



## Safer Stronger Communities Select Committee

### Report Title: Annual Employment Profile and general update

**Date:** 16 January 2024

**Key Decision:** No

**Class:** Part 1

**Contributors:** Sherene Russell-Alexander, Director of People and Organisation Development

### Outline and recommendations

The Safer Stronger Committee are asked to note the contents of the report.

### Timeline of Engagement and Decision-Making

Last report to the Safer Stronger Communities Select Committee was November 2021

## 1. Summary:

- 1.1. The last People and Organisation Development (Formerly Human Resources) update was presented to the Committee in November 2021.
- 1.2. This report provides an update on the Council's employment profile along with the additional information in response to areas requested by the Committee:
  - Does the Council plan to sign up to the Unison Anti Racism Charter.
  - Agency Workers, Contractors, and Consultants including equalities profile.
  - Ethnicity pay gaps and breakdown by grades.
  - Actions taken by Council to address ethnicity pay gaps.
  - Equalities considerations for restructures and service reorganisations.
  - Disability leave policy.
  - Social Model of Disability - how will Council apply this to supporting workforce.
  - Changes to HR policies and procedures following the DWC equalities review report.
  - Reasonable adjustments for staff, number requests (agreed/refused) and time taken to implement.

- HR casework by protected characteristics.

## **2. Employment Profile**

- 2.1. The Council has a statutory obligation under the Public Sector Duty of the Equality Act 2010 to publish an annual employment profile. A copy of the Council's Employment profile (2022-23) due for publication on 31 January 2024 is enclosed at Appendix 1.
- 2.2. The Council has a diverse workforce with varying degrees of representation across all protected characteristics.
- 2.3. Significant work has been undertaken in recent years with support from our staff forums and networks to improve staff declarations of their protected characteristics particularly disability and sexuality where there were high levels of 'unknown' and 'prefer not to state' (PTNS) declarations.

### **Gender**

- 2.4. The Council has a predominantly female workforce with women making up 62.7% of the workforce. This is broadly in keeping with the workforce demographic for Local Government in London.

### **Age**

- 2.5. The Council has an older workforce with 50% over age 50, and an average age profile of 47 years old compared to an average age of 30 years old for both the Borough population and London. Younger people are significantly underrepresented with only 9.2% under the age of 30 which is a marginal reduction for the preceding employment profile year. The age profile of the Council is reflective of the workforce demographics for Local Government within London.

### **Ethnicity**

- 2.6. Representation of black staff continues to excel the Borough demographic. However, Asian and other ethnic groups continue to have a lower representation when compared to the Borough demographic. Again, this is not dissimilar to the London Local Government workforce picture.

### **Disability**

- 2.7. The number of staff declaring a disability is 7.5%. Whilst this is an increase on the preceding year (4.9%), it is lower than the Lewisham Borough profile for working age population with a disability of rate of 13.8%.
- 2.8. Disclosure levels for disabled staff has improved with a reduction in 'unknown' from 37% down to 7.6% and 'PTNS' from 17.2% down to 15.6%.



### 3. Agency staff, contractors and consultants - profile breakdown

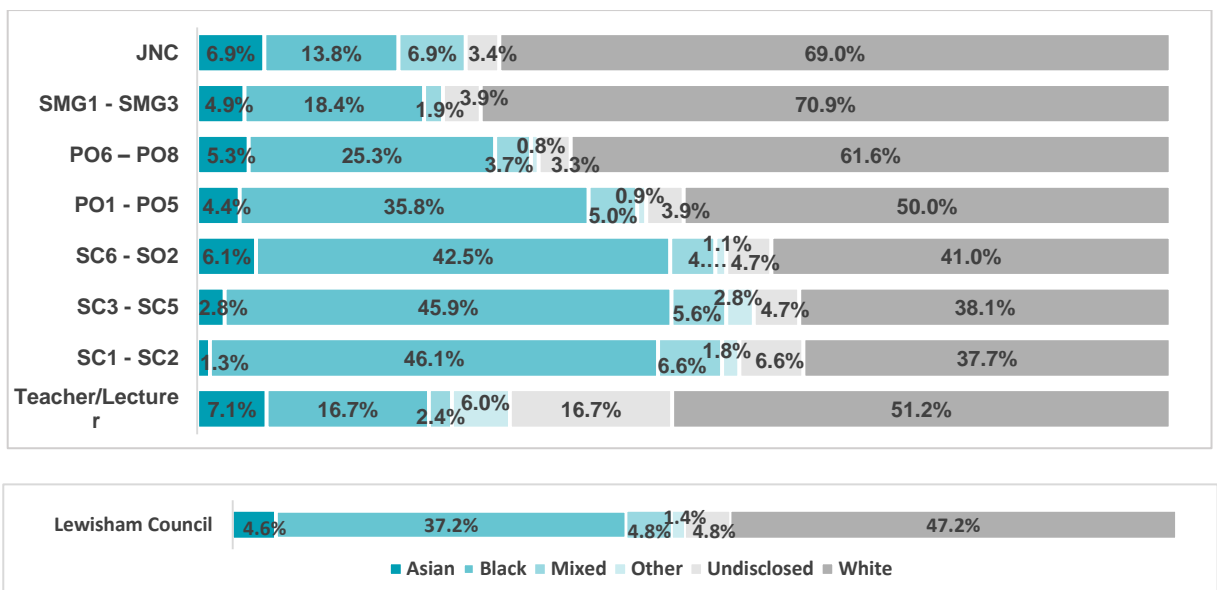
- 3.1. The Council are unable to provide the profile breakdown for this group as this information was not reliably recorded by the previous agency Managed Service Provider (MSP). That said, as part of the procurement of the new agency MSP, collation of this information has been mandated within the new contract provisions that went live in July 2023. Over time the Council will be able to provide information as the new provider accumulates the data.
- 3.2. Details of agency worker headcount is included within the Councils annual employment profile Appendix 1, slide 12.

### 4. Unison Anti-Racism Charter

- 4.1. As part of our commitment to address and tackle racial inequality in the workforce, the Council will be signing up to Unison’s Race Equality Charter in the new year.

### 5. Ethnicity pay gaps and ethnicity breakdown by pay grade

- 5.1. Whilst there is no statutory requirement to report or publish ethnicity pay gap data the council has produced this information for several years and publishes it within the annual employment profile including the disability pay gap information.
- 5.2. The current ‘collective’ ethnicity pay gap is 11.2%. When looking at each ethnic group in isolation, Asian employees across the Council have a pay gap in their favour of -0.6%. further information on the ethnicity pay gaps can be found in Appendix 1, slide 16.
- 5.3. The table below provides a breakdown of the ethnicity group by grade band. Black staff are underrepresented in pay bands P06-P08 and above when compared to their workforce representation.



## 6. Actions taken to address ethnicity pay gaps

- 6.1. Whilst the Council has a diverse workforce, it is also a complex workforce with more than 200 occupations that sit under its roof. Some of the markets feeding those occupations lack a diverse pipeline of talent, which means there is no quick fix to improve workforce distribution. That said, the Council remains committed to achieving greater distribution of workforce representation.
- 6.2. Work already being undertaken or planned to help improve representation includes:
- **Mandatory Recruitment and Selection training** rolled out for all hiring managers with a targeted completion date of March 2024; with a commitment that all managers taking part in recruitment will be trained. This training includes a significant focus on fair selection and the impact of personal biases on recruitment decisions for selection.
  - Rolled out new recruitment applicant tracking system, which includes the **introduction of anonymised shortlisting**. Additionally, the system provides better reporting functionality and will enable us to analyse the key stages of the recruitment process in respect of all protected characteristics at a more granular level including by role/occupations.
  - **Development Centres** are planned to be launched in 2024/25 for aspiring managers and especially targeted at ethnic groups. These centres will have elements that focus on the more nuanced factors that subconsciously restrict career aspirations, as well as enable staff to get a better understanding of their strengths, and better able to provide targeted and tactical learning and development that will aid their performance and opportunity to take on higher and/or alternative roles.
  - **Raising Aspirations Events** – Senior black staff have attended the Black, Asian and Ethnic group (professional) forum to raise awareness and engagement on issues, and to inspire members by sharing the career journeys of senior black staff.
  - **Continually improving the use and monitoring of data** to inform and provide meaningful insight to shape further initiatives and interventions.

## 7. Equalities considerations (EIAs or otherwise) followed by the Council when conducting departmental restructures and service reorganisations

- 7.1. Bespoke training was delivered to the Senior Leadership Team in December 2023 to reinforce the rationale, quality and consistent application of EIAs.
- 7.2. It is Council policy that an EIA is undertaken for every departmental restructure and service reorganisation. Attached at Appendix 2 is a copy of the EIA toolkit. In addition, for staff changes, a more granular assessment of the workforce implication is undertaken. A worked example of this can be found at Appendix 3.

## **8. Disability Leave policy**

- 8.1. The Council does not have a specific 'disability leave' policy for staff. However, provisions are made within our existing leave policy to enable disabled members of staff to take reasonable paid time off to attend appointments and/or other specific matters related to their disability. This was recently discussed at the disability forums annual AGM, and the conclusion was that staff felt the existing provisions offered a similar benefit, but with greater flexibility, and therefore did not feel a specific disability leave provision was essential at this time.

## **9. Social model of disability - approach to embed in workforce.**

- 9.1. The Council is actively working at reducing and removing barriers for disabled staff. The Council has an active Disabled Staff Forum (DSF) that regularly meets with senior officers of the Council including the Director of People and OD to share disability monitoring data, raise and address issues relating to disability and create improved employee engagement. The forum chair and vice chair of the forum are active members of the Corporate Equalities Board.
- 9.2. To ensure the social model of disability is widely understood across the organisation we will be running a series of awareness sessions with senior leaders, then cascading these through the organisation. We will also review all our EDI training to ensure there is sufficient focus on the model.
- 9.3. A review of the Council's process for acquiring reasonable adjustments is currently underway, the aim is to ensure consistency of approach for acquiring and implementing identified adjustments in a timely way. This work will also look for common barriers to adjustments so that solutions can be found in collaboration with relevant departments (e.g., ICT, FM).
- 9.4. To support the work referenced above (9.3) the Council will be running periodic events across the year to encourage and engage disabled staff in identifying any barriers - whether technical and/or physical - across the organisation; as well as providing potential solutions on how the Council could potentially resolve these. This work has been discussed with the disability forum with whom we will work collaboratively.
- 9.5. A diversity calendar has been established and was launched in 2022 which is used to plan and run events throughout the year. For example, Mental Health Awareness week, the Council ran a series of workshops on anxiety and stress reduction in support of the week's theme which was 'anxiety'.
- 9.6. All staff within the People and OD team have been trained in neurodiversity awareness to help ensure there is a consistency in understanding and advice to managers who may be supporting staff with neurodiversity diagnoses.

## **10. Changes to HR policies and procedures following the DWC equalities review**

10.1. Several interventions were already under way at the time of the DWC review and report, which address most of the recommendations made in the report. For example, these include:

- Mandatory Recruitment and Selection training as mentioned in section 6.2 above.
- A draft EDI strategy which will consider anything within the review not already covered or planned to take place.
- A Manager Essentials Programme which focuses on six core areas (Leading and managing people, Equalities, Health & Wellbeing, Finance, Managing in a political environment and Organisational performance). This programme is currently being piloted and the finalised programme will be rolled-out in 2024 and will include inclusive leadership training. This will foster higher levels of consistency in practice across the organisation.
- The launch of the Councils new Values and the underpinning Behaviours Framework (Appendix 4, pages 3 to 7). Whilst there is a specific value of 'Inclusion' (Page 4) it is recognised that inclusive behaviour runs through all the values. To support embedding these values, a 'Manager Toolkit' has been produced, which can also be found in Appendix 4. To ensure the values are understood and embedded across the organisation ongoing work continues.
- The Council has started to look more broadly at its working practices in particular any hidden inequities and their effect on the various protected characteristics e.g., recruitment, selection; honorariums and acting up opportunities; starting salaries offered above the entry point. This data is being monitored and reported on a quarterly basis to our Directorate Management Teams (DMT) and the Executive Management Team (EMT) so that they can challenge proactively decisions being taken and help to inform and shape leadership and managerial development and learning.

## **11. Reasonable adjustments for staff**

11.1. The Council does not currently have a central record for reasonable adjustments. At present, records are kept locally by line managers. That stated, record keeping will form part of the wider review for reasonable adjustments referred to earlier.

11.2. A reasonable adjustment disability passport was introduced in May 2022 and is kept in the HR database. However, these currently have low take-up and work is ongoing to promote and encourage its use.

11.3. Work has been undertaken to identify any staff with outstanding reasonable adjustments. This involved various communications to all staff in May and July 2023, and included targeted emails to the circa 200 staff who have declared a disability and direct messages via the disabled staff network. As part of this campaign staff were asked to complete a questionnaire

specifying if they had any outstanding adjustments. 12 responses were received with two members of staff indicating they had outstanding reasonable adjustments. All of these were followed up accordingly. It has been agreed with the Disability Forum to carry out this exercise annually.

## 12. Casework by protected characteristic.

12.1. The Council has a just below average level of casework activity compared to other London Boroughs (Appendix 5) when last collated (2021/2022) pan-London for capability, disciplinary and dismissal, with grievances recording just above the average. Details of cases undertaken in Lewisham during the *current* financial year April 2023 to December 2023 are provided below and broken down by their protected characteristics.

12.2. It should be noted that given the small numbers involved, caution should be exercised when extending any interpretation of the Council's case data as there are not large enough numbers - and so not sufficiently statistically robust - to comment (for example) on intersectionality.

### Gender

12.3. Whilst men only represent 37.3 % of workforce they appear disproportionately in the employee relations (ER) cases that have taken place.

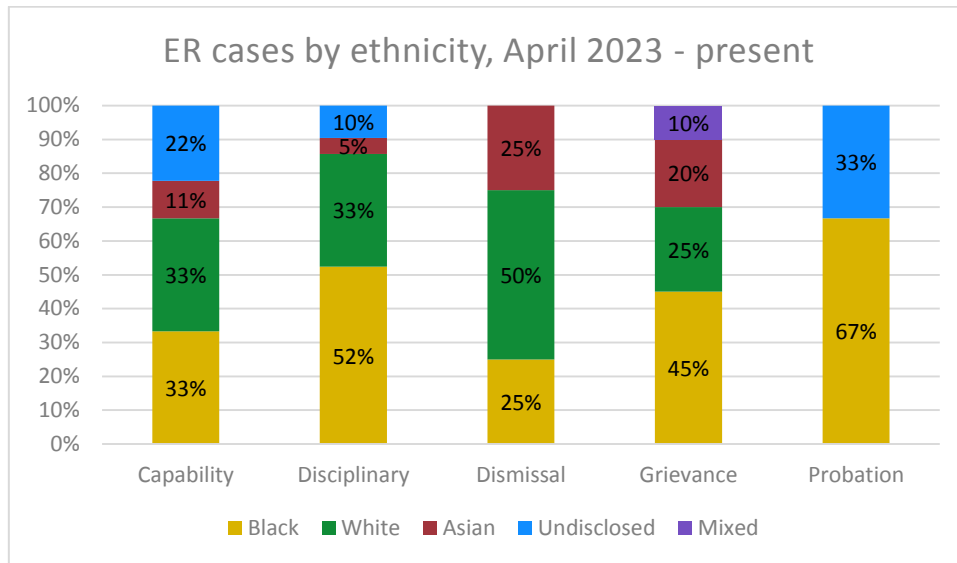
Case type	Male staff	%	Female staff	%	Overall Total
Capability	6	67%	3	33%	9
Disciplinary	15	71%	6	29%	21
Dismissal	3	75%	1	25%	4
Grievance	9	45%	11	55%	20
Probation	0	-	3	100%	3
<b>Total</b>	<b>33</b>	<b>58%</b>	<b>24</b>	<b>42%</b>	<b>57</b>

### Ethnicity

12.4. Proportionately, staff are more likely to raise a grievance if Asian (20% of the cases, yet represent only 4% of all staff), followed by black staff.

Case type	Black	White	Asian	Undisclosed	Mixed
Capability	3	3	1	2	0
Disciplinary	11	7	1	2	0
Dismissal	1	2	1	0	0
Grievance	9	5	4	0	2
Probation	2	0	0	1	0
<b>Total</b>	<b>26</b>	<b>17</b>	<b>7</b>	<b>5</b>	<b>2</b>

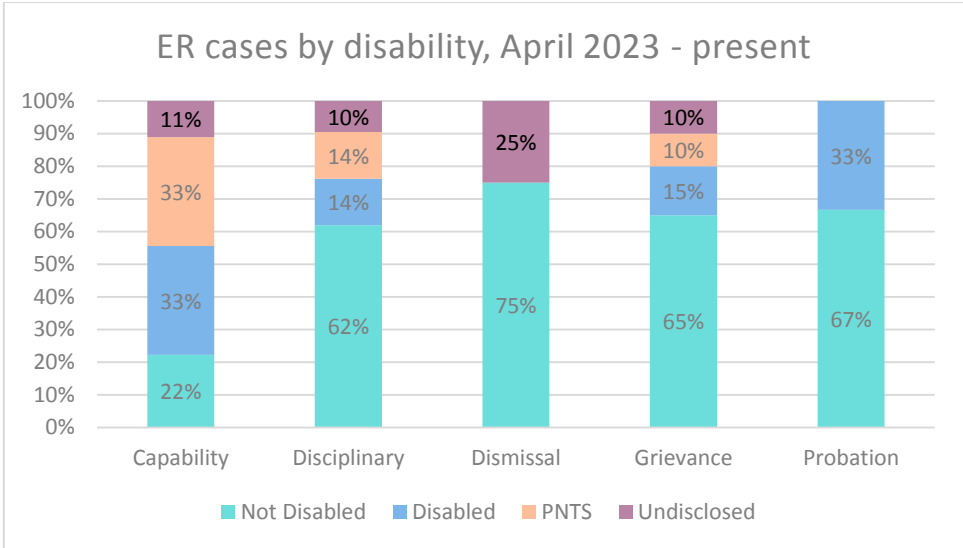




## Disability

12.5. Of cases taken against a member of staff (i.e. capability, disciplinary, dismissal or probation) those with a known disability constituted 10% of all cases.

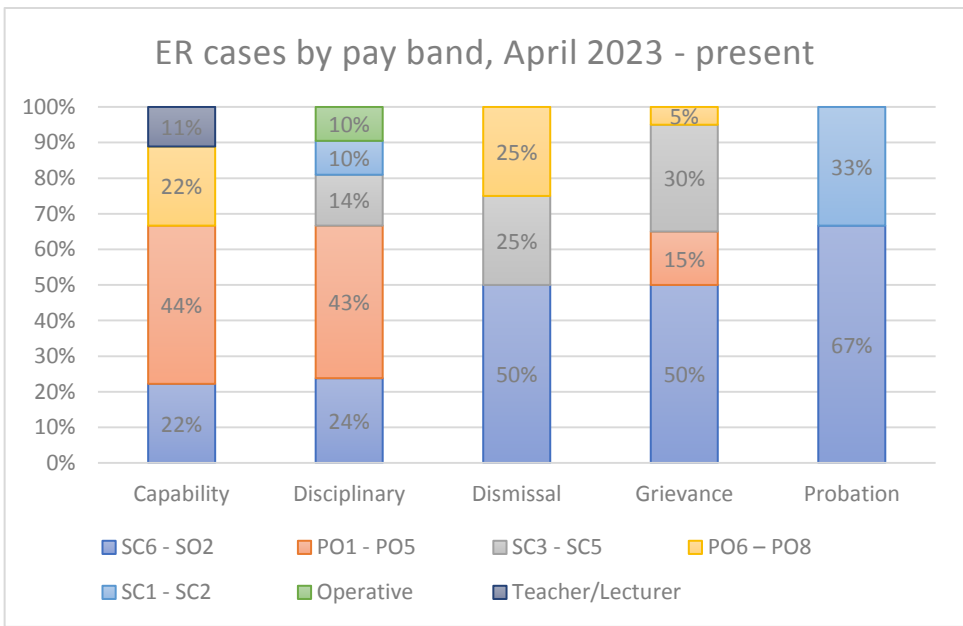
Case type	Not Disabled	Disabled	PNTS	Undisclosed
Capability	2	3	3	1
Disciplinary	13	3	3	2
Dismissal	3	0	0	1
Grievance	13	3	2	2
Probation	2	1	0	0
<b>Total</b>	<b>33</b>	<b>10</b>	<b>8</b>	<b>6</b>



### Pay Band

12.6. People within PO1 to PO5 grade bandings constitute the largest grouping (circa 43%) taken to capability or disciplinary reviews, which is consistent with the size of this group in the overall workforce population.

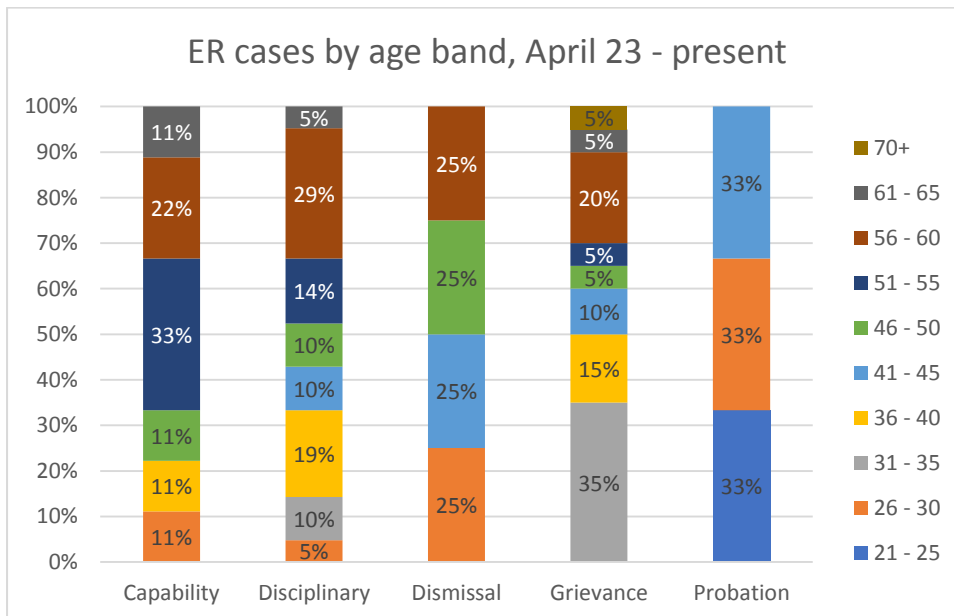
	SC6 - SO2	PO1 - PO5	SC3 - SC5	Operative	SC1 - SC2	PO6 - PO8	Teacher/ Lecturer	SMG1 - SMG3
Capability	2	4	0	0	0	2	1	0
Disciplinary	5	9	3	2	2	0	0	0
Dismissal	2	0	1	0	0	1	0	0
Grievance	10	3	6	0	0	1	0	0
Probation	2	0	0	0	1	0	0	0
<b>Total</b>	<b>21</b>	<b>16</b>	<b>10</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>0</b>



## Age

12.7. Given the mean age and distribution of our working population, no age groups appear to stand out significantly amongst cases dealt with in this period.

Case type	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	70+
Capability	0	1	0	1	0	1	3	2	1	0
Disciplinary	0	1	2	4	2	2	3	6	1	0
Dismissal	0	1	0	0	1	1	0	1	0	0
Grievance	0	0	7	3	2	1	1	4	1	1
Probation	1	1	0	0	1	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>4</b>	<b>9</b>	<b>8</b>	<b>6</b>	<b>5</b>	<b>7</b>	<b>13</b>	<b>3</b>	<b>1</b>



## 13. Financial Implications

13.1. There are no direct financial implications from noting the contents of this report.

## 14. Legal Implications

14.1. There are no direct legal implications from noting the contents of this report.

## 15. Report author(s) and contact

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## **16. Appendices**

- Appendix 1 - Annual Employment Profile 2022/23
- Appendix 2 - EIA Toolkit
- Appendix 3 - EIA worked example: People and OD restructure
- Appendix 4 - Council Values and Behaviour Framework: Managers' Toolkit
- Appendix 5 - Comparative Data for Casework Activity