

<b>Report of:</b>	Director of Legal and Governance Services
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<b>Submitted to:</b>	Executive Member for Finance and Governance
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<b>Date:</b>	14 December 2022
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<b>Subject:</b>	Equality and Inclusion Report 2021
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<b>Report for:</b>	Decision
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<b>Status:</b>	Public
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<b>Strategic priority:</b>	All
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<b>Key decision:</b>	No
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<b>Why:</b>	Decision does not reach the threshold to be a key decision
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<b>Urgent:</b>	No
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<b>Why:</b>	Not applicable
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### Executive Summary

The report sets out:

- the diversity characteristics of both the town and the Council's employees and customers.
- how the Council complies with its duties under the Equality Act 2010; and
- progress to date in actions taken to improve equality and inclusion outcomes for local communities and the Council's workforce, and
- planned action to be taken in the next year.

## **Purpose**

1. This report presents the Council's Equality and Inclusion Report 2020-21 and asks the Executive Member to agree a number of actions to improve outcomes for local communities and the Council's workforce.

## **Background and Relevant information**

2. The Equality Act 2010 placed a Public Sector Equality Duty (PSED) on local authorities and other bodies. The broad purpose of the PSED is to integrate consideration of equality and good relations into day-to-day business. It requires equality considerations to be reflected into the design of policies (including internal policies) and the delivery of services, and for these issues to be kept under review. One way in which the Council meets this duty is that it has an impact assessment policy in place. This ensures that it considers the requirements of the PSED within its decision making processes.
3. This PSED is supported by specific regulations that place additional duties upon the Council. In particular the Council is required to publish a range of data to demonstrate its compliance with the PSED and on the composition and equality of its workforce.
4. The Council's Annual Equality and Inclusion Report ensures that these duties are met and that all relevant data is published, in line with statutory requirements.
5. The previous report covered both 2019 and 2020 due to operational factors following the delay of the 2019 report due to the impact of COVID-19 on the Council, this report presented to today's meeting (Appendix 1) covers 2021 and:
  - describes and compares the diversity of Middlesbrough's population and the Council's workforce, alongside appropriate comparators;
  - sets out how the Council complies with its duties under the Equality Act 2010; and
  - summarises progress to date in actions taken to improve equality and inclusion outcomes for local communities and the Council's workforce, and sets out further action to be taken in the next year.
6. The report and associated datasets will be published on the Council's Open Data site following today's meeting.
7. The report finds that:
  - The town continues to be younger than national averages, with the percentage of the population under the age of 15 increasing, while it is decreasing nationally
  - Middlesbrough continues to be one of the most deprived areas in England, with the highest proportion of children in the country living in income deprived households.
  - The diversity of the Council's workforce continues to be broadly equivalent to local diversity, with the exception of ethnicity. Those from non-white backgrounds continue to be underrepresented and has dipped from 4.05% to 3.4% in 2021 although the diversity of applicants for vacant posts has increased.
  - The Council continues to have an appropriate suite of policies in place to protect employees from discrimination, and there is no evidence of negative discrimination within the Council's operations.
  - The Council supports staff at work to fulfil their potential. We recognise that staff are the happiest when they are supported. The Council has 5 networks including

Disability and Wellbeing, Carers, Race, Religion and Belief including three newly introduced networks LGBT+, Gender and Menopause. The networks are a safe place for staff to voice any issues, help improve inclusivity and tackle discrimination. The Council's initiatives in support of its equality objectives and the wider inequalities agenda are embedded within its Strategic Plan. This ensures that it can continue to demonstrate compliance with its legal duties in the Equality Act.

8. The action plan for 2022/23 at the conclusion of report responds to these findings.
9. As previously reported to the Executive, the disproportionate impacts of the COVID-19 pandemic exposed the inequalities that exist within societies across the world, including within Middlesbrough.

### **What decision(s) are being recommended?**

10. That the Executive Member notes the findings and progress outlined in the Equality and Inclusion Report 2021 (Appendix 1) and approves the proposed actions set out within the report to promote continuous improvement.

### **Rationale for the recommended decision(s)**

11. To demonstrate the Council's compliance with the PSED and related requirements to publish related data, and to demonstrate to all stakeholders the Council's commitment to improving equality and inclusion within Middlesbrough and within its workforce.

### **Other potential decisions and why these have not been recommended**

12. The Council could choose to present the data within this report within two more separate reports (e.g. one regarding equality objectives and another on workforce data). However, this is not recommended, as bringing all data together in one report provides for coherent analysis and response and is in line with the Council's commitment to openness and transparency.

### **Impact(s) of recommended decision(s)**

#### **Legal**

13. The report and its associated action plan, demonstrates how the Council does and will continue to meet its various statutory duties in relation to equality and inclusion, including those set out in the Equality Act 2010.

### **Strategic priorities and risks**

14. Current and planned activity outlined is consistent with the aims and priorities of the Strategic Plan, so this report does not seek to vary the Council's Policy Framework. The Council's approach to equality and inclusion will have a positive impact on a number of risks within its strategic risk register in the short and longer-term. In particular its commitment to ensuring the workforce is representative of local communities should impact positively on risk. This report impacts positively on the following strategic risks:

- failure to comply with the law

- failure to ensure good governance.

## Human Rights, Equality and Data Protection

15. The Equality and Inclusion action plan for 2022/23 (set out at the end of Appendix 1) has been subject to Level 1 (screening) equality impact assessment (at Appendix 2). This assessment identified that no negative differential impacts on diverse groups and communities within Middlesbrough is anticipated from the delivery of the action plan.

## Financial

16. It is anticipated that all actions proposed in this report are achievable within existing and planned budgets.

## Actions to be taken to implement the decision

Action	Responsible Officer	Deadline
Delivery of the action plan	Lead officers	March 2023

## Appendices

1	Equality and Diversity Report 2021
2	Equality and Inclusion Action Plan 2022/23 – Impact Assessment Level 1: Initial screening assessment

## Background papers

Body	Report title	Date
Executive Member for Finance and Governance	Annual Equality and Inclusion Report 2017	22/11/17
Executive Member for Finance and Governance	Annual Equality and Inclusion Report 2018	19/02/19
Deputy Mayor and Executive Member for Culture and Communities	Annual Equality and Inclusion report 2019 and 2020	27/7/21

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## Appendix 1: Equality and Inclusion Report 2021

### Introduction

1. The Equality Act 2010 places a Public Sector Equality Duty (PSED) on the Council. The PSED requires that when taking decisions the Council must have due regard to the need to:
  - eliminate discrimination, harassment and victimisation;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2. The protected characteristics are:
  - age;
  - disability;
  - gender reassignment;
  - marriage and civil partnership;
  - pregnancy and maternity;
  - race;
  - religion or belief;
  - sex; and
  - sexual orientation.
3. All individuals have some of the protected characteristics and so would be covered by the provisions of the Act when experiencing discrimination due to these characteristics. Some conditions (e.g. menopause) also are covered under several characteristics.
4. Discrimination by association is also covered by the Act, protecting, for example, carers from being treated less favourably because their caring responsibilities for an elderly or disabled person.
5. The Act states that compliance with this duty may involve:
  - removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
  - encouraging persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
6. The PSED states consideration should also be given to the steps involved in meeting the needs of disabled persons where they are different from the needs of people who are not disabled including, in particular, steps to take account of disabled persons' disabilities.

7. The Act is supported by specific regulations, which place additional duties upon the Council, including the requirement to publish information to demonstrate its compliance with the PSED and to prepare and publish one or more specific and measurable objective it thinks it should achieve to enable it to meet the general PSED.

## **Purpose of the Equality and Inclusion Report**

8. The purpose of this report is to:
  - describe and compare the diversity of Middlesbrough's population and the Council's workforce, alongside appropriate comparators;
  - set out how the Council complies with its duties under the Equality Act 2010; and
  - summarise progress to date in actions taken to improve equality and inclusion outcomes for local communities and the Council's workforce, and set out further action to be taken in the next year.

## **Diversity within Middlesbrough**

### **Population**

9. Middlesbrough's current population is estimated to be 141,285 (2020 mid-year population estimate, ONS), up from 140,980 in 2019. It is one of the smallest local authorities in the country by population and by area, and so has a high population density, at 5.00 people per hectare compared with 4.42 in England overall.

### **Age**

10. The town's population overall is younger than both regional and national averages, with 21.20% of the population aged 15 and under (20.08% in 2019-20), compared with 17.85% in the UK overall (19.22% in 2019-20).

### **Disability**

11. Life expectancy and the overall health of the local population in Middlesbrough is generally significantly worse than the England average, and those in the most deprived areas of Middlesbrough can expect to live around 12 years less than those in the least deprived.
12. 23.9% of those aged 16-64 were Equality Act Core or work-limiting disabled in Middlesbrough in the 12 months to March 2021, compared with 21.4% nationally and 28.2% regionally according to the ONS, Annual Population Survey (23% locally 21.3% nationally and 25.9% regionally in 2019-20).

### **Gender reassignment**

13. There is no reliable data on gender reassignment at local authority level – the recent Census included a voluntary question on this for the first time.

### **Marriage and civil partnership**

14. At the 2011 Census, 41.5% of Middlesbrough's adults were married or in a civil partnership, compared with 45.7% in the North East and 46.7% in the UK overall.
15. The most recent local authority-level data relating to marriage and civil partnership is from 2018, in which 24.8% of ceremonies were religious and 75.2% non-religious, compared with 19.96% / 80.0% and 20.9% / 79.1% in the North East and England respectively. This shows a 2% reduction in all areas from the 2017 figures.
16. 98.1% of marriages in Middlesbrough were opposite-sex, with 0.9% male and 1.1% female same-sex marriages. The north east and all England rates are higher at 97.1%, 1.27% and 1.7% respectively.

### **Pregnancy and maternity**

17. Middlesbrough has a significantly higher fertility rate than the North East and England overall, with a rate of 64.1 per 1,000 females aged 15-44 in 2020, compared with 50.4 in the North East and 55.3 in England. The fertility rate per 1,000 females aged 15-17 in Middlesbrough is over twice the England average. The fertility rate in Middlesbrough is rising since 2019-20 whereas the regional and national figures are dropping.

### **Race**

18. 11.7% of residents are estimated to be from Black, Asian and Minority Ethnic (BAME) communities, compared with 14.6% nationally, making Middlesbrough the second most ethnically diverse local authority area in the North East and the most diverse in the Tees Valley. 26% of current school-age children are from BAME communities.
19. 8.63% of Middlesbrough's residents were born outside the UK (significantly higher than the North East average of 5.42%, and up 4.36% points since 2001), international migrants are at the present time the key driver of continued population growth within Middlesbrough. This has dropped from 12.86% in 2019-20 for Middlesbrough and 5.95% regionally, this may be a result of the UK leaving the European Union and transition period ending on 31-12-2020.

### **Religion or belief**

20. The 2011 Census reported that 63.2% of the Middlesbrough population who answered this question were Christian (compared with 67.5% in the North East and 59.4% in England), 7% Muslim (1.8% North East, 5% England), 1.32% other religions including Buddhism, Hinduism, Judaism (1.2% North East, 3.68% in England), and 22.3% no religion (23.4 North East, 24.7% England).

### **Sex**

21. 50.5% of Middlesbrough's residents are female, with 49.5% male, a marginally higher proportion of males than the North East and Great Britain averages. This is unchanged from 2019-20.

### **Sexual orientation**

22. There is no reliable data on sexual orientation at local authority level – the recent Census included a voluntary question on this for the first time and will be included in future reports once it is published.
23. The 2014 integrated household survey indicated that 1.3% of the North East population identified as being gay, lesbian or bi-sexual, compared with 1.6% nationally. In general terms, statistics relating to sexual orientation are considered to under-report diversity. This was 1.1% and 1.7% respectively in the previous (2013) survey. As this survey is completed by one person on behalf of the household it is likely to be a significant undercount.

### **Caring responsibilities**

24. In the quarter to May 2021, DWP reported a total of 4,940 individuals as being eligible for a Carers Allowance, and a total of 3,857 receiving payment in Middlesbrough. The proportion of claimants within Middlesbrough is significantly higher than the North East and overall England average. Although there are 12 more people eligible than the previous report, there are 51 fewer claimants.

### **Deprivation**

25. The Indices of Deprivation 2019 ranks Middlesbrough the fifth most deprived local authority (LA) area in England and the most deprived area in the Tees Valley.
26. Middlesbrough is ranked the most deprived LA area in England for income deprivation. It has the highest proportion of children (32.7%) living in income deprived households (being second highest in 2015), and the 22nd highest proportion of older people (23.3%) living in income deprived households (unchanged from 2015).
27. Middlesbrough is also the LA with the highest proportion of LSOAs in the most deprived decile of the IMD 2019. Middlesbrough also ranked first on this measure in 2015, and second in 2010.
28. Many of the disadvantages faced by protected groups are underpinned or made worse by deprivation and discrimination can be a direct or indirect cause of deprivation, in employment, income, health, education and other areas.
29. In particular, children in Middlesbrough are more likely than children in the wider region and nationally to be subject to child protection or have to be cared for by Council.

### **COVID-19**

30. At times during the COVID-19 pandemic, Middlesbrough has experienced some of the highest rates of infection in the UK. The reasons for the apparent disproportionate impact on Middlesbrough require detailed investigation in due course, however, the following factors are likely to be significant:
  - the extent of overall poor health within Middlesbrough's communities;
  - the extent of income and health inequalities within Middlesbrough's communities;
  - the population density and housing tenure types within Middlesbrough; and
  - the proportion of workers in jobs where social distancing is difficult.



31. COVID-19 has had and will continue to have significant adverse implications for those with protected characteristics over and above the impact on the general population, however the Council is now focussed on ensuring addressing inequalities in outcomes is embedded within its planned recovery actions.

### **Diversity of the Council's workforce**

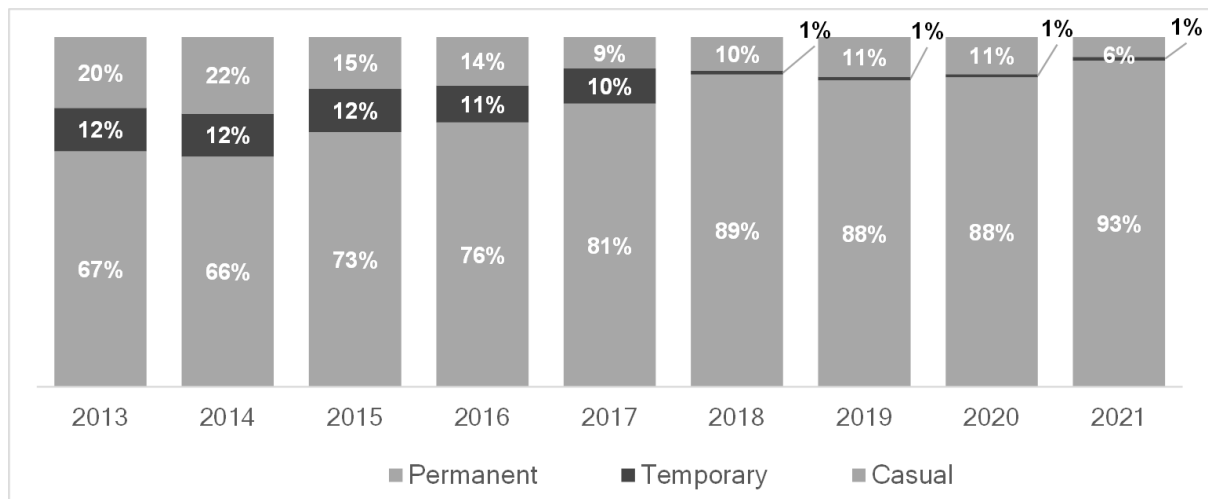
32. The Council provides a wide range of services to people and groups who live in, work in or visit Middlesbrough, and its actions and decisions affect the lives of all people within the town to some degree.
33. Analysis of those who use the MyMiddlesbrough online citizen account (where they have completed equality monitoring forms) suggests (as would be expected) that the Council's customer base broadly reflects the diversity of the Middlesbrough's population as described above. 53.05% of those who completed the form were female, compared to 45.7% male (1.25% preferred not to say). 9.61% of those who used the service declared that they had a disability. 11.1% of those who used the service declared that their ethnicity was Asian or Black.
34. There is a clear relationship between the Council's workforce and the communities it serves, indeed there is a significant overlap between the two. An estimated 70% of employees live in the local area and so are funders, recipients and providers of local services.
35. As community leader, it is desirable for the Council's workforce to be broadly representative of the communities it serves to ensure that diversity is part of the Council's 'DNA' and so that those communities feel better connected to the work of the Council.
36. The following paragraphs set out statistics on diversity within the Council's workforce, compared with the town's population, where data is available.
37. Employee's diversity data is self-declared and discretionary, with employees asked to update the Council's HR system annually. As such the completeness of the data is variable, as illustrated in the table below.

Characteristic	Response provided	Disclosed	Not known	Undisclosed
Disability	93.76%	84.10%	9.66%	15.90%
Race	87.36%	86.64%	0.07%	13.36%
Religion or belief	66.05%	63.04%	5.17%	36.96%
Sexual orientation	66.79%	64.16%	0.88%	35.84%

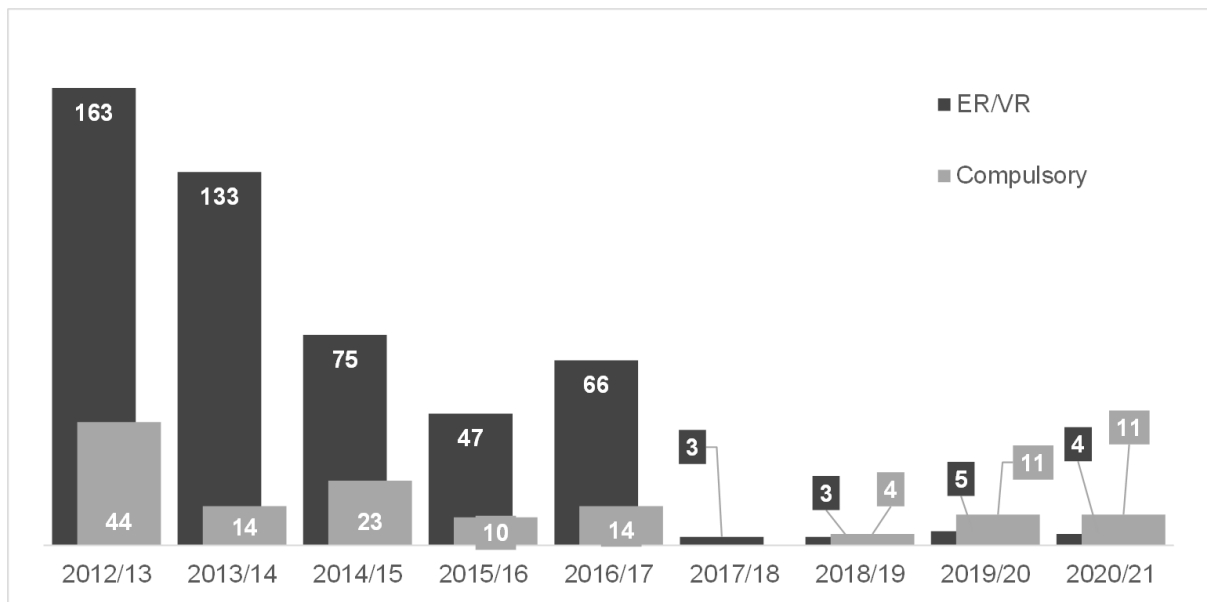
38. From this it can be concluded that employees are much less likely to disclose their sexual orientation or religion or belief. This is not uncommon in any organisation, and can be for a number of reasons, both positive and negative. However, it is the responsibility of all employers to provide a positive and inclusive environment that allows employees to be comfortable in declaring such information, should they wish to do so, and during 2021 the percentage of Council employees willing to share this information improved across all protected characteristics.

## Workforce population

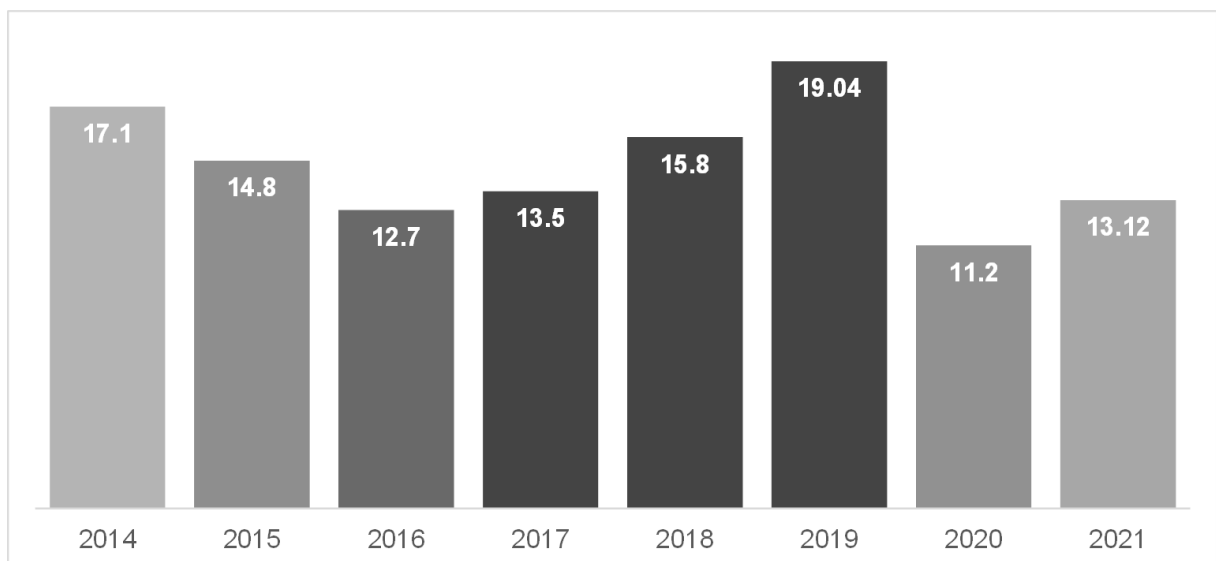
39. At the 31 March 2021, the Council employed 2,919 people, down 420 from 31 March 2020, equating to 2,371 Full Time Equivalent (FTE) and 3,144 posts, excluding casual posts. The Council remains one of the largest employers in Middlesbrough, providing around 6% of jobs in the local authority area.
40. The proportion of staff on permanent contracts was 93% at 31 March 2021 up from 88% in 2020, those on temporary terms reduced from 11% to 6% with 1% on casual contracts. This is higher than the national average rate of 89.6% at Quarter Three 2020.



41. 421 posts were recruited by the Council via the North East Jobs website in 2019/20 and 390 in 2020/21. There were 2500 applications on 2019/20 with 5.94 applications per post, In 2020/21, applications rose slightly to 2,552, with 6.68 applicants per post.
42. Leavers fell to 374 in 2019/20, reflecting the impact of the pandemic, and remained low at 382 in 2020/21. In 2018/19, 661 people left the Council, up from 551 and 457 in the preceding two years, reflected in the increased staff turnover rate described above.
43. Redundancies were again minimised during the years covered by this report, with 3.4% of leavers (13 in total) made redundant over the period.

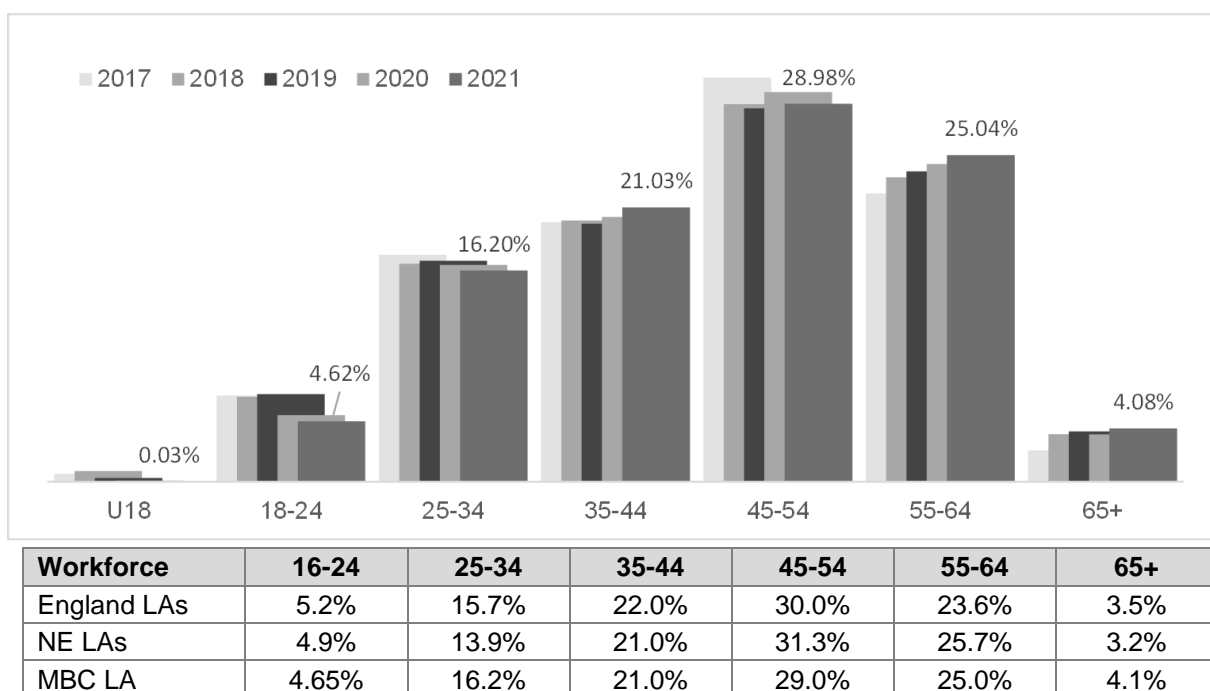


44. In line with the above, staff turnover in 2020 was 16.4%, down from 19.0% in 2019 the highest level since 2013. This dropped significantly to 13.1% in 2021, reflecting the continuing impact of the COVID-19 pandemic. The most recent national comparator is from 2017/18, when the all England local government turnover rate was estimated to be 13.4%.



## Age

45. 79.2% of the Council's workforce is aged over 35, with 58.1% aged over 45. Both percentages have increased slightly since 2019/20. This broadly reflects ageing profile of the local government workforce as a whole, though the Council has a slightly greater proportion of employees aged under 35 than regional and national averages, reflecting the local workforce profile.



Local Government Workforce Survey, LGA 2019/20

46. The average age of leavers was 45 in 2020/21 down slightly from 46 in 2019/20 and 45 in 2018/19.

### Disability

47. The Council has been accredited with the national 'Disability Confident' employer award and is committed to being a positive employer for people with a disability. As part of this the Council offers guaranteed interviews to those individuals with a disability who meet the essential criteria for all posts advertised. In 2019/20, 5.5% of applicants declared a disability, this was slightly higher in 2020/21 at 6.23%.
48. Since 2014, the proportion of employees with a declared disability has risen slightly from 2.22% to 3.67%, however given the reduction in the overall workforce during this period the change in absolute numbers is likely to be negligible.
49. The national average for local government was 3.3% in 2019/20. However, as paragraph 33 makes clear, 9.7% of the Council's employees appear to be unsure as to whether they fall within the legal definition of disability, which is a reduction from 12% in 2020, a reflection of ongoing communications to all staff about equality monitoring.

### Gender reassignment

50. No information is available on the prevalence of gender reassignment in the Council's workforce. This will be added into employee equality monitoring in future years.

### Marriage and civil partnership

51. Over one third of the Council's workforce have advised that they are married (1,033 at March 2021 – broadly consistent with the previous three years). 0.1% are in a civil partnership in the Council's workforce. These figures are relatively under-reported with only 68.2% of staff responding.

## **Pregnancy and maternity**

52. While Council does not hold information on pregnancies among employees, there were 43 maternity leave during 2020/21, up from 41, 17 and 29 in the prior three years.

## **Race**

53. At 31 March 2021, 3.40% of employees self-identified as being from BAME communities, down from 4.05% in 2019/20, but up from 3.1% in 2018/19. This is a higher proportion than the average for North East councils, but lags some way behind the average for all England councils.

<b>Workforce</b>	<b>White</b>	<b>BAME</b>
England LAs	89.2%	10.8%
NE LAs	97.7%	2.3%
MBC LA	95.7%	3.4%

Local Government Workforce Survey, LGA 2019/20

54. BAME communities are currently estimated to comprise 14% of the UK population, and 4.7% of the North East population, suggesting that such communities continue to be the most underrepresented in the local government workforce as a whole.
55. Periodically the LGA runs campaigns to encourage BAME communities to apply to jobs within the sector, and the run for office. There are some signs of improvement locally – in 2019/20 13.2% of applicants to the Council were from BAME communities and this rose to 14.1% in 2020/21. 14.1% of applicants, 10.0% of people shortlisted and 7.9% of people employed declared themselves to be from BAME communities where they completed equality monitoring questions.

## **Religion or belief**

56. In 2020/21, 47.04% of employees that responded stated that they were Christian, compared with 43.73% in 2019/20. 35.32% of employees professed no religious belief in 2020/21, compared to 36.93% in 2019/20. Employees stating that they were Muslim were the third highest grouping, rising from 1.24% in 2017/18 to 1.66% in 2018/19, 1.85% in 2019/20 to 2.13% in 2020/21. There is no comparison data for the wider local government workforce.

## **Sex**

57. The Council's workforce is majority female – 70.09% of the Council's employees were women in 2020/21 up slightly from 70.05% in 2019/20, 70.62% 2018/19, and 71.35% in 2017/18.
58. While this is not reflective of the wider UK workforce, which shows a roughly equal gender split – it is broadly comparable with other local authorities and reflects traditional gender roles within public services, with 74.89% of the directly-employed local government workforce female at Quarter Three 2020.
59. 65.9% of job applications received in 2019/20 were from females and in 2020/21 this fell slightly to 64.3%. Analysis of job applications during 2020/21 shows that

applicants continue to follow traditional paths. For traditionally female roles (e.g. cleaning, catering, care, education and administration), 75.8% of applicants were female. For traditionally male-dominated roles (e.g. driving, mechanical and manual outdoor work) 87.2% of applicants were male.

60. In 2019/20 71.66% of leavers were female, and in 2020/21 this reduced to 69.11%. 36.67% of those who left the Council as a result of redundancy in 2019/20 were female, raising to 46.15% in 2020/21.
61. Females accounted for 37.5% of the Council's Management Team at the end of 2020/21. The 2018 LGA Chief Executives / Chief Officers Survey 2018 identified 46.8% of females in these roles.
62. Overall, females held 55.56% of Head of Service posts at the end of 2020/21, down slightly from 56.76% in 2019/20, 51.11% in 2018/19 and 53.85% in 2017/18. The majority of Heads of Service within Children's Services (83.33%) were women, with the remaining Directorates demonstrating with an equal gender split or a majority of men in these roles.
63. At 31 March 2021 58.55%, (54.29 at 31 March 2020, 55.00% at 31 March 2019) of the top 5% highest paid employees within the Council were female. There is however a significantly larger proportion of females in the lower and middle salary quartiles, and this is reflected in the gender pay gap.
64. The average gender pay gap within the Council in 2020 was 8.07%, down from 9.9% in 2019. This means that, on average, men were paid 8.07% more. The gender pay gap report for 2021 will be published later in 2022.
65. Nationally the average gender pay gap for this period was 15.5%, and the LGA estimates that the average gap across the 319 local authorities above the 250 employee threshold was 6.8% in 2018/19 and 5.9% in 2019/20.
66. It should however be noted that there are some difficulties in comparing local authorities, as some have outsourced services that contain large volumes of lower-paid workers (e.g. cleaning and catering), while others, including this Council, have retained such services, increasing the gap.

### **Sexual orientation**

67. In 2020-21, 92.75% of employees that responded stated that they were heterosexual, 3.32% stated that they were either bisexual, a gay man or a gay woman / lesbian, increasing from 3.29% in 2019/20. This figure is greater than existing estimates for the North East population. There is no comparison data for the wider local government workforce.

### **Caring responsibilities**

68. In 2020/21 19.66% of employees that completed equality monitoring declared that they had caring responsibilities, dropping significantly from 33.52% in 2019/20, 28.2% in 2018/19 and 16.5% in 2017/18. 76.48% of carers had a caring responsibility for children, the remainder for a partner or other adults. There is no comparison data for the wider local government workforce.

## **Employee sickness absence**

69. The average number of sick days per employee during 2020/21 was 11.45, compared with 11.11 in 2019/20, 10.51 in 2018/19 and 10.73 days in 2017/18. In 2020/21, 4.74% of all staff working time was lost to sickness across the Council, down from 5.29% in 2019/20 and up from 4.35% in 2018/19.
70. Around 62.6% of all sickness occurrences were short-term, for an average of 3.6 working days each. The average duration of a long-term sickness absence was approximately 36 working days.
71. The most recent comparator was the 2017/18 LGA Workforce Survey which gave an average for all local authorities of 8.8 days per FTE or 3.6% lost working time.
72. The apparent difference in absence will be linked to local differences in recording, general health deprivation with Middlesbrough and the Council's direct employment of certain job types, among other factors. The Council appointed a HR Business Partner for a fixed term to increase capacity temporarily as part of its post covid response to support employee health and wellbeing.
73. Despite the pandemic ongoing, sickness rates have not spiked significantly. This could be a reflection of the increasingly agile nature of the workplace that has been put in place, enabling staff to work from home where they are contagious but not unwell, removal of core hours for many staff etc.

## **Diversity of apprentices**

74. The Council is committed to providing a range of apprenticeships for local young people. In 2020/21 84 apprentices (including both new hires and existing employees taking up an apprenticeship) started with the Council, down from 116 in 2019/20 and 101 in 2018/19.
  - 73% of the apprentices starting in 2020/21 were female, dropping from 80% in 2019/20 and 77% in 2018/19
  - 11% of those starting in 2020/21 declared a disability, down from 15% in 2019/20 and 8% in 2018/19
  - 3% of those starting in 2020/21 were from BAME communities, down from 8% in 2019/20 and 5% in 2018/19
75. 66% of those completing apprenticeships during 2020/21 gained employment, down from 72% in 2019/20, 70% in 2018/19 and 55% in 2017/18, with the majority of employment gained within the Council. 24% progressed to higher level apprenticeships or further / higher education (compared with 20% in 2019/20), the remaining 10% were seeking employment (up from 8% in 2019/20).
76. There are various factors affecting the reduction in apprentices numbers:
  - the scheme now takes 15 months rather than 12;
  - working from home is not the best environment for mentoring or learning skills
  - young people are preferring to stay in school, this is the same across all the Tees Valley

- other government schemes (i.e. Kickstart) pay higher rates and run for a shorter period
- further uncertainty on how blended working will impact the scheme.

## Diversity of volunteers

77. The Council recognises the significant and valuable role that volunteering can play in delivering discretionary public services and in providing opportunities to local residents to raise their aspirations and improve job prospects.
78. The Council's volunteer workforce has remained largely static since 2018, standing at 474 in 2020. 35.7% of volunteers provided equality monitoring data, and of these 61% were female and 86.55% identified as White, with 11.7% BAME (1.75% undeclared), figures in line with the previous three years.

## How the Council complies with the Equality Act 2010

79. In April 2022, Executive approved a refresh of the workplan that underpins the Strategic Plan to cover actions for the period 2022-25. The council continues to be committed to ensuring:
  - We will work to address the causes of vulnerability and inequalities in Middlesbrough and safeguard and support those made vulnerable.
  - We will tackle crime and anti-social behaviour head on, working with our partners to ensure local people feel safer.
  - We will ensure the recovery of local communities, businesses and the Council's operations from COVID-19, taking opportunities to build back better.
80. Progress in delivering the Strategic Plan is reported to the Executive and Overview and Scrutiny Board on a quarterly basis.
81. Equality and inclusion are central to the Council's corporate values, and the Council has in place a range of equality and human resources policies to ensure legal compliance and fair treatment for all:
  - **Equality Policy:** This policy sets out how the Council will ensure customers, employees and job applicants are treated fairly and in line with the protections set out for relevant characteristics within the Equality Act 2010.
  - **Recruitment and Selection Policy:** This policy is in place to ensure that the Council's recruitment and selection practices are fair and consistent.
  - **Dignity and Respect at Work Policy:** This policy sets out the Council's requirement that all employees will be treated with respect and dignity in the workplace and outlines expected behaviours.
  - **Equality Monitoring Policy:** This policy establishes a consistent approach to the collection of user equality and diversity data within the development and delivery of Council services. Provision of this data is discretionary but ensures that the Council is able to understand the impacts of its decisions and services on different groups (including its employees) and communities.
  - **Impact Assessment Policy:** This policy sets out the process to be followed to ensure officers developing recommendations fully understand and weigh the consequences of possible and actual interventions and articulate these



effectively to decision-makers. It ensures that appropriate consideration is given to the PSED.

- **Monitoring of Hate Incidents Policy:** This policy sets out how the Council will collate details of hate incidents either witnessed by its staff or reported to them. Hate crimes will also be reported to the Police.

82. These policies are regularly reviewed to ensure the Council continues to comply with the law and best practice.
83. All employees undertake mandatory training on equality and inclusion matters, and the requirement to uphold and where appropriate lead on these policies are articulated within employee job descriptions.
84. The availability of accurate and timely information is key to performance improvement in all areas of the Council's business, including equality and inclusion.
85. As stated above, employees are asked to update their equality monitoring data on an annual basis, and equality monitoring is also used in staff surveys and subsequent analysis, where appropriate.
86. Outcomes from grievance, disciplinarys and related processes relating to alleged or actual discrimination are monitored by Human Resources who would identify any areas of concern. During 2018/19 one of 51 disciplinary investigations and one of 20 grievances alleged discrimination against an employee. During 2019/20 zero (of 60) disciplinary investigations and one of 10 grievances alleged discrimination. During 2020/2021 none of the 39 disciplinary investigations and none of the 32 grievances file related to alleged discrimination.
87. An internal audit of Discrimination & Staff Inequality undertaken by Tees Valley Audit and Assurance Services during 2019/20 found the Council to have a strong control environment in place to address such matters.
88. Outcomes from impact assessments are reviewed at the draft stage by the Strategy, Information and Governance service prior to consideration by decision makers. The Council publishes impact assessments where these relate to decisions taken by elected members or delegated to officers.
89. Outcomes from hate incident monitoring are monitored by the Strategy, Information and Governance service with recommendations for improved procedures made to services where appropriate.
90. The Council is strongly-focused on employee engagement. A corporate Employee Engagement group is chaired by the Chief Executive, and an Equality and Inclusion Group is chaired by the Director of Legal and Governance Services as Leadership Management Team Lead on this agenda. In addition there are bi-monthly group meetings Disability and Wellbeing Network, Race, Religion and Belief Network (formerly known as BAME Network), Carers Network, LGBT+ Network, Gender Equality Network and Menopause Support Group.

## **Action taken during 2021 to improve equality and inclusion**

91. The following additional actions were taken during 2021 to improve equality and inclusion:

### **Within Middlesbrough:**

In line with its equality objectives, the Council has:

- Developed the 'Middlesbrough's Ambition for Children: A Whole Town Strategy' priorities
- Refreshed its Community Safety Plan to set out how it and its partners would combat crime and anti-social behaviour
- Considered a scrutiny investigation into community cohesion and integration
- Developed an Engagement policy
- continued to made progress in improving Children's Services following the 'Inadequate' outcome of the 2019 Ofsted ILACS inspection, including put in place robust solutions to manage the impact of the pandemic on the town's children.

### **Within the Council:**

- continued employee engagement and communications using digital tools to keep staff engaged regardless of where they work, including access via facebook and staff portal for those who do not have access to council ICT devices;
- increased involvement of equality and inclusion groups and employee engagement groups in corporate and directorate action planning; and
- expansion of the equality and inclusion and employee engagement group's work to include support for action planning to address areas for improvement identified in staff surveys.

92. A planned action to launch a staff volunteering scheme has been delayed as a result of Covid-19, however it will be delivered during 2022.

## **Summary of findings**

93. In summary, the findings of this report are therefore:

- The town continues to be younger than national averages, with the percentage of the population under the age of 15 increasing, while it is decreasing nationally
- Middlesbrough continues to be one of the most deprived areas in England, with the highest proportion of children in the country living in income deprived households.
- The diversity of the Council's workforce continues to be broadly equivalent to local diversity, with the exception of ethnicity. Those from non-white backgrounds communities continue to be underrepresented and has dipped from 4.05% to 3.4% in 2021 although the diversity of applicants for vacant posts has increased.
- The Council continues to have an appropriate suite of policies in place to protect employees from discrimination, and there is no evidence of negative discrimination within the Council's operations.
- The Council supports staff at work to fulfil their potential. We recognise that staff are the happiest when they are supported. The Council has 5 networks including Disability and Wellbeing, Carers, Race, Religion and Belief including three newly

introduced networks LGBT+, Gender and Menopause. The networks are a safe place for staff to voice any issues, help improve inclusivity and tackle discrimination.

- The Council's initiatives in support of its equality objectives and the wider inequalities agenda are embedded within its Strategic Plan. This ensures that it can continue to demonstrate compliance with its legal duties in the Equality Act.

## Actions delivered in 2021

Action	Lead	Status
Continue proactive promotion of vacancies within communities that are under-represented in the Council's workforce.	Human Resources; Marketing and Communications.	Ongoing
Explore means of comparing the diversity of applicants with the diversity of subsequently successful candidates.	Human Resources	Ongoing
Ensure staff equality monitoring includes all protected characteristics and encourage all staff to update their information to ensure improvement actions are based on data that is complete and accurate as possible.	Strategic Director of Adult Social Care and Health Integration; Equality and Inclusion Group	Completed
Deliver a programme of training to all elected members, senior managers and recruiting managers on the history of diverse communities in the UK, issues of bias how they manifest themselves in society.	Strategy, Information and Governance and Members Services	Completed
Provide confirmation to full Council that literature and media relating to Middlesbrough's diverse communities are represented in Middlesbrough libraries and cultural spaces and that these materials are promoted within Council settings.	Stronger Communities	Completed
Develop a mentoring scheme for those employees with protected characteristics who wish to advance in their careers, for implementation during 2021/22.	Human Resources	Completed
Ensure that the Children's Services Improvement Plan fully considers equality and inclusion issues.	Executive Director of Children's Services	Ongoing
Ensure that the Council's COVID-19 Recovery planning fully considers the differential adverse impacts on COVID-19 on vulnerable groups and those with protected characteristics and plans accordingly to appropriately mitigate these impacts.	Chief Executive	Ongoing
Arrange for Equality and Inclusion Group to meet with LMT once per quarter to consider progress against this action plan and to raise any issues.	Strategic Director of Adult Social Care and Health Integration – now transferred to the Director of Legal and Governance Services	Ongoing
Consider the Government's response to the report of the Commission on Race and Ethnic Disparities and implications for the Council's approach to equality and inclusion.	Equality and Inclusion Group	Ongoing
Consult upon and review terminology used within the Annual Equality report and associated documents to ensure that it remains appropriate.	Strategy, Information and Governance; Equality and Inclusion Group	Ongoing
Identify whether there are any existing or forthcoming national campaigns on encouraging men and women into roles that they would not traditionally apply for and promote to local schools and communities.	Marketing and Communications	Ongoing

Explore whether the Council can allocate priority for entry level roles to its apprentices, care leavers and other appropriate groups.	Community Learning	Completed
Examine underlying causes of staff absence and put in place targeted initiatives to address any issues arising.	Human Resources	Completed and ongoing

## Actions to be delivered during 2022/23

94. Taking into account the key findings, the proposed actions for 2021/22 and beyond are set out below:

### *Actions delayed from 2021*

Action	Lead	Deadline
Launch staff volunteering scheme allowing employees to support local voluntary groups during working hours.	Stronger Communities	November 2022
Build on the Council's pay gap statement by publishing the White / BAME pay gap, and differentials for other protected characteristics, where data allows.	Human Resource	March 2023
Refresh the corporate approach to community engagement building upon learning from locality working and COVID-19 response to move the Council 'closer to the people', contributing to improved equality and inclusion, and identifying and addressing barriers to employment and participation in public life.	Strategy, Information and Governance; Stronger Communities; Democratic Services	December 2022

### **2022/23 actions**

Action	Lead	Deadline
Refresh training to officers on the Equality Act and the Impact Assessment process	Interim Head of Strategy, Information and Governance	March 2023
Strengthen and diversify recruitment process and selection methods to focus on attracting the best talent	Equality and Inclusion Working Group	March 2023
Continue proactive promotion of vacancies within communities that are under-represented in the Council's workforce by building relationships with agencies, utilising opportunities community roles offer to engage with the public to promote MBC vacancies	Equality and Inclusion Working Group	March 2023
Consider the Government's response to the report of the Commission on Race and Ethnic Disparities and implications for the Council's approach to equality and inclusion.	Equality and Inclusion Working Group	March 2023
Positive action within targeted communities and schools to increase % of apprenticeships applicants and appointments with a disability and applicants from the BAME community	Equality and Inclusion Working Group	March 2023

Action	Lead	Deadline
Improve the accessibility and inclusiveness of our communications by creating an inclusive language guide and identifying supporting training.	Equality and Inclusion Working Group	January 2023
Review voluntary framework for Disability and Ethnicity pay gap reporting.	Human Resources	March 2023
Conduct a data collection exercise to obtain a better picture of our workforce to enable us to build on the Council's pay gap statement by publishing the White / BAME pay gap, and differentials for other protected characteristics,	Equality and Inclusion Working Group	March 2023

## **Appendix 2: Impact Assessment Level 1: Initial screening assessment**

<b>Subject of assessment:</b>	Equality and Inclusion Action Plan 2022/23			
<b>Coverage:</b>	Overarching / crosscutting			
<b>This is a decision relating to:</b>	<input type="checkbox"/> <b>Strategy</b>	<input type="checkbox"/> <b>Policy</b>	<input type="checkbox"/> <b>Service</b>	<input type="checkbox"/> <b>Function</b>
	<input type="checkbox"/> <b>Process/procedure</b>	<input checked="" type="checkbox"/> <b>Programme</b>	<input type="checkbox"/> <b>Project</b>	<input type="checkbox"/> <b>Review</b>
	<input type="checkbox"/> <b>Organisational change</b>	<input type="checkbox"/> <b>Other (please state)</b>		
<b>It is a:</b>	<b>New approach:</b>	<input type="checkbox"/>	<b>Revision of an existing approach:</b>	<input checked="" type="checkbox"/>
<b>It is driven by:</b>	<b>Legislation:</b>	<input checked="" type="checkbox"/>	<b>Local or corporate requirements:</b>	<input checked="" type="checkbox"/>
<b>Description:</b>	<p><b>Key aims, objectives and activities</b></p> <p>The document sets actions to improve equality and inclusion within Middlesbrough and within the Council's workforce during 2022/23.</p> <p><b>Statutory drivers</b></p> <p>Equality Act 2010.</p> <p><b>Differences from any previous approach</b></p> <p>This document supersedes the action plan set out in the Annual Equality and Inclusion Report 2021.</p> <p><b>Key stakeholders and intended beneficiaries (internal and external as appropriate)</b></p> <p>Elected members, employees of the Council, local communities and businesses, partners.</p> <p><b>Intended outcomes</b></p> <p>To ensure that the Council's commitment to promoting equality and inclusion clearly articulated and communicated to all stakeholders, and that the Council continues to comply with the duties of the Equality Act 2010.</p>			

<b>Live date:</b>	As soon as the report is approved.			
<b>Lifespan:</b>	2022/23 financial year.			
<b>Date of next review:</b>	Reviewed on an annual basis, with information on progress to be published on the Council's website and social media.			
Screening questions	Response			Evidence
	No	Yes	Uncertain	
<b>Human Rights</b> Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. Delivery of the actions within the Equality and Inclusion Action Plan 2022/23 will not contravene human rights as identified in national legislation.
<b>Equality</b> Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. The actions are aimed at reducing inequalities within Middlesbrough and within the Council's workforce and apply to all protected characteristics. As a result there are no concerns that the actions could have a disproportionate adverse impact on groups or individuals with characteristics protected in national legislation.
<b>Community cohesion</b> Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. The plan commits to improving community engagement within the town, which will result in direct benefits for cohesion. As a result there are no concerns that the proposed plan could have an adverse impact on community cohesion.
<b>Assessment completed by:</b>	Ann-Marie Johnstone, Interim Head of Strategy, Information and Governance			
<b>Date:</b>	5/10/2022			