the workforce not being prepared to state their religion or belief there is again a great need to investigate the reason for this during the period 2017 – 2021.

## Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

### Sex (Gender)

Sex (Gender)	Number	Percentage
Female	4034	71.8%
Male	1584	28.2%
Total	5618	100%

The gender mix of the Council's workforce remains very much as previously reported in 2014/2015 (71% and 29% respectively).

### Sexual Orientation

Sexual Orientation	Number	Percentage
Bisexual	*	0.1%
Gay	7	0.1%
Heterosexual/Straight	1048	18.7%
Lesbian	*	0.1%
Prefer not to answer	282	5.0%
DID NOT ANSWER	4273	76.1%
Grand Total	5618	100.0%

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

With over 75% of the workforce not being prepared to state their sexual orientation, there is again a great need to investigate the reason for this during the period 2017 – 2021.

### Caring Responsibilities

In 2015/2016 employees were asked 'do you have caring responsibilities'. The table below shows data received in relation to this question.

Do you have caring responsibilities?	Number	Percentage
No	623	11.1%
Prefer not to answer	17	0.3%
Yes - Over 18	92	1.6%
Yes - Under 18	297	5.3%
Yes - Under and Over 18	22	0.4%
DID NOT ANSWER	4567	81.3%
<b>Total</b>	5618	100.0%

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As with previous characteristics investigation needs to take place as to why over four fifths of the workforce does not wish to divulge if they have caring responsibilities.

### Disciplinary Cases

No disciplinary action has been taken, regardless of the outcome, and analysis has shown no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

### Grievance Cases

No grievance cases were lodged, regardless of the outcome, and analysis has shown no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

### 7.3 Leavers Profile Analysis

Data/information on this will be collected and analysed as from 2016/17.

### 7.4 Recruitment Profile Analysis

#### Age Profile

Data/information not available at the time of reporting

#### Disability

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
Yes	346	3.76%
No	8420	91.58%
Prefer not to answer	77	0.84%
Unknown	351	3.82%
<b>Total</b>	<b>9194</b>	<b>100.00%</b>

<b>Successful Candidates</b>	<b>Number</b>	<b>Percentage</b>
Yes	25	3.09%
No	739	91.23%
Prefer not to answer	2	0.25%
Unknown	44	5.43%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

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### Gender Re-assignment

Data/information not available at the time of reporting

### Marriage & Civil Partnership

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
Married/Civil Partnership	2768	30.11%
Not Married	5960	64.82%
Prefer not to answer	100	1.09%
Unknown	366	3.98%
<b>Total</b>	<b>9194</b>	<b>100.00%</b>

<b>Successful Candidates</b>	<b>Number</b>	<b>Percentage</b>
Married/Civil Partnership	327	40.37%
Not Married	434	53.58%
Prefer not to answer	4	0.49%
Unknown	45	5.56%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

### Pregnancy and Maternity

Data/information not available at the time of reporting



## Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

### Race

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
African - (Inc. Scottish/British)	35	0.4%
African - Other	83	0.9%
Any Mixed or Multiple	54	0.6%
Asian - Bangladeshi (Inc. Scottish/British)	23	0.3%
Asian - Chinese (Inc. Scottish/British)	20	0.2%
Asian - Indian (Inc. Scottish/British)	70	0.8%
Asian - Other (Inc. Scottish/British)	17	0.2%
Asian - Pakistani (Inc. Scottish/British)	74	0.8%
Black - (Inc. Scottish/British)	14	0.2%
Caribbean - (Inc. Scottish/British)	*	0.1%
Caribbean or Black (Other)	12	0.1%
Other - Arab (Inc. Scottish/British)	8	0.1%
Prefer not to answer	61	0.7%
White - Eastern European (e.g. Polish)	56	0.6%
White - Irish	163	1.8%
White - Other British	795	8.6%
White - Other white ethnic group	348	3.8%
White - Polish	125	1.4%
White - Scottish	6802	74.0%
Did not answer	429	4.7%
<b>Total</b>	<b>9194</b>	<b>100.0%</b>

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

<b>Successful Candidates</b>	<b>Number</b>	<b>Percentage</b>
African Other	*	0.25%
Any Mixed or Multiple	*	0.25%
Asian – Indian (Inc. Scottish/British)	*	0.25%
Asian - Bangladeshi, Chinese, Pakistani	*	0.37%
Prefer not to answer	*	0.49%
Did not answer	51	6.30%
White – Eastern European	*	0.25%
White - Polish	8	1.11%
White - Scottish	620	76.54%
White - Irish	14	1.73%
White – Other British	74	9.14%
White – Other White Ethnic Group	28	3.46%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

## Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

### Religion, Faith or Belief

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
Buddhist	31	0.34%
Church of Scotland	1559	16.96%
Hindu	32	0.35%
Humanist	20	0.22%
Jewish	7	0.08%
Muslim	113	1.23%
None	4557	49.56%
Other Christian	655	7.12%
Other Religion or Belief	100	1.09%
Pagan	*	0.01%
Prefer not to Answer	631	6.86%
Roman Catholic	951	10.34%
Sikh	11	0.12%
Did not Answer	526	5.72%
<b>Total</b>	<b>9194</b>	<b>100.00%</b>

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

<b>Successful Candidates</b>	<b>Number</b>	<b>Percentage</b>
Buddhist	*	0.12%
Church of Scotland	152	18.77%
Humanist	*	0.12%
Jewish	*	0.12%
Muslim	*	0.37%
None	400	49.38%
Other Christian	48	5.93%
Other Religion or Belief	7	0.86%
Pagan	*	0.12%
Prefer not to Answer	53	6.54%
Roman Catholic	85	10.49%
Did not Answer	58	7.16%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

## Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

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- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

### Sex (Gender)

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
Female	6010	65.37%
Male	2821	30.68%
Prefer not to Answer	26	0.28%
Did not Answer	337	3.67%
<b>Total</b>	<b>9194</b>	<b>100.00%</b>

<b>Successful Candidates</b>	<b>Number</b>	<b>Percentage</b>
Female	574	70.86%
Male	191	23.58%
Prefer not to Answer	*	0.25%
Did not Answer	43	5.31%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

### Sexual Orientation

<b>Job Applicants</b>	<b>Number</b>	<b>Percentage</b>
Bisexual	77	0.84%
Gay	65	0.71%
Heterosexual/Straight	8230	89.51%
Lesbian	55	0.61%
Other	11	0.12%
Prefer not to Answer	348	3.79%
Did not Answer	408	4.44%
<b>Total</b>	<b>9194</b>	<b>100.00%</b>

Successful Candidates	Number	Percentage
Bisexual	6	0.74%
Gay	*	0.37%
Heterosexual/Straight	720	88.89%
Lesbian	*	0.37%
Other	*	0.12%
Prefer not to Answer	28	3.46%
Did not Answer	49	6.05%
<b>Total</b>	<b>810</b>	<b>100.00%</b>

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

### 7.5 Training Profile Analysis

The Council uses different approaches to training such as one-to-one, group coaching sessions and leadership management courses for identified learning needs. This move away from a one size fits all classroom training approach continues to facilitate inclusion for all employees irrespective of protected characteristic.

### 7.6 Conclusion

The Council is fully committed to the ethos of the Equality Act 2010 and is determined to provide employees with a workplace that is fit-plus for the 21<sup>st</sup> century.

Gathering data and information for this analysis has highlighted a number of areas for the Council to focus on in the years ahead. The main points of note are:

- The Council must continue to ensure that all employees are aware of the benefits of flexible working. Particular effort needs to be made to ensure that employees working in areas which are traditionally less likely to avail themselves of employee benefits are made aware of the opportunities available to them.
- The age profile of the Council continues to represent challenges to workforce planning within the organisation.
- Further work needs to be done to ensure that the Council is a positive workplace for lesbian, gay, bi-sexual and transgender employees and new recruits.

Continuing and promoting our work with Stonewall Scotland is an important element in this work.

- Engagement with employees in relation to equal opportunities is an important means of giving the Council a more qualitative insight into the issues concerning employees, and allows the Council to take these on board when reviewing and developing new policies. The Council needs to encourage employees to feel confident about declaring their disability, sexual orientation or information about other protected characteristics.
- The Council needs to develop its reputation as a modern, inclusive and welcoming workplace both for existing employees and for new recruits.
- The Council needs to develop the data and information it gathers on existing employees, leavers, and new potential new recruits in order to be a modern employer of choice.

### **8.0 Employee information analysis for the year 2016/2017**

8.1 Analysis of the 2016/17 employee data is not available at the time of this publication. The full analysis will be published in due course on the Council website under equality and diversity.

### **9.0 Gender Pay Gap**

9.1 The gender pay gap between average hourly rate of pay for male and female – all Council employees as at 31<sup>st</sup> March 2017 was 2.96%.

### **10.0 Equal Pay Statement**

10.1 Equal Pay Statement

Midlothian Council believes in equal opportunities in employment and is committed to the fundamental principle that procedures to determine the pay and conditions of employment of all our employees do not discriminate unlawfully and aims to eliminate any sex bias or any form of discrimination. The Council recognises that in order to achieve equitable pay it should operate a pay system which is transparent and based on objective criteria.

The Council believes that pay is one of the key factors affecting motivation and relationships at work and therefore considers it important to develop pay arrangements that reward employees fairly. The Council will work with Trade Unions to develop fair and non-discriminatory pay and progression systems which are understood and accepted by employees and by the managers who operate the system. All aspects of the pay package will be reviewed and monitored regularly to ensure it delivers equal pay. Any pay inequalities which cannot be justified will as far as is possible be eliminated.

The Council will aim to:

- Continue to use objective, justifiable and proportionate job-related information and an analytical job evaluation scheme to determine the salaries of jobs and the Council's salary structures.
- Monitor existing and future pay practices and the impact or potential impact on men and women.
- Assess and review the findings of monitoring activities and take action where necessary.
- Provide development and guidance for managers and others directly involved in decisions about pay and benefits.
- Continue to work with the recognised Trade Unions on equal pay and equalities in employment.
- Inform employees of how our pay practices work and how their own pay is determined.
- Respond promptly and investigate where necessary grievances on equal pay.

Our commitment to equal pay extends to both race and disability and whilst able to monitor this as our systems are developed to check for bias we will be in a position to more accurately report this in late 2017.

### **11.0 Next Steps**

- 11.1 The new Equality Plan 2017 – 2021 which will include new and revised equality outcomes and proposed mainstreaming activities will be published in draft by 30 April 2017.
- 11.2 This Plan will go to the newly elected Midlothian Council for approval during 2017.
- 11.3 During the period 30 April – 11 June this Plan will be open for consultation.
- 11.4 Progress on this new Plan will be reported by 30 April 2019 and 30 April 2021.

- 11.5 This new Equality Plan will continue and develop further the commitment the Council has to equality, diversity and human rights with the aim of further:
- Embedding a culture where respect, choice and understanding is fostered and diversity positively valued;
  - Creating an environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated;
  - Understanding and addressing the needs of different groups; and
  - Implanting the equality agenda in all that we provide and do to ensure that all people, irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or socio economic status have the same opportunity to live and flourish within our communities

### 12.0 Contact Details

- 12.1 Should you wish to get in touch regarding this report, the equality outcomes progress report or new Equality Plan 2017 – 2021 please do so by post to:

Lesley Crozier  
Equality, Diversity & Human Rights Officer  
Policy & Scrutiny Team  
Midlothian Council  
Midlothian House  
Buccleuch Street  
DALKEITH  
EH22 1DN

Email to:

[Lesley.crozier@midlothian.gov.uk](mailto:Lesley.crozier@midlothian.gov.uk) or [equalities@midlothian.gov.uk](mailto:equalities@midlothian.gov.uk)

Telephone to:

0131 271 3658

### 13.0 Alternative Formats

- 13.1 This document can be made available in different formats and in different languages. If you would like a copy in another language or format, please email [equalities@midlothian.gov.uk](mailto:equalities@midlothian.gov.uk) or phone 0131 271 3658.