

Fairness, Inclusion and Equality

About Our Employees

January 2015

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Introduction

This report provides information on how Solihull Council is ensuring that our employees and potential employees are receiving fair treatment whatever their background or circumstances. The information is part of a range of management information about our workforce which is routinely considered by the corporate leadership team as well as directorate equality and diversity groups.

The Equality Act 2010 identifies the grounds upon which discrimination is unlawful, and provides the legal framework that protects people from discrimination based on a number of characteristics. These are referred to as 'protected characteristics' and are: **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.**

Public authorities, including local councils, have a general duty under the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between communities.

Due regard to the aims of the duty

Public authorities must take 'due regard' to the equality duty when making decisions. When the equality duty is considered to be highly relevant we undertake Fair Treatment Assessments (FTAs) to systematically analyse the impact of our services and policies on our staff and customers to ensure we deliver our services in the fairest way.

We refer to 'fair treatment', because our level of equality analysis goes beyond the provisions of the Equality Act, and considers fairness in a

wider sense, including aspects such as socio-economic deprivation, human rights and sustainable communities. Summaries of completed FTAs can be found in the '[Fair Treatment Assessments](#)' page on our website.

Specific duties

In order to meet the requirement of the 'general duty' we have to:

- publish equalities information, and
- publish our equalities objectives (including where we need to do more to meet the 'general duty')

Our equalities information must be updated at least annually and is available in the [Public Sector Equality Duty](#) section of our Equality Act webpage. The information duty covers two areas, which are published in two separate reports:

- Our employees (covered in this report)
- Our services and the people affected by them.

This is the fourth Employment report covering the Council as a whole to be published under the Equality Act. The previous reports were published in [January 2012](#), [January 2013](#) and [January 2014](#).

Our equalities objectives were published separately in [April 2012](#) and will be updated at least every four years.

More information on the Public Sector Equality Duty, including the specific duties, can be found in the Equality and Human Rights Commission's [Equality Act 2010: Technical Guidance on the Public Sector Equality Duty - England](#).

Equality and Diversity Policy

Solihull Council's [Equality and Diversity Policy](#) expresses our commitment "to promoting equality of opportunity and equality of access that is free from discrimination, prejudice, harm, stereotyping, harassment, victimisation, and any other form of discrimination".

General Information

Subsequent sections of this report consider our role as an employer from the perspective of individual protected characteristics (see page 3). This section covers the wider perspective across the various characteristics and explains the way much of the information in the following sections has been calculated.

Equality profile

It also places our employee profile as a whole in the broader context of Solihull's equality profile which is based on information from the 2011 Census. There are five protected characteristics against which Census 2011 percentages are available: age, disability, race, religion or belief, and sex. However, the disability percentage requires clarification as the Census asked for information on limiting health problems or disabilities expected to last at least 12 months. We have taken as a disability percentage all 'Yes' responses, whether the respondents said they were limited 'a little' or 'a lot'.

These percentages are reproduced in the table opposite alongside the equivalents for our workforce at 31 March 2014, and those quoted in last year's report. The employee percentages relate to all employees, except for Religion or Belief which is based on the number of employees who have provided this information.

The greatest variation between the Census percentages and those for our employees appear to relate to the protected characteristics of Disability and Sex. Also, people within the 25-64 age range are, predictably, represented in our employee profile to a far greater extent than in the overall population of Solihull (92.3% against 51.2%). These and other smaller variations are discussed in the section for the relevant characteristic.

Protected characteristic	% of Population (source Census 2011)	Employees (known %) at 31/03/14	Employees (known %) at 31/03/13
Age			
0-15	17.6	0.0	0.0
16-24	12.0	4.2	4.0
25-44	23.7	38.0	39.1
45-64	27.5	54.3	53.2
65 and older	19.2	3.4	3.7
Disability			
Yes	17.9	2.7	2.9
No	82.1	67.8	67.1
Race/Ethnicity			
Asian/Asian British	6.1	4.7	4.4
Black/Black British	1.5	2.5	2.5
Chinese/Other Ethnic	1.0	0.2	0.2
Mixed	2.2	1.3	1.2
All Black, Asian and Minority Ethnic	10.9	8.7	8.3
White	89.2	85.6	86.0
Sex/Gender			
Female	51.4	82.2	82.1
Male	48.6	17.8	17.9
Religion/Belief			
Buddhist	0.2	0.5	0.6
Christian	65.6	61.1	63.6
Hindu	1.8	1.7	1.7
Jewish	0.2	0.2	0.2
Muslim	2.5	2.2	2.1
Sikh	1.7	1.6	1.4
Other	0.3	2.9	2.8
None	21.4	22.1	19.6
Declined to Specify	6.4	7.8	8.1

'Figures in the above table may add up to between 99.9% - 100.1% due to rounding. Race/Ethnicity and Disability employee percentages do not add up to 100% as they exclude any 'not knowns'.

Employee profile

Solihull Council monitors our workforce in terms of age, disability, race, religion or belief, sex and sexual orientation. Data obtained for this report covers the 12 month period to 31 March 2014, or is a snapshot position as at 31 March 2014 (teachers and academy based staff have been excluded from the data). Total numbers amounted to 4,928 employees on 31 March 2014. However, some of those employees hold more than one post (or 'assignment') in the Council. Some information uses figures based on the total number of assignments that are being undertaken (5,439): full time/part time analysis; new starters and leavers; and pay gap information.

There is extensive information available to show the employee profile by the protected characteristics of Age, Disability, Race (Ethnicity) and Sex (Gender). There is more limited information on Religion or Belief and Sexual Orientation. We do not have comparable data for the additional characteristics of Pregnancy/Maternity or Gender Reassignment (Transsexual).

The following key issues are analysed as appropriate in the sections covering Age, Disability, Race and Sex: full and part time posts, pay gap, new starters and leavers.

Working full and part time

Full time working for the Council is 37 hours per week. Legislation does not provide a set definition of 'part time working', so this could mean anything less than 37 hours.

The measure adopted for part time working in this report is 30 hours or less, which was the measure used for an Office for National Statistics (ONS) Business Register and Employment Survey.

As an organisation we are committed to agreeing requests for flexible working where possible and recognise the benefits that this can bring

for the individual employees concerned and to us as an organisation. These include the ability to combine work with other commitments, such as caring responsibilities and studying, easing into retirement and improving work-life balance and reducing stress related sickness absences.

3,241 current assignments are for 30 hours or less out of the total of all assignments of 5,439. This equates to 59.6%, which is very close to the percentage quoted in the 2014 report (59.8%).

It is reasonable to assume that full-time employees hold only one post in the organisation. It is therefore clear that the difference between our 4,928 individual employees and the 5,439 posts (or 'assignment's) that they hold is due to many 'part time' employees holding more than one part time post. For this reason, comparisons of full and part-time working against individual protected characteristics is a comparison between full-time employees and holders of part time assignments, a proportion of whom will be included more than once in the calculations.

Pay gap information

To demonstrate whether there is a disproportionate concentration of people with particular protected characteristics in lower paid employment, we have analysed the equality profile of our employees across the range of our standard pay grades (Grades A to J). The salary range across these grades has been split into three bands for analysis:

Band 1 - Under £18,639 a year

Band 2 - Between £18, 639 and £38, 421 a year

Band 3 - Between £38,422 and £68,105 a year.

Overall, 51.9% of the 5,425 assignments are paid at the first (lowest) level, 41.1% are at the middle level and 7.0% are at the highest level.

The sections on age (page 10), race/ethnicity (page 15) and sex/gender (page 19) contain specific information on average salary as further indicators of any relevant pay gaps.

Occupational segregation

‘Occupational segregation’ is the term used for those jobs that are almost exclusively held by people with a particular characteristic, such as nursery workers and engineers, who tend to be female and male respectively. At present we do not have a systematic way of assessing occupational segregation, although we are well aware of specific instances where it traditionally happens.

One of our equality objectives, published in April 2012, was to develop a system for undertaking analysis that will enable information to be published to demonstrate any patterns of occupational segregation in the Council. The anticipated date for its completion is now March 2016, although this is subject to review on an annual basis.

New starters and leavers

An important indication of whether our recruitment policies are addressing any under-representation concerns is the equality profile of people recruited over the year, our new starters, and how it relates to the profile for people leaving the organisation.

The Council has been through a significant period of change with reorganisation of work structures across several service areas. This has resulted in a 2.7% reduction in overall assignments over the last year.

The equality breakdown of starters and leavers is considered against the appropriate protected characteristic from page 10 of this report. As the numbers of new starters and leavers in the following sections are based on assignments rather than headcount, comparisons with the employee profile are given as an approximate guide only.

Grievances, disciplinaries and dismissals

There were 11 grievances raised during the year with no identified equality issues raised in any case.

This was less than half the cases reported last year (24), but the same as those reported in 2013.

Three cases (27.3% of all grievances) were resolved informally. Therefore, more than two thirds of the grievances (8) were raised formally and of these, 5 cases (62.5% of formal grievances) were upheld in full, 2 following an appeal. Two of the upheld cases were referred for disciplinary action due to the allegations being related to Dignity at Work issues. Three cases (37.5%) were not upheld (there was no case to answer) including one that was unsuccessful on appeal.

54 cases were investigated under the Council’s disciplinary procedures (compared to 34 last year – a 58.8% increase). In 10 cases (18.5%) there was no case to answer; in 7 cases (13.0%) informal action was taken. A total of 30 cases (55.6%) were referred to a disciplinary hearing following investigation. Of these, 14 (46.7% of hearings) resulted in a disciplinary sanction such as a formal warning) and 7 (23.3%) resulted in dismissal. In 9 cases (30.0%) the employee resigned or went “Absent without Leave” before the process was concluded. The remaining 7 disciplinary cases (13.0%) cases are still unresolved/ongoing.

In total there were 19 dismissals in the 12 months to 31 March 2013 (there were 22 last year) including the 7 cases (36.8%) resulting from disciplinary action. The remaining 12 dismissals (63.2%) resulted from the sickness absence management process (medical capability including ill-health retirement), of which 3 employees (25.0% of medical capability cases) had declared a disability.

These figures do not include any dismissals for redundancy reasons (which in total amounted to 46 compulsory, and 21 voluntary, redundancies).

No disciplinary cases arose from issues relating to any protected characteristics. However, one of the grievance cases included alleged discriminatory treatment, victimisation, harassment and bullying (race and sex discrimination). This case is still ongoing.

Capability (Performance)

Last year's report referred to our Capability Procedure (Performance), which was launched in 2013, and seeks to offer a focused and supportive approach to performance management.

During the year to 31 March 2014, 15 cases were reported under this procedure. Two cases (13.3%) were resolved at an informal stage. Of the 13 cases managed at the formal stage: 3 cases (20.0%) resulted in improvements being sustained requiring no further action to be taken; 6 cases (40.0%) led to action plans being put in place that are still in operation, and in 4 cases (26.7%) the employee resigned. One of these cases was resolved as it was recognised that the employee had a learning disability and reasonable adjustments were identified to support her/him.

Discrimination complaints and other prohibited conduct (Dignity at Work)

The Council's Dignity at Work policy recognises our duty to ensure "a working environment that promotes dignity amongst the whole workforce and is free from any form of harassment, intimidation or bullying." It provides the basis for investigating allegations of discrimination, bullying, harassment and victimisation and the measures that will be taken when allegations are substantiated.

During the year, 16 cases were investigated under this policy (9 cases were reported last year). In 8 cases (50.0%) the complaints were not

upheld. Four were subject to appeal, none of which was successful. Three cases (37.5% of those upheld) resulted in informal resolution with action plans being implemented. Two cases (25.0%) were referred to the disciplinary procedure. Three cases (37.5%) remained unresolved, 1 of which was ongoing. In the other 2 cases, the employees resigned before the case was concluded.

No Dignity at Work complaints related to a protected characteristic, although the grievance case which included allegations of race and sex discrimination could have been brought under this policy.

Engagement with staff and trade unions

Solihull Council meets regularly with the trade unions through the Corporate Consultation and Negotiating Committee (CCNC) and Directorate Consultation and Negotiating Committees (DCNCs). Membership includes managers at Head of Service level and Trade Union Representatives.

As well as consultation they also provide dispute resolution (if appropriate) and a CCNC Sub Group negotiates on the Council's Terms & Conditions and policies and procedures (Core Council and Schools).

Equality matters have been raised concerning the Dignity at Work Policy and its approach to informal reporting and resolution of incidents, and to consider changes in relation to the repeal of third party harassment under the Equality Act 2010. The Grievance and Disciplinary processes have also been considered in terms of the informal resolution through mediation and the use of Audit Services to conduct investigations. There has additionally been support for the Council's Domestic Abuse Policy (see "Issues of 'due regard'" below).

During the year to 31 March 2014, there have been no issues raised through CNCC, or informally through discussions with staff, that relate to any specific protected characteristic.

Staff survey

No equality data was obtained via staff surveys during the year ending 31 March 2104.

Issues of 'due regard'

Those policies and functions that have significant potential impact in terms the Public Sector Equality Duty are subject to Fair Treatment Assessment, especially when major decisions are being made.

The Council is continuing to review its Dignity at Work Policy, and is scheduled to undertake a Fair Treatment Assessment during 2014/15.

A new policy that was finalised in March 2014 was the Council's Domestic Abuse Workplace Policy, which "recognises that its employees may be amongst those affected by domestic abuse for example as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a serious act of domestic abuser as an individual who perpetrates domestic abuse." It reiterates our 'zero tolerance' position on domestic abuse and is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance. It also covers the approach to take if there are concerns that an employee may be the perpetrator of domestic abuse.

Future actions

We will continue to work to identify information gaps and extend our analysis in future reports. As with previous reports, actions will be identified to address concerns arising from the information analysed in each section.

Progress on actions identified in the previous report will be covered in the appropriate section. For instance there has been continuing

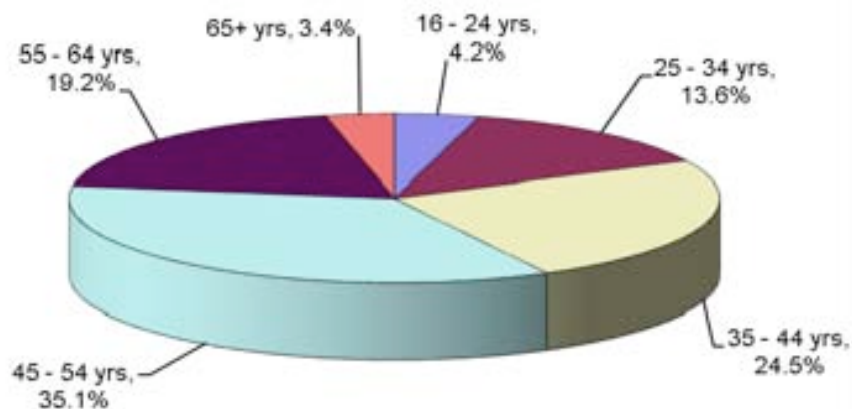
reduction in the proportion of employees about whom monitoring information is 'not known', which builds on last year's improvement and should continue over the next year.

Age

Employee profile

The pie chart below shows the distribution of our employees by age band.

Employee Age Distribution at 31.03.14



Comparison of the employee profile with the Census 2011 figures for Solihull (see page 4) can be misleading, as the Solihull population includes people under 16 years of age and in age bands up to '95+'. The percentages quoted in the table opposite give proportions of the 15-69 population rather than the Census return for the population as a whole. We can see from our workforce profile that a number of employees do continue to work for the Council past 65 and we actively support this.

The figures from the table opposite for other age bands, however, demonstrate that employees under 35 are less well represented in the workforce (17.8%) than across Solihull as a whole (32.4%). This is largely because the workforce population is significantly older than the population of Solihull due to having greater representation in the age

bands from 35 to 54, with the biggest variation in the 45-54 range.

Census 2011	%	Employee Data	%
15-24	17.4	16-24	4.2
25-34	15.0	25-34	13.6
35-44	19.5	35-44	24.5
45-54	21.6	45-54	35.1
55-64	18.3	55-64	19.2
65-69	8.1	65+	3.4

The most telling effect of this older profile is the 16-24 age band, which is less than a quarter of the overall percentage for Solihull (4.2% compared to 17.4%). The figure for the people in this age band will inevitably be affected by the high number of young people who go into full time further education prior to taking up employment.

Comparison with the employee age distribution at 31 March 2013, as outlined in the previous report, shows that the proportion of employees in the youngest two age bands has remained stable overall (an increase of 0.1% for the 16-24 band, with a commensurate 0.1% drop for the 25-34 band). The largest increase is in the in the 55-64 age band (+0.8%), but the proportion of employees aged 65 or over dropped by 0.3%.

The largest decrease is in the 35-44 age band (-0.8%) although the proportion of employees age 45-54 has increased slightly (+0.3%). The Council recognises that borough wide there is a greater need to invest in the employment of young people, as well as older people requiring new skills to re-enter the job market. We are therefore utilising the Council's role as an employer to tackle local skills issues and to develop a "Skills for Success Plan" that can be used as a model for other local employers to adopt. Initiatives include the following programmes:

- Step Up - connecting schools with the world of work
 - Kick Start* - Pre-Apprenticeship/Apprenticeship Programme – targeted at younger people
 - Re-Start* - Unpaid Work Placements/Work Experience/Volunteering – targeted at older people.
- * These programmes are currently being established, so no links to further information are available.

All these programmes seek to increase the opportunities for apprenticeships, internships or work experience placements, and include positive action initiatives to encourage participation by people from potentially vulnerable groups, such as care leavers and disabled people.

The Council is also increasing its joint working with the Department for Work and Pensions on other initiatives to increase youth employment in the Council, businesses we work with and the borough as a whole.

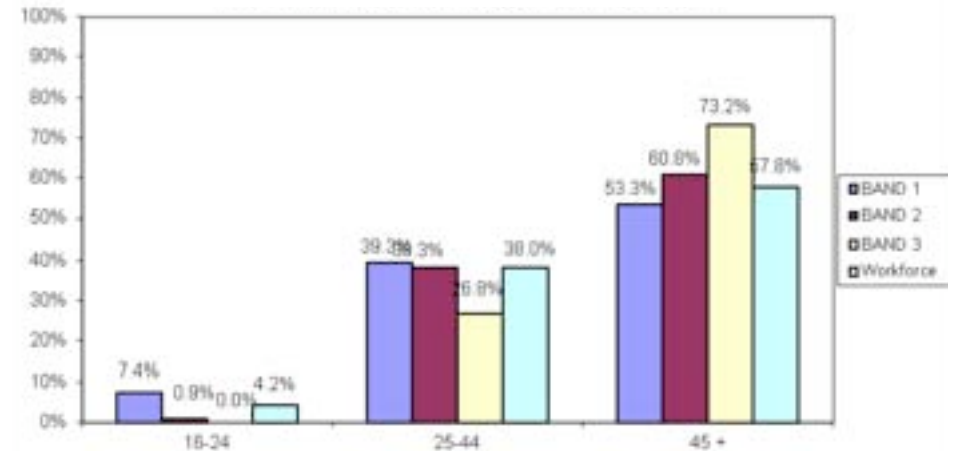
Working full and part time

As in previous reports, the only age band for which the number of full time employees exceeds part time posts is 25-34 (51.7% full time). In the 16-24 age range, 59.9% of posts are part time (very close to the overall percentage of 59.6%). This is a 2.8% drop on the equivalent percentage for the previous year.

There is a predictable increase in part time working as employees reach pensionable age, with 81.1% of posts held by employees aged 65 or over being part-time. This reflects the organisation's policy on flexible working. However, this percentage indicates a slight drop on the previous 82.8%, which it turn was a reduction on the 85% quoted in 2013.

Pay gap information

Pay Gap Analysis by Age as at 31.03.14



For ease of comparison the six age bands used elsewhere in this report have been reduced to three. The 16-24 band has been maintained, alongside age bands of 25-44 and 45+.

The clearest message, perhaps predictably, is that the younger you are the more likely you are to be in the lowest salary range. 91.6% of assignments filled by employees who are under 25 years of age are in the Band 1 salary range (208 out of 227 assignments). The remainder are paid in the Band 2 salary range, with none at a Band 3 level.

Proportionally, there are fewer employees aged 45 and over receiving Band 1 salaries than other age bands. In fact, the 45+ age band is the only one for which a minority of assignments are paid at this level.

Of the two age bands that have assignments paid at Band 3 salary levels, employees in the 45+ age band are over 80% more likely to be filling posts in this salary band as those aged 25-44 (8.9% compared to 4.9%). In terms of numbers of assignments, there are 381 paid

within the Band 3 salary range, of which 279 (73.2%) are filled by employees aged 45 or over.

New starters and leavers

Over the 12 months to 31 March 2014, there were 123 posts newly filled by employees aged 16-24, or 19.5% of starters. This compares to an overall employee percentage of 4.2 for this age group.

Comparisons against leavers in this age group reveal that only 59 leavers (8.7%) were from this age group.

A similar comparison shows that 160 or 25.3% of new starters during the year were aged 25-34, compared to a workforce percentage of 13.6, with 142 leavers in this age range (21.0%). Increased activity for starters and leavers within the younger age groups is to be expected as this is the time of maximum job mobility.

On the other hand, only 178 or 28.1% of new starters were aged 45 or older (workforce percentage 57.7%) with a larger number (328 or 48.6%) leaving the organisation. Starters and leavers in the 45 and older age bands were proportionally less than their representation in the workforce as a whole, with the exception of leavers who were aged 65 or over. There were 58 leavers from this age band, which is 8.6% of all leavers, whereas employees in this age band form 3.4% of the workforce.

Grievances, disciplinaries and dismissals

All 11 grievance cases were reported by employees aged between 25 and 64 years, meaning there were no cases in the lowest or highest age bands. Four cases (36.4%) were from employees in each of the 25 to 34 age band (who form only 13.6% of all employees) and the 45 to 54 band (which is more in line with its 35.1% representation in the workforce). There was 1 case (9.1%) in the 35-44 age range, which was proportionately well below the employee profile for this age range (24.5%); with the remaining 2 cases (18.2%) in the 55-64 band, which

roughly equates to the proportion of employees in this age range (19.2%).

In terms of disciplinaries, the 54 cases were spread across all age bands. The lowest number of cases were 3 (5.5%) and 4 (7.4%) respectively in the 65+ and 16-24 age bands. These age bands form 3.4% and 4.2% of the workforce, meaning that the percentages still appear high. However, the low number of actual cases in these age bands means there is no significance that can be drawn.

The 35-44 age band had 7 cases (12.9%), which appears to be a fair representation (13.7% of employees are in this age range). There is some over-representation in the 25-34 age band (10 cases or 18.5% compared to an employee profile of 13.6%) and a much closer representation in the 55-64 band (11 cases or 20.4% compared to an employee profile of 19.2%). By far the greatest number of disciplinary cases are in the 45-54 age band (19 or 35.2%), which is also the largest age band in employee terms (an almost identical 35.1%).

Overall, there does not seem to be any significant variation in the spread of disciplinary cases.

With regard to dismissals resulting from the disciplinary procedure, none of the 12 cases involved employees in the lowest two age bands, and only 1 (8.3%) was in the 35-44 band. As 42.3% of employees are aged up to 44 years, this further eases concern expressed a couple of years ago that younger people may have been proportionately more likely to be dismissed on disciplinary grounds than older employees. Seven disciplinary dismissals (58.3%) were of employees in the 45-54 age band (35.1% of employees). The remaining 4 cases (33.3%) were in the 55-64 age band (19.2% of employees).

The 7 dismissals due to medical capability were reasonably spread across all age bands, with 1 or 2 cases in every band except 35-44, in which there were no cases. However, 5 dismissals (71.4%) were

of employees 45 years old or over (57.7% of employees), although this may be the result of the low numbers involved. Two of these cases involved employees aged 65 years or over.

Capability (Performance)

A third of the capability (performance) cases (5 cases) involved employees who were in the 55-64 age band (19.2% of employees). There were 3 cases (20.0%) in each of the 25-34 and 45-64 bands (respectively 13.6% and 35.1% of the workforce), and the remaining 4 cases (26.7%) were aged between 35 and 44 (24.5% of the workforce). There were no cases at either end of the age range, 16-24 years or 65 years and over.

Dignity at Work

In the same way, there were no Dignity at Work cases raised by employees in the 16-24 age range or aged 65 or over.

The 16 recorded Dignity at Work cases were more or less proportionally spread across the remaining ranges with 3 (18.8%) in the 25-34 age band (13.6% of employees), 5 (31.3%) in the 35-44 range (24.5% of the workforce), and 6 cases (37.5%) in the 45-64 age band (35.1% of employees). The remaining 2 cases (12.5%) were in the 55-64 age band (19.2% of employees).

Issues arising from ‘due regard’

There have been no due regard issues relating to the age of employees or potential employees.

Future actions

There are no specific actions arising from this report that relate to the protected characteristic of age.

Disability

Employee profile

Previous reports have outlined the reasons for the increase in the proportion of employees who have 'not specified' whether or not they have a disability from 16.3% in our first report to the current level of 29.5%, together with a drop in the levels of employees known to have a disability from 5.6% to 2.7% (although both of these figures have stabilised as they are identical to last year). This was due to limitations in the system for recording disability among the large number of employees working in Adult Social Care, who were transferred from Solihull Care Trust to the Council in April 2011.

It was anticipated in the last report that system changes would be put in place to improve our understanding of employee disability distribution at 31 March 2014.

However, due to the pressure of implementing legislative change requirements, this project has been subject to further delay. It is hoped it will now be undertaken during 2015.

Working full and part time

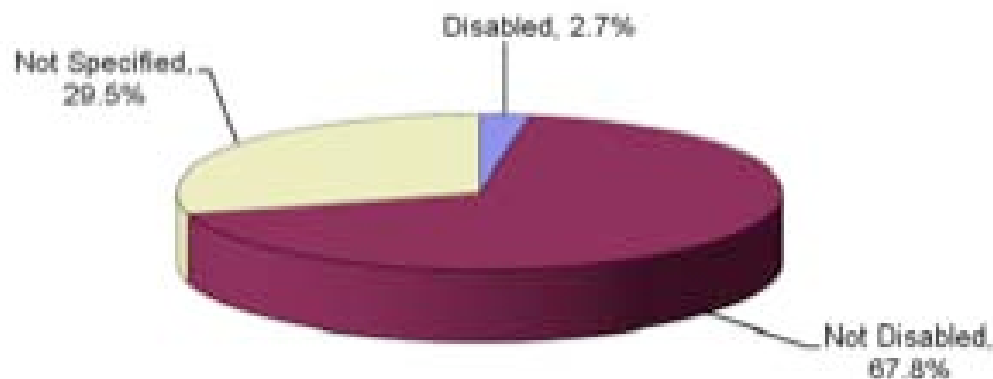
A similar number of disabled employees work full time (68 employees) compared to part time posts (74). There has been a slight drop in both figures when compared to last year (the last report quoted figures for disabled employees of 75 full time and 76 part time posts).

Disabled employees hold 3.1% of our full time, and 2.3% of our part time posts. These figures are very similar to those in the last report (3.3% and 2.3% respectively), but again the low figures involved and the high proportion of 'not specified' makes it problematic to reach specific conclusions.

New starters and leavers

The number of assignments filled by new starters known to have a disability was 16 - twice that reported last year (8) and 9 more than the 7 reported in 2013.

Employee Disability Distribution at 31.03.14



This means that disabled starters have increased from 1.5% to 2.5%, the same percentage as in 2013. The 'not specified' proportion (25.5%) is considerably less than that for the workforce as a whole (29.5%) and much less than that reported for starters last time (37.1%).

These figures, therefore, suggest there is an improvement in the recording of new starters in terms of disability, but there is still reason to examine if more positive action measures could be considered to encourage applications from disabled people.

The proportion of disabled employees leaving assignments within the Council (3.6% or 24 individuals) is the same as that quoted in the previous report (3.6% or 26 employees).

Grievances, disciplinarys and dismissals

None of the 11 grievance cases was raised by an employee with a declared disability.

The same applies to the 54 disciplinary cases, which involved no employees known to have a disability.

No employees known to have a disability have been dismissed on medical capability grounds (12 cases in total).

Capability (Performance)

One (6.7%) of the 15 capability (performance) cases involved an employee known to have a disability. In that case, reasonable adjustments were identified to assist the employee, and the matter was resolved.

Dignity at Work

None of the 16 Dignity at Work cases was raised by an employee known to have a disability.

Issues arising from ‘due regard’

There have been no due regard issues relating to disabled employees or potential employees.

The Council’s Domestic Abuse Workplace Policy contains specific reference to employees facing violence in forced marriages involving adults with learning or physical disabilities.

Disabled Employee Network

The Council has a Disabled Employee Network (DEN), a prime role of which is to support decision making from a disability perspective. In this respect DEN has been involved in discussions on the engagement of disabled employees in the workplace, implementing the commitments made under the ‘two ticks’ scheme for meeting the

needs of disabled employees, and training on unconscious bias as it affects perceptions of disability in the workplace. DEN is also supporting the refurbishment of our main Church Hill House offices from a disability perspective.

Looking beyond the Council as an employer, delegates from DEN are members of the inter-agency steering group which arranges Solihull’s annual celebration of International Day of Persons with Disabilities on 3 December (more information is contained in our Services Equality Report, January 2015).

Future actions

Through the proposed disability data capture exercise, to improve the recording of information on disabled employees by reducing the current level of ‘not specified’.

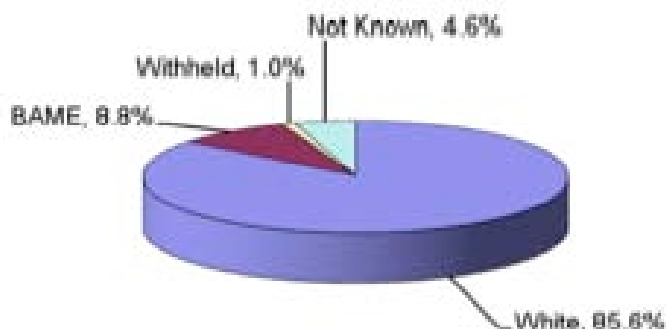
To examine further positive action measures to encourage more applications from disabled people.

Race (or Ethnicity/Ethnic Origin)

Employee profile

This pie chart shows the distribution of our employees by race.

Employee Ethnicity Distribution at 31.03.14



Generally, BAME (Black, Asian and Minority Ethnic) employees represent a slightly smaller percentage of the overall workforce population than the BAME representation in the population of Solihull as a whole, which is 10.9% according to Census 2011 figures. However, the 'not known' and 'withheld' percentages could be having an effect on these figures.

Subsequent comparisons between BAME and white employees do not include the 'Not Known' and 'Withheld' categories.

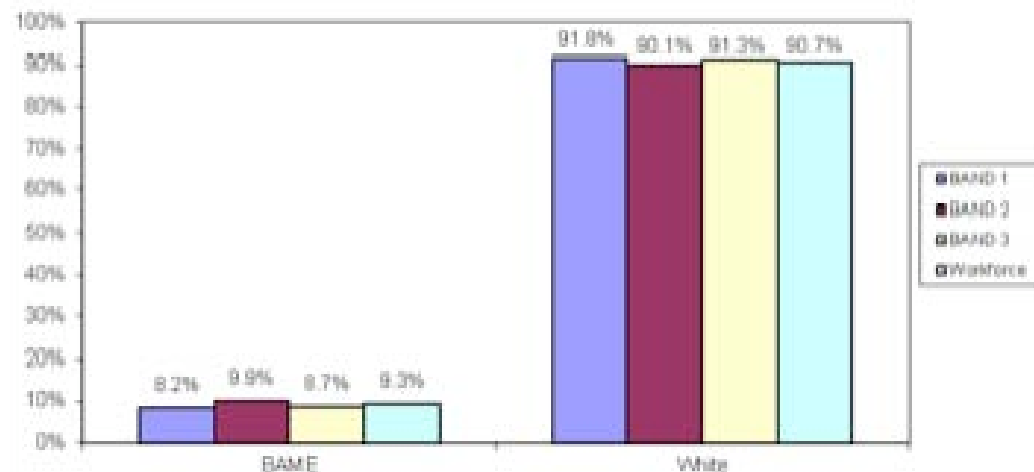
Working full and part time

In terms of race, BAME employees are less likely to be working part time than their white counterparts. Over half of posts held by BAME employees are full time (240 out of 459, or 52.3%), while white employees are significantly more likely to be working in part time

posts than full time (2,871 part time/1,813 full time, or 61.3%/38.7%). Overall, 92.9% of part time posts are held by white employees.

Pay gap information

Pay Gap Analysis by Ethnicity as at 31.03.14



From this table, there appears to be only a small variation between the proportions of BAME employees within each salary band and those of white employees. Based on an overall distribution of 9.3% BAME employees (when the 'Not Known' and 'Withheld' categories have been omitted), the largest variation is in Band 1 (the lowest salary level) where the BAME proportion is 1.1% lower than it would be if the band equated to the percentage for the workforce as a whole. The variation at the highest salary level (Band 3) of 0.6% would relate to less than 3 posts.

Less than half of BAME post holders (47.9%) are at the lowest band of pay compared to 52.5% of white post holders. At the highest level of pay the respective proportions are 6.9% and 6.8%.

New starters and leavers

12.5% of (or 79) assignments requiring new starters were filled by employees known to be from BAME communities, which is considerably higher than the proportion of known BAME employees as a whole (8.8%). The situation with leavers is more in line with the employee profile, in that 10.4% (70) of employees leaving assignments were known to be from BAME communities.

Grievances, disciplinaries and dismissals

All of the 11 grievance cases were raised by white employees. This contrasts strongly with the findings in last year's report when 6 (25%) of the 24 cases were known to have been raised by BAME employees. This year's findings suggest that the high BAME employee proportion last year is unlikely to have been significant, but simply a product of the relatively small number of cases reported.

Ten of the 54 disciplinary cases (18.5%) involved BAME employees, and 2 other employees did not specify their race. One of the 7 disciplinary cases resulting in dismissal (14.3%) related to a BAME employee.

Of the 12 medical capability dismissals, there were no cases involving BAME employees.

Capability (Performance)

Three of the 15 capability (performance) cases (20.0%) involved a BAME employee.

Dignity at Work

Two of the 16 Dignity at Work cases (12.5%) were raised by BAME employees, with 1 other employee not specifying her/his race.

Issues arising from 'due regard'

There have been no due regard issues relating to the race or ethnicity of employees or potential employees.

The Council's Domestic Abuse Workplace Policy contains specific reference to employees facing violence in forced marriages involving people from Black, Asian and Minority Ethnic and refugee communities.

BAME (Black, Asian and Minority Ethnic) Employee Network

In 2014, the BAME Employee Network continued to support the October Black History Month activities in Solihull. Working in partnership with the Solihull & Birmingham Caribbean Family History Group and the Why Are West Indians (WAWI) Project, the Network helped in bringing a free exhibition called 'And We Were There Too' to Solihull. The exhibition took place all month in Solihull Central Library, highlighting the presence and involvement of Caribbean people in the First World War.

The launch of Black History Month was supported by a parade of Caribbean ex-service people displaying the regimental standards of West India and British West India in Solihull's Theatre Square on the launch of the event. This was followed by an introduction from the Mayor of Solihull and talk by The WAWI Project in the Library Studio. The involvement of the BAME groups in future Black History month activities will continue.

Future actions

There are no specific actions arising from this report that relate to the protected characteristic of race.

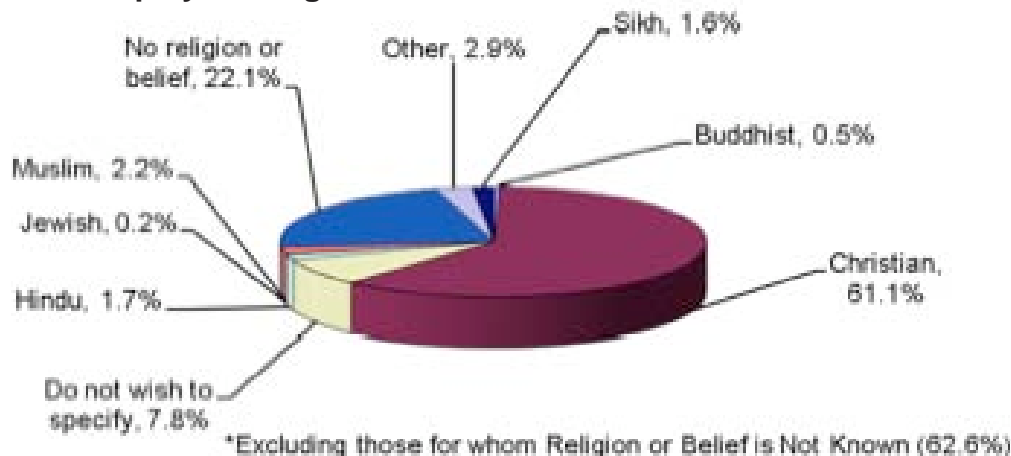
Religion or Belief

Employee profile

Religion or belief was added to the Council's equality monitoring system in 2009/10, and the system is reliant on existing employees updating their own personal records.

Currently, we have limited completion of personal records in relation to religion or belief, with no records completed for 3,083 of our 4,928 employees (62.6%). This is a decrease in the number reported previously (3,521 or 69.4% in 2014, which in turn was an improvement on 2013 figures of 3,892 or 75.7%) indicating the level of recording is improving. The following chart has been created using only the responses we have received, to minimise the distortion that 'unknowns' in the profile would create.

Employee Religion or Belief Distribution* at 31.03.14



As in last year's report, the table on page 4 shows that our workforce profile is roughly equivalent to our borough population by religion and belief.

Grievances, disciplinarys and dismissals

Three of the 12 grievance cases (25.0%) were raised by employees who had specified their religion or belief, one of whom had 'no religion or belief' and the other two (16.7% of all cases) were Christian employees.

Eight of the 54 cases subject to disciplinary procedures were against employees who specified their religion or belief (14.8%). However, 1 of these employees (1.9 of all disciplinarys) declared she/he had had 'no religion or belief', and 1 indicated 'other', but there are no details available on what that religion or belief was. The remaining 6 employees (11.1%) specified they were Christian.

Two of the 7 employees dismissed as a result of the disciplinary procedures (28.6%) had provided information on religion or belief and both were Christian.

Of the 12 medical capability dismissals, no employee declared a religion/belief.

Capability (Performance)

There is no specified information on religion or belief for all but 2 of the 15 capability (performance) cases. Those two cases (13.3%) involved Christian employees.

Dignity at Work

Four of the 16 Dignity at Work cases (25.0%) were raised by employees who specified their religion or belief, including one employee (6.3% of all cases), who had 'no religion or belief'. Two employees were Christian (12.5%) and 1 was Muslim.

Issues arising from ‘due regard’

There have been no due regard issues relating to the religion or belief of employees or potential employees.

The Council’s Domestic Abuse Workplace Policy contains specific reference to employees affected by female genital mutilation, which derives from complex belief systems, including the beliefs that it is a religious requirement or a necessary rite of passage to womanhood. The policy also addresses so-called ‘honour-based violence’ or ‘honour-crimes’ which are forms of violence used to control behaviour within families and communities to protect perceived cultural and religious beliefs and/or ‘honour’.

Future actions

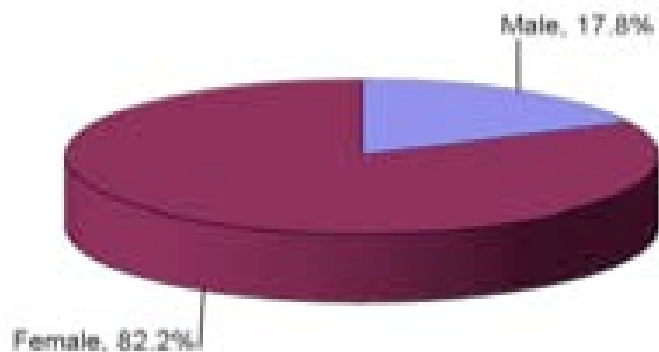
We will continue to encourage greater recording of religion or belief monitoring information.

Sex (or Gender)/Pregnancy and Maternity

Employee profile

This pie chart shows the distribution of our employees by gender:

Employee Sex/Gender Distribution at 31.03.14



According to the 2011 Census, 51.4% of the population of Solihull is female. There is every reason to believe that the Council's heavy reliance on caring work, plus its flexible and part time working arrangements have a strong influence on the high proportion of women employed within the Council.

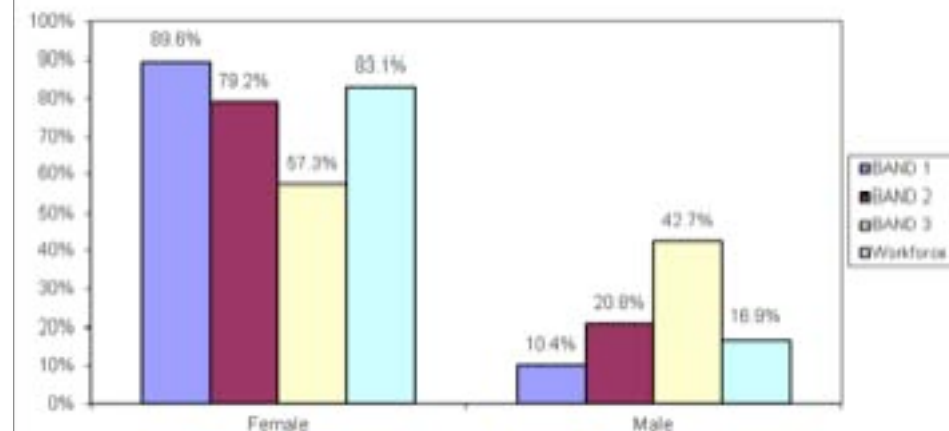
It is not possible to state accurately the number of pregnant women in our employ at any one time as it is policy that pregnant employees do not have to notify the Council until 15 weeks before the date when their baby is expected.

Working full and part time

A striking statistic is that 92.7% of part-time employees are female. It would be reasonable to assume that the high percentage of women employees in the workforce (82.2%) is due largely to the attraction of family friendly, flexible working arrangements, of which part time working is a key element.

Pay gap information

Pay Gap Analysis by Gender as at 31.03.14



Such is the high level of female representation in the workforce that women form the larger portion at all three salary levels. However, this table shows a step effect as the three levels are considered. The female to male proportion at the highest level (Band 3 - 57.3 to 42.7) is closer to that for the wider community of Solihull (51.4 to 48.6), although it means that only 4.9% of women employees are paid within this salary range compared to 17.7% of men (these figures are decreases respectively of 0.5% and 0.6% on those reported last year).

New starters and leavers

80.2% of (or 507) assignments requiring new starters were filled by female employees, which is slightly below the proportion of female employees as a whole (82.2%).

The proportion of leavers who are male (22.1% or 149 individuals) is higher than their overall percentage in the workforce (17.8%).

As the number of leavers exceeds that for starters (675 and 632 respectively), the high proportion of women employees has increased very slightly (from 82.1% to 82.2%).

Grievances, disciplinaries and dismissals

Four of the 11 grievance cases (36.4%) were raised by male employees, which is over twice the overall proportion of male employees (17.8%). This could be due to the small numbers involved. However, this proportion increases when looking at the 54 disciplinary cases, as 22 of them (40.7%) involved male employees. Even more starkly, 6 of the 7 disciplinary cases resulting in dismissal (85.8%) involved male employees.

The proportion is nearer to the employee profile when considering dismissals due to medical capability, as 3 of the 12 employees were male (25.0%).

The relatively high proportion of male employees involved in disciplinary cases and subsequent dismissals is a similar picture to that reported last year and in 2013, and may be part of a trend requiring actions to be identified in future.

Capability (Performance)

Nine of the 15 capability (performance) cases (60.0%) involved a male employee, which is further evidence of statistical over-representation of males in such procedures.

Dignity at Work

In contrast, all but two of the 16 Dignity at Work cases were raised by female employees (87.5% female and 12.5% male). Bearing in mind the low number of cases involved, this would appear to be a fairly representative distribution.

Issues arising from 'due regard'

There have been no due regard issues relating to the sex of employees or potential employees.

The Council's Domestic Abuse Workplace Policy recognises that domestic abuse is gendered – the majority of perpetrators are men and between 80-95% of those who experience it are women. This is particularly relevant to the Council due to its high proportion of female employees (82.2%). As mentioned under 'Religion or Belief' above, the policy contains specific reference to employees affected by female genital mutilation, which is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The policy also addresses forced marriage and so-called 'honour-based violence' or 'honour-crimes', which are mainly, but not exclusively, against women.

Future actions

Continue work to develop approaches to obtaining a better understanding of any occupational segregation within the workforce. This includes identifying job types and service areas that employ comparatively low numbers of male or female applicants to identify whether any positive action initiatives could be developed to address occupational segregation.

Investigate ways in which information on the number of pregnant employees can be collected more accurately.

Continue monitoring the incidence of disciplinary cases and dismissals relating to male employees to identify if there is any trend of a proportionally higher incidence of cases.

Sexual Orientation/Gender Reassignment

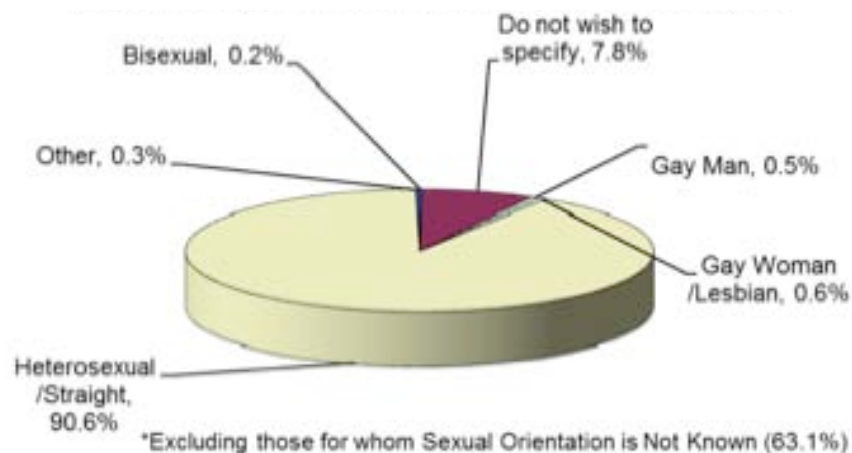
Employee profile

As with religion or belief, sexual orientation was added to the Council's equality monitoring system in 2009/10, and the system is reliant on existing employees updating their own personal records.

Currently, we have limited completion of personal records in relation to sexual orientation, with no records completed for 3,112 of the 4,928 employees in this profile (63.1%). Again this is similar to the situation with religion or belief, as there is a decrease in the number reported previously (3,544 or 69.8%) indicating the level of recording is improving.

The following chart has been created using only the responses we have received, to minimise the distortion that 'unknowns' in the profile would create.

Employee Sexual Orientation Distribution* at 31.03.14



The ONS Integrated Household Survey, September 2011, identified from over 400,000 respondents across the UK that 1.5% identified

themselves as gay/lesbian or bisexual, which is similar to the findings here.

Our employee profile shows no record of any transsexual employees. There are therefore no records of concerns raised by transsexual staff.

Grievances, disciplinaries and dismissals

Three of the 11 grievance cases (27.3%) were raised by employees who specified they were heterosexual/straight. The other 8 grievances (72.7%) were raised by employees who did not specify their sexual orientation.

Nine of the 54 employees (16.7%) subject to disciplinary procedures specified their sexual orientation. Seven were heterosexual/straight (13.0% of all disciplinary cases), and 2 (3.7%) were gay men.

Two of the 7 disciplinary cases resulting in dismissal (28.6%) involved employees with a known sexual orientation, which was heterosexual/straight.

Of the 12 dismissals on medical capability grounds, all were 'not known' in terms of recording their sexual orientation.

Capability (Performance)

There is no specified information on sexual orientation for all but 1 of the 15 capability (performance) cases. That case (6.7%) involved a gay woman/lesbian employee.

Dignity at Work

Four of the 16 Dignity at Work cases (25.0%) involved employees with a known sexual orientation, which was heterosexual/straight.

Issues arising from ‘due regard’

There have been no due regard issues relating to the sexual orientation of employees or potential employees.

The Council’s Domestic Abuse Workplace Policy recognises that domestic abuse occurs in same sex relationships and against bisexual and transgender people. It also contains specific reference to employees facing violence in forced marriages involving lesbian, gay, bisexual and transgender people.

LGBT (Lesbian, Gay, Bisexual and Trans)* Network

In 2010, the Council launched the LGBT Employee Network for LGBT employees to feel valued as individuals and to be able to influence policy development. In 2011 the Network surveyed LGBT employees to ensure that it was structured in a way that met their requirements.

As a result, the Network primarily acts as a “virtual network” sharing information and items of interest by email. It is also in regular contact with similar networks regionally to learn from and share best practice.

*Note – we use the term Trans as the preferred umbrella term used to describe anyone who feels that the sex that was assigned to them at birth incompletely describes or fails to describe them. This term includes people who are transsexual, are intersex, identify outside the female/male binary, or have a gender expression which differs from their perceived sex.

Future actions

Continue to encourage greater recording of sexual orientation monitoring information.