

Section 4 – Equality & Diversity in Employment 2012/2013



**Midlothian Council**  
**Equality Outcome & Mainstreaming Report 2013 - 2017**

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# **Midlothian Council**

## **Equality Outcome & Mainstreaming Report 2013 - 2017**

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### **Introduction**

Maximising the benefits of equality and diversity in employment for Midlothian Council means managing, individual differences in a way that capitalises on them and enables everyone to reach their full potential. Supporting and respecting individual differences helps every employee to be engaged and aim to be highly performing whilst fully contributing to the delivery of the Councils strategic priorities.

To do this we need to have an in-depth understanding of the effect that our workplace culture, employment policies, practices and procedures have on all of our employees. Collating and analysing data on employees by protected characteristics provides a good starting point to develop this understanding. This provides a robust evidence base to identify any differences in outcomes for different employee groups in order that the Council can continue to create a culture of opportunity for all.

### **Equalities Monitoring**

Midlothian Council is committed to being a transparent, open, honest and accountable organisation. This will be monitored through the Council's public performance reporting system and in equality progress reports where it will be published as to what is done, how well this is done, and where there needs to be an improvement.

The following report details the current equalities monitoring requirements of the Council in line with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. Developing, publishing and implementing the specific duties is, one of the methods through which the Council will achieve and sustain being an accountable and inclusive organisation.

In line with the specific duties employers are required to publish information as follows:

- 1) Employee information and/or profile
- 2) The recruitment, development and retention of employees
- 3) Equal pay statement
- 4) Gender pay gap information and occupational segregation

### **Current Position**

To date equality and diversity information on: employees in post; applications for employment, development and promotion, bullying and harassment cases; grievance procedures; disciplinary proceedings; and cessation of employment have been and will continue to be analysed to identify any existing or potential equality and diversity in employment issues for those with protected characteristics.

Midlothian Council also has information from applicants for employment via the National Recruitment Portal. The information obtained through this process is in accordance with the data collected via the national census.

This information, once analysed allows the Council to highlight priority areas that it needs to examine in relation to its role as an employer.

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### **The Statutory Context**

The Equality Act 2010 has brought all of the previous equalities legislation together into one. This was done to modernise the law and 'even up' the protection given to individuals. The purpose of the Act is to ensure that everyone, whether at work or in using a service has the right to be treated fairly.

Midlothian Council will therefore have 'due regard' that when making decisions and in carrying out its day to day activities to consciously consider the need to:

- Eliminate discrimination, harassment, victimisation and any 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.

### **Equality Impact Assessment**

A thorough EQIA is carried out and published for new or revised Human Resource employment policies, procedures and practices which helps to identify any likely or potential equalities impact on those with a protected characteristic. A systematic approach is taken when using an equality impact assessment tool. This gives an indication about how a policy or proposed practice might be relevant to and affect individuals with different protected characteristics in different ways or in different circumstances. Doing this enables the Council to consider if any changes to employment policies and procedures need to be made in order to minimise the potential for unlawful discrimination and making the most of opportunities to promote equalities and foster good relations.

An equality impact assessment is further developed as policy, procedure and practices are finalised. This ensures that others are involved in the process for example trade union representatives, employees, equality working group and the disability consultation forum.

### **Data Collection for 12/13**

The data collected is in line with the amended classification requirements for protected characteristics which are:

- age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In line with the specific duties there will now be a legal obligation to publish with an analysis of employment monitoring data from April 2013 and thereafter every two years. The data will however, be collected annually.

## **Key Findings**

### **General**

- The Council retains a workforce comprised of 73% female employees and 26% male employees. Figures from last year show an increase of 1% in female employees and a decrease of 1% for male employees.
- 68% of Midlothian Council's workforce resides in the Midlothian area.
- Female employees working part time comprise 40% of the Council workforce compared to 6.24% of male employees who work part time.
- The Council's workforce is ageing with a high percentage of employees aged between 46 and 55. 21% are aged over 55 and 2% over the age of 65. The number of employees aged 16-25 is currently 4%.
- 5% of respondents to the monitoring survey consider themselves to have a disability. The majority of those declaring their disability had a longstanding illness followed by a physical impairment, sensory impairment and/or a mental health condition.

Compared to previous annual results more employees are declaring that they consider themselves to have a disability and this is encouraging as the Council has been promoting a number of initiatives regarding health and wellbeing. Through employees declaring they consider themselves to have a disability individuals are more likely to be able to communicate with line managers or employee health support services, where for example reasonable adjustments are required.

- Indicators are that employees can be sensitive about declaring their sexual orientation with 19.5% of respondents preferring not to answer this question. 79% of Council employees responding consider themselves to be heterosexual. 1.5% of employees have identified themselves as lesbian, gay and bisexual.
- 64% of respondents are married or in a civil partnership with 12% preferring not to answer.
- The religious profile of employees has not changed in any significant way over the past 12 months. 57% of employees identify as part of a Christian faith with a third of employees stating that they are of no religion and 5% choosing not to provide an answer to this question.

Other religions are represented in the workforce profile such as Muslim and Buddhism.

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### Workforce Analysis of 2012/13 data

This data is based on the sensitive information details held in iTrent the Council's HR database. The responses received are as a result of a workforce monitoring exercise carried out in 2012. There was a response rate of 48%.

### **Disability**

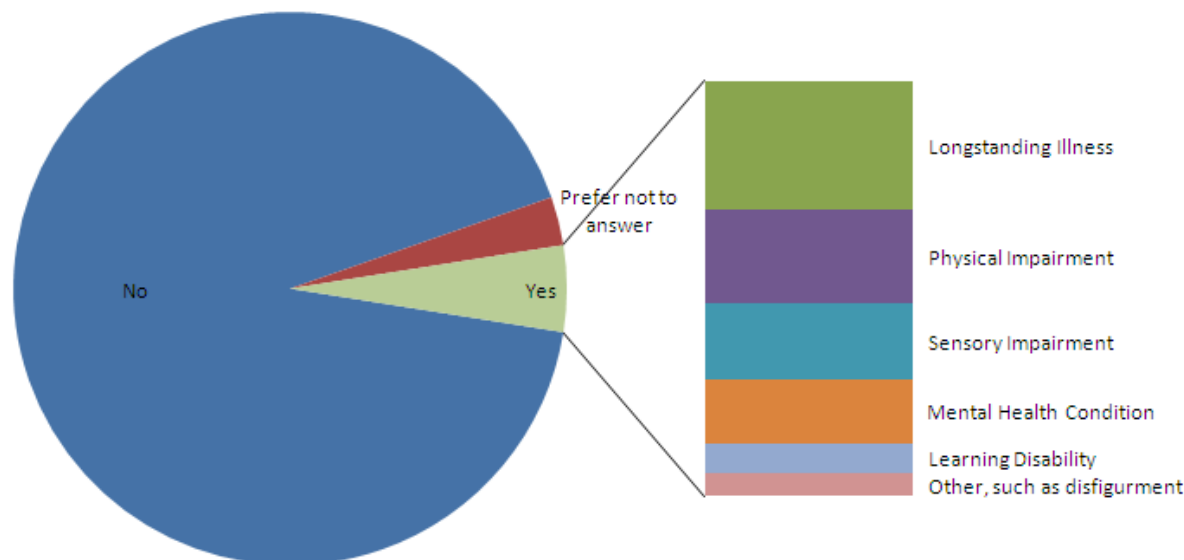
5% of respondents declared that they consider themselves to be disabled, and 3% selected 'Prefer not to answer'. This figure is reflective of the population of Midlothian which is that as at November 2011 8% of the working age population consider that they have a disability, which is above the Scottish average of 7%.

The types of disability were classified as:

- Longstanding illness
- Physical impairment
- Sensory impairment
- Mental health condition
- Learning disability
- Other, such as disfigurement

Out of the total number of response to the monitoring questionnaire the percentages are as follows:

	<b>Percentage</b>
No	92%
Prefer not to answer	3%
Yes - Longstanding Illness	2%
Yes - Physical Impairment	1%
Yes - Sensory Impairment	1%
Yes - Mental Health Condition	1%
Yes - Learning Disability	0%
Yes - Other, such as disfigurement	0%



A positive example of employees declaring that they have a disability is that reasonable adjustments have been implemented, which have resulted in improved performance, job satisfaction and attendance at work. Specialist equipment has been purchased in conjunction with access to work for an employee who is dyslexic and an employee with a particular physical disability.

Within Midlothian Council there is an established and proactive Disability Consultation Forum who in the past two years, have for example been responsible for influencing an audit to take place of the availability of hearing loops. As a result this made a sustainable difference to employees and the community of Midlothian with hearing impairment by ensuring that there are effective hearing loops in all public reception areas and that staff are trained and know how to use them.

The above has resulted in a hearing impairment group being formed by individual employees who are using the forum as a support network. In addition this has also led to further implementation of other adjustments for those with a hearing impairment.

The disability forum, regularly feature and participate in Council health, wellbeing and supporting staff events to publicise information on the forum objectives and activities. This has resulted in increased membership of the group.

### Learning Difficulties

The profile of Midlothian report 2011 states that 'Midlothian has the highest percentage of adults, with learning difficulties of any local authority in Scotland'. In order to foster good relations there is a need to tackle prejudice in this area and promote understanding.

Only a few employees declared they have a learning disability and the Council does provide for example literacy and numeracy support through a community support service. (MALANI- Midlothian Adult Literacy and Numeracy Support). This service is also accessible to employees.

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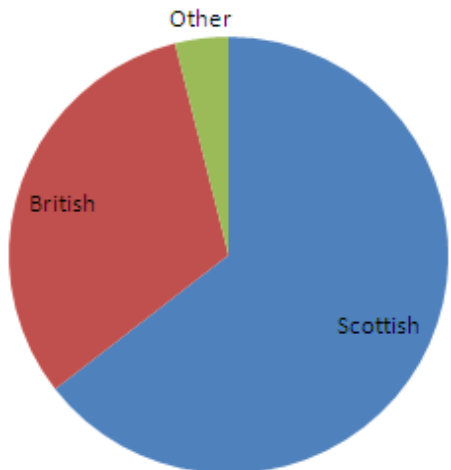
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## Nationality

64% of respondents identify their nationality as Scottish and 31% as British. Of the remaining respondents 2% were other British nationalities (English, Welsh and Northern Irish), and 1% preferred not to answer this question.

	<b>Percentage</b>
Scottish	64%
British	31%
Other, please specify	2%
English	1%
Prefer not to answer	1%
Northern Irish	0%
Welsh	0%

(Chart below excludes 'Prefer not to answer' responses)





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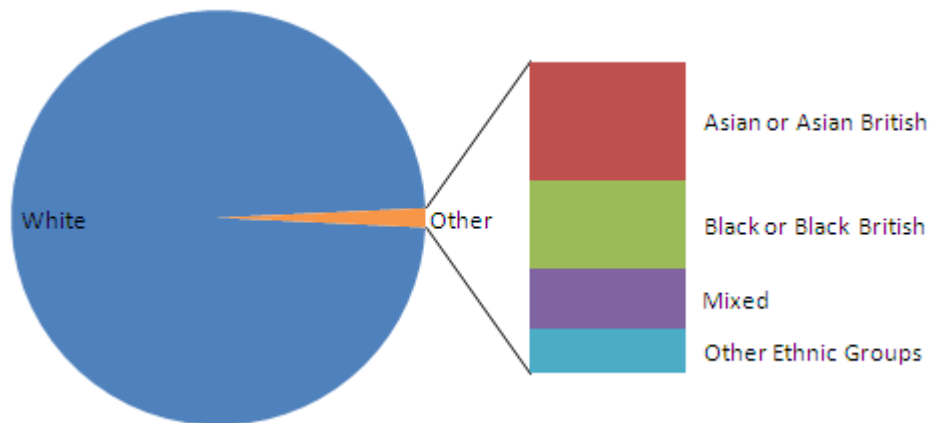
## Race

84% of respondents identify themselves as White Scottish and 9% as White Other British. 2% of employees preferred not to answer this question.

	Percentage
White Scottish	84%
White Other British	9%
White Other	2%
White Irish	1%
White - Eastern European (eg Polish)	0%
Asian Pakistani (inc Scottish/British)	0%
Ethnicity, if Other please specify	0%
Mixed - any other mixed background	0%
African (inc Scottish/British)	0%
African Other	0%
Asian Indian (inc Scottish/British)	0%
Arab (inc Scottish/British)	0%
Asian Bangladeshi (inc Scottish/British)	0%
Asian British	0%
Asian Other (inc Scottish/British)	0%
Black (inc Scottish/British)	0%
Caribbean or Black (other)	0%
White Gypsy/Traveller	0%
Prefer not to answer	2%

*The 0% figures reflects that either there is less than 10 or no respondents allocated to these particular groups,*

(Chart below excludes 'Prefer not to answer' responses)



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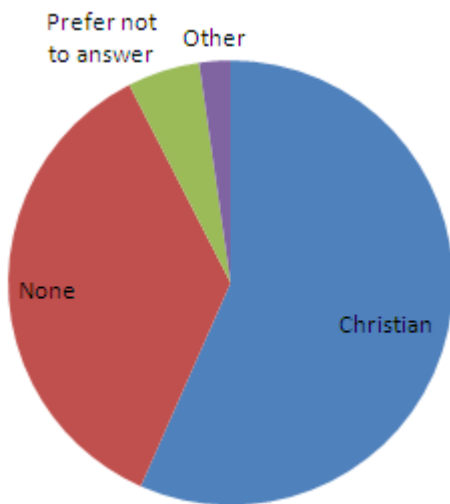
The above chart is reflective of the population of Midlothian 2011 report where according to latest figures there are totals of:

White	Indian	Pakistani and other South Asian	Chinese	Other
80,941	82	255	99	304

**Religion**

57% of respondents identify with a Christian faith (including 40% Church of Scotland, 10% Roman Catholic and 7% Other Christian). The second most common response was No religion.

	<b>Percentage</b>
Church of Scotland	40%
None	36%
Roman Catholic	10%
Other Christian	7%
Other Religion or Belief	1%
Buddhist	1%
Muslim	1%
Hindu	0%
Jewish	0%
Prefer not to answer	5%



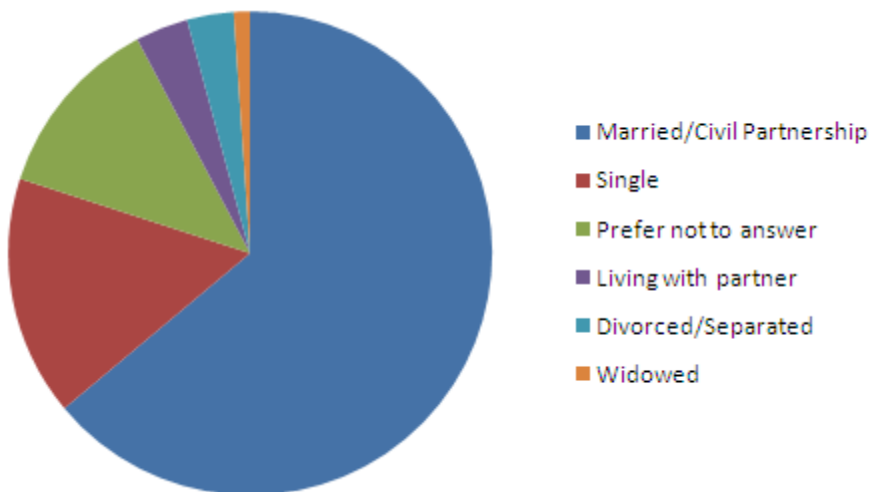
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## Marriage and Civil Partnership

64% of employees are married or in a civil partnership. 12% of employees prefer not to answer this question.

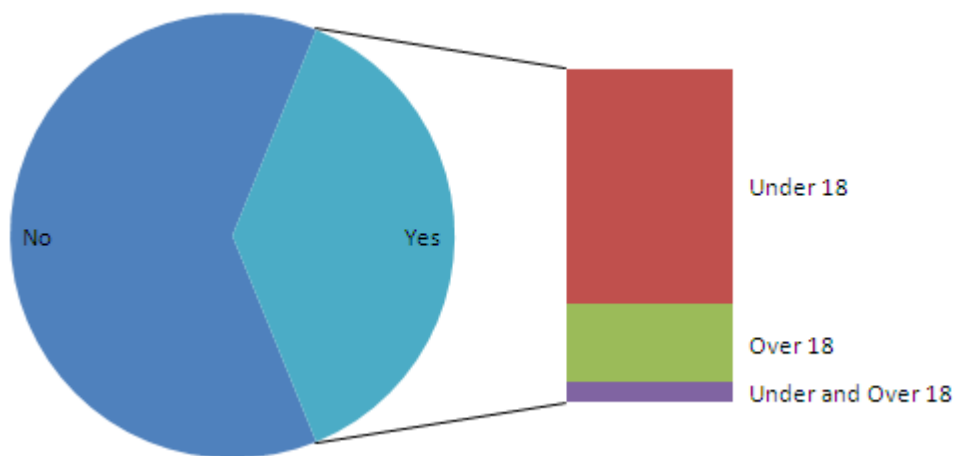
	Percentage
Married/Civil Partnership	64%
Single	16%
Living with partner	4%
Divorced/Separated	3%
Widowed	1%
Prefer not to answer	12%



**Caring responsibilities**

37% of respondents identified as having caring responsibilities, most commonly for someone under the age of 18.

	<b>Percentage</b>
No	61%
Yes - Under 18	26%
Yes - Over 18	9%
Yes - Under and Over 18	2%
Prefer not to answer	2%



Midlothian Council has implemented many work/ life balance policies and procedures such as flexible working practices. Employees have benefitted and taken advantage of for example mobile working practices allowing them to more effectively balance work and home life.

**Gender Reassignment**

This question was asked as part of the monitoring exercise however as the numbers of those responding 'yes' as to whether they 'ever identified as transgender or trans person' it would be inappropriate to be specific in terms of an individual being identified.

**Age Profile**

The average age of a Midlothian Council employee is 44 with 4% in the age range 16- 25, 21% over the age of 55 and 2% aged 65 or over. Only a small proportion of our workforce 2% is aged under 24.

Through the operation of the Mi Future scheme, there will be opportunities for apprenticeships and traineeships thereby having a positive impact on the 16-25 age group, who are particularly disadvantaged in the current climate.

## **Sex**

74% of employees are female and 26% male employees.

## **Pregnancy and Maternity**

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.

## **Recruitment**

Recruitment of Midlothian Council employees is via the national recruitment portal 'My Job Scotland'. The National Recruitment Portal has been designed to provide easy access to jobs and streamline the recruitment process across Councils and other public sector bodies in Scotland. It is also designed to allow the monitoring of recruitment to identify any 'hot spots' in order that national initiatives can be considered if necessary. The Portal ensures that there is consistency to the application process within Midlothian Council and the system can provide jobseekers, if registered with 'myjobscotland', with alerts, i.e., the job seeker can identify the type of post, the location, salary that they wish to consider and if a post becomes available that meets their criteria they will automatically be 'alerted' to it by the system. .

The Council uses the Portal as the primary recruitment tool and the main objective is to reach out to the wider community and attract a more diverse audience to apply for positions. In order to help those who do not have access to a computer they can use IT facilities in local libraries. In Midlothian some staff within libraries are trained to give assistance with 'myjobscotland'. Job fairs have also been held within for example residential homes for care workers in order to give them help with on line applications. In certain circumstances paper copies of recruitment forms can be accepted.

In summary:

- A higher number of applications, 71%, were received from females than males.
- 4% of applicants declared that they consider themselves to have a disability
- 45 appointees have declared their type of disability in accordance with the new classification which assists in the understanding of the types of reasonable adjustment and/or support that the person will require when commencing in post.
- 1% of applicants stated they were from a minority ethnic background.
- The majority of applicants, 71%, are married or in a civil partnership.

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- 25% of those appointed declared their religion as Church of Scotland whereas 43% declared they had no religious beliefs and 1% of appointees were either, Hindu, Buddhist, or Muslim.
- 95% of appointees declared their sexual orientation as heterosexual/ straight.

### Mi Future

The Council has adopted a no compulsory redundancy policy for permanent employees and work has progressed to develop an approach to implementing the policy based on best practice models.

Midlothian Council, through its People Strategy, has a clear commitment to developing a supported, engaged and high performing workforce. Developing and retaining high quality employees, supporting and managing staff effectively through a challenging period of change and financial austerity, is a key element. Avoiding compulsory redundancies and 'growing' the skills of existing internal talent assists in achieving this.

The Mi Future scheme will be widely promoted to employees with information available in paper and electronic format. Information can also be made available in 'easy read' and large print where required. The function will operate on an equal basis regardless of gender, race, age, and other protected characteristics. Adaptations/ alternative strategies and approach will be made as necessary for those identified as having for example a learning disability.

The main positive impact will be that there will be no compulsory redundancies for permanent employees regardless of protected characteristic. Other positive impacts are:

- Opportunities will be available to all staff regardless of protected characteristic to be more accurately matched into appropriate positions suited to their assessed potential skill set.
- To develop placement opportunities at no additional cost which ensures redeployees regardless of protected characteristic are gainfully employed until a permanent role is secured.
- For employees who have become disabled or generally due to ill health can no longer fill the requirements of their current substantive post they will be more appropriately 'matched' into a suitable alternative and/or given appropriate support until such time as an alternative position can be secured
- Employees who identify or are likely to have specific needs to complete psychometric tests, e.g. employees who have literacy or numeracy difficulties, those that do not have access to a computer will be given appropriate support and guidance.
- There is the potential for employees in traditional blue collar posts to move to white collar positions and vice versa. (This has proven to be the case in other organisations, who, have operated such a scheme).
- There will also be more opportunities for female employees to be move into traditional male roles and visa versa
- Through the operation of such a scheme there will be opportunities for apprenticeships and traineeships thereby having a positive impact on the 16-25 age group who are particularly disadvantaged in the current climate.

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### Leavers

During the calendar year 2012 there were 466 leavers. The table below gives a breakdown of reasons for leaving.

Retirement/ Voluntary Severance	18%
Resignation-Other Employment	40%
End of fixed term/temporary contract	15%
Permanent/temporary incapacity	2%
Dismissals (Conduct)	0.1%
Death in Service	0.1%
Personal Reasons	15%
Unknown	10%

Further analysis of the above shows that:

- The majority of leavers were female which is representative of the composition of the Council's workforce.
- Of the total leavers for 2012 0.1% had declared that they consider themselves to have a disability.
- The majority of leavers were from a white ethnic background.
- The majority of leavers were in the age group 45-54.

### Learning and Development

Midlothian Council employees are actively encouraged to participate in learning and development opportunities. Following the introduction of the Competency Framework 2012 there is now a much more robust system to meet with employees and formally identify and agree development activities.

A number of development activities are mandatory for employees and these are e-learning modules on:

- Corporate Induction  
This module is for new recruits. The induction covers a broad spectrum of areas such as Conditions of Service and Health and Safety.

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- Equality and Diversity  
This is for employees to understand their obligations and responsibilities to promote and embed equality and diversity across the Council.
- Information Management  
This module reinforces an employee's responsibilities in terms of sharing information and the main focus is on personal and sensitive information.
- Health, Safety and Wellbeing  
Employees are given a good understanding of the fundamental principles of the above and are reminded of their obligations in taking responsibility as far as possible for their own health, safety and wellbeing.
- Customer Care & Complaints Handling  
Employees in this module are reminded of the Council's standards and expectations of service for internal and external customers.

At the end of each of the above modules there is an assessment which the employee should pass in order to check that they have read and understand their responsibilities, obligations and expectations.

The above is in the format of e learning programmes and for those employees who do not have access to a computer they were taken through the modules as a group with their line manager. For those employees who had special needs such as extra support with literacy skills this was provided via colleague support and/or engaging the services of our MALANI and MiTech programme. MALANI and MiTech provide help with literacy and numeracy skills and are an educational facility package of training, employment opportunities and local support services for the community and employees of Midlothian.

All employees "in agreement with their line manager" have the opportunity to identify their learning and development needs or requirements through the Competency Framework process. For teachers needs are identified via the Performance, Development and Review process.

### Competency Framework

Midlothian Council has adopted a Competency Framework that sets out 8 core competencies to ensure a consistent approach to managing performance and standards. This is achieved by helping managers assess competencies, recognise work well done, provide constructive feedback and develop employees in line with Council objectives. The introduction of the Competency Framework requires all local government employees (excluding casual workers and teachers) to participate in a Competency Appraisal with an identified appraisal manager.

The framework facilitates incremental progression where applicable and the agreed identification of learning and development needs. Where underperformance is identified a Performance Improvement Policy will apply with a view to support and develop an employee to reach their full potential.

All outcomes of the Competency Appraisal must be evidence based to ensure a fair and transparent process. Appraisal results will be monitored to audit results for indication of bias. In addition a quality



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assurance framework has been established to ensure consistency of standards and evidence is applied across the organisation.

Additional assistance has been identified for those, with particular support needs to allow their full participation in the process. It is recognised that the same standards will apply to these groups but targets must reflect the reasonable adjustments made to accommodate their contribution in the workplace.

### Applications and number of employees receiving training.

Centrally there are records of applications for corporate learning events and activities however employees retain their own records via the Competency Framework process. Learning and Development activities consist of both internal and external opportunities plus on the job development courses.

Learning and development opportunities are agreed between the employee and their manager via the Competency Framework process depending upon the relevance to their particular role. If certain development activities cannot be offered or agreed due to for example budgetary constraints then alternative methods of acquiring skills and knowledge will be considered such as an in house course activity.

In summary for 2012 the number of employees applying for and receiving training is **6159**.

Please note that many employees will receive more than one opportunity for training/ other learning and development activities throughout the year and this is reflected in the figure above. Please note the figure excludes mandatory e-learning modules.

- The majority of those trained are from white Scottish or white other British ethnic origin. However minority ethnic groups are also represented in the total numbers and are indicative of the workforce profile.
- 4% of employees who have declared that they have a disability have applied for and received training or other development activities.
- The largest number of those applying for, and receiving training were in the age bracket 45-54 which is again reflective of the composition of our workforce.

### Midlothian Leadership Development Programme.

Over the past few months the Organisational Development team have been working, as part of the People Strategy, to develop and implement a new Midlothian Leadership Pathway Programme. The programme is to develop managers, supervisors and team leaders, to engage and empower them, thereby releasing their full potential as leaders across the organisation. This in turn creates a working environment and culture which delivers promises and aspirations.

The programme has been designed in order that managers become more self-aware, recognising their strengths and development needs and, most importantly, how their behaviours affect other people.

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Effective leadership is critical in terms of eliminating discrimination, advancing equality of opportunity and fostering good relations among all equality groups. Leadership that 'walks the talk' on diversity and inclusion and behaves authentically sets the tone for the organisation and its employees.

A number of those with staff responsibility have now completed part of the programme. To date the gender and age breakdown is as follows:

<b>Gender</b>	
Male	55%
Female	45%
<b>Age Range</b>	
25-34	9%
35-44	36%
45-54	36%
55-64	19%

### Equal Pay

#### 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.

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- 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 2017.

### Gender Pay Gap

The gender pay gap is the difference between men's full time hourly earnings and women's full time hourly earnings. Normally the main causes of the pay gap are:

- Occupational Segregation
- A lack of flexible working opportunities
- Discrimination in pay and grading structures

In Midlothian Council there are a number of opportunities to work on a flexible or part time basis and more females than males have taken advantage of this.

The average basic hourly pay (excluding overtime) between men and women divided by the current gender headcount is as follows:

- Average Female Hourly Rate: £13.60
- Average Male Hourly Rate: 14.47
- Average Overall Hourly Rate: £13.83

This means that on average women earn 6% less than men and this is for a number of reasons:

- The higher number of women in lower grade posts.
- The higher number of women working part-time, either because the job is part-time or because they have chosen to work reduced hours as a flexible working pattern.

### Occupational Segregation

The Council recognises that occupational segregation is one of the key barriers which prevents women and men from fulfilling their potential and consequently contributes to the pay gap.

Research shows that women and men tend to work in gender segregated roles. Occupational segregation by gender refers to the differences in the distribution of women and men across job grading bands and job types.

The composition of our workforce gives examples of horizontal segregation and this in summary is:

- Women in more traditional type roles of cleaners, care workers and caterers.
- Men in traditional roles such as refuse collectors, labourers, drivers and mechanics.

Other examples of vertical and horizontal segregation can be shown by:

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- A higher number of women in lower grades and the higher number of men in more senior positions. However in recent years Midlothian Council has seen an increase in the number of females on the senior management team.
- There are more female than male teachers and three-quarters of newly qualified probationary teachers are female. In particular the Council is aiming to recruit more male teachers into the primary school sector.
- More females than males work in 'Care' positions such as Residential Care Worker, Community Support Worker and Social Work Assistant.
- More males than females hold 'trades' or 'craft' type jobs.

The challenge for the Council is therefore to address the inherent issues relating to horizontal and vertical segregation in service areas or job roles where they are currently dominated by male or female employees. It is anticipated however that this is changing and through the Mi Future initiative (see page 14), the Council will be actively encouraging for example males in traditional 'blue collar' manual roles to consider 'white collar' roles.

### Living Wage

Ultimately the Council's People Strategy outlines our commitment and responsibilities to ensuring fairness and equity when determining pay structures and practices and in addition:

*The 'Living Wage' was implemented in Midlothian effective as of 1<sup>st</sup> January 2013 Drivers behind the Living Wage (£7.45 per hour at the time of writing), considered that in the last decade distribution of income across the UK population has changed very little, and that the income gap has not reduced. In Scotland we also know that the percentage of the population within the bottom 3 income deciles has remained fairly constant at around 13-14% of overall income and that employees who earn less than £7 per hour are more likely to be part-time, and across all age groups are more likely to be female.*

*Those that will most benefit from the above are part-time female employees who will see an average increase in salary of approx 3.5%. The increase in base pay with the application of the living wage will result in improved maternity payments for those taking maternity leave who qualify for occupational maternity and paternity pay.*

*The aim to introduce a living wage to the Council also deals with some of the issues associated with poverty and as a result this is largely due to traditional occupational segregation.*

### **Harassment, Grievance and Discipline**

We have in the past two years reviewed all of the above procedures to update them in accordance with statute and best practice. Managers have also received appropriate development to be able to effectively manage these issues. In relation to harassment there is a network of harassment support officers for staff to attempt to resolve issues on an informal basis in the first instance. The use of this network has increased which means that employees feel that they can come forward and admit to feeling harassed and/or bullied.

In summary for 2012:

- There were 18 formal harassment complaints and of these 11 were female and 7 were, male. The age distribution was reflective of the overall workforce composition with the majority of employees being aged between 40 and 59. There were some employees with a declared

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disability who perceived they were victims of harassment and this is being investigated further to ensure that reasonable adjustments where required are in place.

As the numbers of harassment cases are quite small we do not wish to be too specific in case it has the unintended consequence of enabling any individual being identified.

- There were 65 disciplinary cases and where a sanction or warning was applied the analysis showed no evidence of disproportionate treatment because of age, disability' ethnic origin or gender.
- There were 48 grievance cases, 27 of which were raised by females and 21 that were raised by males which again is reflective of the composition of the workforce. The majority of employees raising a grievance were in the age category 45-64 and this will continue to be monitored for potential age discrimination.

### **Equality and Diversity in Employment**

The following paragraphs demonstrate areas of best practice in 'embedding' the principles of equality and diversity in employment eliminating discrimination, advancing equality of opportunity and fostering good relations.

#### **People Strategy**

Midlothian Council has developed a People Strategy covering a three year period from 2011- 2014. (A new strategy is being developed for 2015- 2018). This was largely in response to public sector reform, substantially reduced budgets and new approaches to partnership and cross-authority working which will impact directly on employees.

In developing the strategy employee feedback was crucial and this was obtained through an employee survey, Investors in People Assessment, Workforce Information etc.

In summary the strategy has six themes which are:

**Culture**-the Council is committed to creating an inclusive organisational culture which is open and is articulated through clear leadership and recognisable people values that demonstrate one Council working together to make things better.

At the core of our values will be a commitment to equalities and recognition that the principles of equal opportunity must be fully 'embedded' and communicated.

**Recognition**, This element of the strategy focuses on the need to celebrate and recognise the successes and achievements of employees and support the continuous improvement of services and working practices.

**Working Lives**, the Council recognises that employee must juggle competing demands both in and outside of work, and there is a need to provide and promote a range of policies, practices and options that allow all irrespective of protected characteristics to achieve a sustainable work/life balance,

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**Management**, there is the need to develop managers for the future which provides opportunities for employees and helps to develop services in a sustainable way that is consistent with the People Values and Competencies.

**Performance and Development.** Evidence from staff surveys suggests that employees do not always understand how their contribution and therefore any development activities they undertake relates to corporate plans and objectives. There is therefore a need to give every employee the opportunity to understand how their role contributes to the Council's goals. Every employee needs to believe that that they are supported and encouraged by their manager to learn new skills that will assist their effectiveness and sustained employability.

Listed below are some examples of initiatives under each main theme of the People Strategy:

### Culture

#### Annual employee surveys

Each year Midlothian Council encourages all employees to complete the survey and 'have their say' on for example:

Me and my job, Me and my manager, Me and the organisation, Me and my team. Questions and ratings under these particular headings allow the Council to formulate service action plans and engagement sessions as to where improvements require to be made or areas of best practice can be enhanced.

It has been very encouraging that in 2012 the response rate to the survey was 38% and for 2013 it was 59%. This demonstrates that employees are more involved in the process of 'having their say' and that they can see that the results of the survey and their views influence Council objectives, service plans and individual plans.

The specific questions with the greatest increase in percentage of respondents who agreed or strongly agreed were:

- I believe that we recognise, celebrate and share our achievements (up 14.2 percentage points to 71.2%)
- I receive constructive feedback from my line manager on how well I am doing (up 12.4 percentage points to 73.5%)
- I can see how my objectives link to my team's objectives and priorities (up 12 percentage points to 89.1%)

It is also encouraging that on average 91% of employees believe that we are an equal opportunities employer.

### People Values

In response to feedback from employees and in line with organisational best practice the, Council has developed a set of People Values of **celebrate** our success and achievements, **respect** each other's differences, strive for **excellence** in everything we do, **support** one another and work **together** (CREST).

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These values are now embedded into everything the Council does and they are promoted on a regular basis via the staff magazine and other communications.

### Staff Suggestion Scheme

The 'Making Us Better Scheme' is a staff ideas group which meets with employee representatives plus the Chief Executive to put forward ideas and suggestions submitted by staff. This scheme has resulted in for example a review of the flexible working hours scheme and employees have commented that this has allowed them to have an improved work/life balance subject to operational requirements..

### Recognition

#### Celebrate Midlothian

Celebrate Midlothian allows recognition of the outstanding performance and worthy efforts of employees, providing excellent service delivery, customer care, colleague support, or simply making a positive impact where it really matters. A judging panel will consider all nominations received and create a shortlist of nominees for each category.

One of the awards is for 'diversity in action' which celebrates and recognises achievement for embedding equalities into working practices and service delivery. Last year this was awarded to a team who had clients referred to them by Supported Employment Services which aims to successfully integrate people with disabilities into the labour market.

### Working Lives

#### Mental Health and Wellbeing Commendation Award

In August 2012 the Council was awarded the healthy working lives mental health and wellbeing commendation award. This Commendation Award sets a workplace standard for good practice in promoting positive mental health and well-being, supporting staff with mental health problems in the workplace and reducing barriers to recruiting staff with a history of mental health problems.

#### Integrated Employee Health Support Service

In September 2012 the Council tendered for the provision of a more integrated and easily accessible employee health support service to support employee health, wellbeing and the ability to sustain regular attendance at work. These services such as Occupational Health can help by giving advice and recommending interventions or adjustments enabling employees to remain at work therefore preventing sickness absence and/or facilitating a return to work following a period of ill health.

In particular as a result of these services the Council has supported a number of employees including those who have declared that they consider themselves to have a disability.

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## **Management**

### Chief Executive question time sessions

These sessions provide employees with an opportunity to ask a range of questions with the Council's Chief Executive. The sessions are valued by employees who can ask questions on any Council issues and/or service delivery.

### Management Competencies and Development

As previously detailed the above area is crucial to the overall and sustained development of the organisation. In particular it is expected that the development of managers in Midlothian will have a positive impact on all employees.

## **Performance and Development**

Details have been provided earlier in this document on for example the Competency Framework and Leadership Pathway Programme.

### Summary

This report demonstrates the methods by which equality and diversity issues are integral to Midlothian Council and there are many examples of good practice. The essential aim is to foster good relations activities at both corporate and operational level. It is recognised that there is a system of continuous improvement required in many areas to tackle prejudice and promote understanding. The following action plan details activities that will be undertaken to strive to meet the Council's equality and diversity in employment outcome to eliminate discrimination, advance equality of opportunity and foster good relations.



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Outcome: Creating and maintaining an inclusive culture where equalities in employment is an integral function which ensures that employment matters are determined solely on the basis of capability, qualifications, experience, skills and performance which will result in a supported, engaged and highly performing workforce.				
<b>Actions to be taken to achieve equality in employment outcome, eliminate discrimination, advance equality of opportunity and foster good relations.</b>	<b>Protected characteristic</b>	<b>Action</b>	<b>Date</b>	<b>Comment/s</b>
The Council will be fully aware of the make -up of the workforce and actively encourage more participation in completing the equality monitoring questionnaire to more accurately reflect the composition of the workforce.	All	Collection exercise of equalities monitoring data to be repeated 2014	2014	Employees will be advised to update/ review their 'sensitive' data on line or by paper.
Midlothian Council employees will have increased	All	Continuing review of employment policies and	Ongoing	Monitoring will also take place via the EQIA process.

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understanding of Equal Opportunities in Employment and their obligations in line with the Equality Act 2010.		practices Completion of Equality and Diversity e learning module which is mandatory for all employees.		
Midlothian Council will minimise and eliminate discrimination in all employment practices by continuing to complete EQIA'S and adjust processes accordingly to eliminate discrimination and foster good relations.	All	Monitored via recruitment plus review and implementation of policies, procedures and practice. This also takes place via the EQIA process.	Ongoing	Review as necessary all HR, processes and procedures on an ongoing basis/ as advised by best practice and relevant bodies such as Equality and Human Rights Commission.
Midlothian Council will engage with employees to improve our understanding of their experiences of employment in the workplace.	All	Monitored through 'new eyes' scheme, via Corporate Induction programme. This data can also be collected through the employee survey	Ongoing	This will also be achieved via development opportunities such as MILO (e-learning training package).
Midlothian Council will be an employer	Disabled employees	Monitored via the Disability Forum,	Ongoing	This will also be monitored via

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<p>of choice for disabled people and reasonable adjustments will continue to be made to support disabled people in employment.</p>		<p>Maximising Attendance Policy, Procedure and Guidance.</p>		<p>recruitment and the application for the 'two ticks' guaranteed interview scheme.</p>
<p>Midlothian Council will ensure gender equality in employment and take steps to encourage women into craft and trade roles that are traditionally viewed as male roles. Steps will also be taken to encourage men into for example care positions that are traditionally viewed as female roles.</p>	<p>Gender</p>	<p>Monitored via gender pay gap information collected on an annual basis</p>	<p>Annually</p>	<p>Monitoring will also take place via the flexible working scheme</p>

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<p>Midlothian Council will be an employer of choice for LGBT people and there is a commitment to increase understanding and knowledge of barriers those from this protected characteristic 'face' in employment.</p>	<p>Sexual orientation</p>	<p>Action via formulating links with organisations such as 'Stonewall'.</p>	<p>Ongoing</p>	<p>Monitored via annual Equalities Information collected each year.</p>
<p>Midlothian Council will eliminate as far as possible discrimination in employment, education and training on the basis of age via appropriate monitoring.</p>	<p>Age</p>	<p>Monitoring of recruitment data, learning and development opportunities ensuring that there are no patterns of potential discrimination on the grounds of age.</p>	<p>Annually</p>	<p>Monitored via annual Equalities Information collected each year. It has been identified via monitoring that employees within the age bracket 16-25 continues to fall however there are trainee schemes, work placement opportunities to address this.</p>

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Ensure that Midlothian Council offer a non discriminatory package of employee benefits and work/life balance practices.	All	'People Policies' within the Council apply to all equality groups and monitoring will take place via analysis. Living wage.	Ongoing	
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## **The Education Authority - Equality and Diversity in Employment**

Outcome: Creating and maintaining an inclusive culture where equalities in employment is an integral function which ensures that employment matters are determined solely on the basis of capability, qualifications, experience, skills and performance which will result in a supported, engaged and highly performing workforce.

### **Teachers**

#### **Key Findings**

##### Teachers in post

Currently there are 1, 144 teachers in post and of this 73% are female and 27% are male. Particular recruitment strategies are in place to encourage male teachers into the primary school sector.

##### Gender Pay Gap

The average hourly rate for female teachers is £20.61 per hour and for males it is £21.58. The gender pay gap is therefore approximately 5%.

##### Recruitment

For the year 2012/13 171 new or promoted teacher positions were advertised by Midlothian Council.

##### Leavers

In 2012 there were a total of 122 teachers who left Midlothian Council. Reasons for leaving are detailed in the table below:

Retirement/ Voluntary Severance	37%
Resignation-Other Employment	28%
End of fixed term/temporary contract	22%
Permanent/temporary incapacity	5%
Dismissals (Conduct)	None
Death in Service	None
Personal Reasons	8%
Unknown	None

##### Learning and Development

Development needs for teachers are via the Performance and Development Review process which teachers must complete as part of their Continuing Professional Development.