

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

Agenda Item No.

meeting date: WEDNESDAY, 7 SEPTEMBER 2011
title: EQUALITIES ACT 2010 – WORKFORCE DATA
submitted by: HEAD OF HR
principal author: MICHELLE SMITH

1. PURPOSE

1.1 To update Members on workfore data to be published in compliance with the Equality Act 2010.

1.2 Relevance to the Council's ambitions:

- Council Ambitions: As staff are the Council's biggest resource, the achievement of all the Council's ambitions is dependent on a diverse, dedicated and committed workforce.
- Community Objectives: See above.
- Corporate Priorities: See above.
- Other considerations: None.

2. BACKGROUND

2.1 The Equality Act 2010 provides a cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

2.2 The Act has two main purposes – to bring together and simplify all of the existing discrimination law, and to strengthen the law to support progress on equality.

3. ISSUES

3.1 As I reported at the last meeting, the Equality Act sets out the general duties and specific duties in relation to equalities. In order to comply with the general equality duty, a public authority must ensure that:

- staff and leadership are aware of the duty's requirements. Compliance involves 'a conscious approach and state of mind'. This means that decision-makers must be fully aware of the implications of the duty when making decisions about their policies and practices;
- the duty is complied with before and at the time that a particular policy is under consideration and a decision is taken. A public authority cannot satisfy the duty by justifying a decision after it has been taken;
- the duty must be exercised in such a way that it influences the final decision; and
- any third parties exercising public functions on its behalf are required to comply with the duty, and that they do so in practice.

Regard is given to the need to advance equality when a policy is implemented and reviewed.

3.2 The specific duties require listed bodies to publish information to demonstrate that they have complied with the general equality duty across their functions. All such bodies must publish information to demonstrate how they are meeting the general duty for service users. Listed bodies with 150 staff or more also need to publish that information in relation to their employees.

3.3 The Commission would normally expect to see the following:

For bodies with 150 staff or more:

- The race, disability, gender, age breakdown and distribution of our workforce.
- Indication of likely representation on sexual orientation and religion or belief, provided that no individuals could be identified as a result.
- An indication of any issues for transsexual staff, based on your engagement with transsexual staff or voluntary groups.
- Gender pay gap information.

3.4 We have now collated equality data on our current workforce and will publish the information at Appendix 1 on our website in order to comply with the specific duty. This data is a starting point. There are some elements of equality data which we do not currently collect but we have amended various HR forms/procedures to ensure that this information can be collected in the future.

3.5 The workforce data includes some comparisons with Local Government averages and Census information where relevant.

3.6 The data provides a comprehensive overview of our current workforce and is useful for workforce planning as well as meeting the requirements of the Equality Act 2010. Members may wish to consider any positive action that could be taken to increase representation from under-represented groups or to identify any challenges posed by our current workforce demographic.

4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources: None.
- Technical, Environmental and Legal: The Council has a legal duty to ensure that staff are not discriminated against in the workplace and failure to comply with the legislation could result in action being taken against the council.
- Political: There are no political implications.
- Reputation: None.

5. **RECOMMENDED THAT COMMITTEE**

5.1 Note the report.

MICHELLE SMITH
HEAD OF HUMAN RESOURCES

For further information please ask for Michelle Smith, ext 4402.