

NORTH LANARKSHIRE COUNCIL

REPORT

To: GENERAL PURPOSES COMMITTEE POLICY & RESOURCES (PERSONNEL) SUB-COMMITTEE		Subject: DEPARTMENTAL RACE EQUALITY ACTION PLAN – PROGRESS REPORT
From: DIRECTOR OF ADMINISTRATION		
Date: 28 SEPTEMBER 2005	Ref: FMcN/RAM/IW	

1. Introduction

1.1 North Lanarkshire Council is required under the Race Relations legislation to review its Race Equality Scheme by 30 November 2005. Each council department has been developing their Departmental Race Action Plan for the forthcoming three years. The purpose of this report is to seek approval of the Administration Department's revised Race Action Plan.

2. Background

2.1 The Corporate Race Equality Working Group developed a Race Equality Toolkit and organised a number of training sessions for personnel from across the Council. The Corporate Race Equality Working Group has also utilised the knowledge and experience of a firm of consultants who have provided training and advice both general and in the development of the toolkit.

2.2 The Administration Department is represented on the Corporate Race Equality Working Group and a number of Administration personnel have been involved in training events both at a strategic and practical level. The Departmental Management Team has met with the consultants to discuss with them the issues for the Department.

2.3 In order to meet the time-scale for the development of the Revised Race Equality Scheme and Action Plan, the Department has been working to develop the Action Plan for presentation to this Committee.

2.4 The aim of the general duty is to mainstream the elimination of discrimination and to promote equality of opportunity and good race relations by making these an integral part of how the department carries out public services.

2.5 There are specific duties in relation to employment and training which are included in (Articles 5(1), 5 (2) and 5(3) of the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002. The council has to ensure the publication of its response to these employment and training duties by 30 November 2005.

2.6 The specific duties include monitoring of all of the undernoted:

- Workforce- staff in post
- Recruitment- applicants for employment, training and promotion from each racial group
- Training- Black and Minority Ethnic (BME) employees must receive training and not suffer detriment as a result of their racial group

- Disciplinary process- monitor by ethnicity, the numbers of BME employees who are subject to disciplinary procedures
- Grievance process- monitor by ethnicity, the numbers of BME employees who are involved in grievance procedures
- Performance assessment/ appraisal- monitor by ethnicity, the numbers of BME employees who benefit or suffer detriment as a result of its performance procedures
- People leaving the organisation

2.7 There is also a duty to train staff in relation to race duties

2.8 In addition, the council is obliged to publish annually the results of this monitoring and ensure that the public has access to this information. The information must be made available to everyone. Since our committee reports are accessible to the public, the Corporate Race Equality Working Group agreed that this could be achieved for race equality issues, through submitting reports to committee.

3. Progress

3.1 Using the toolkit developed by the Corporate Race Equality Working Group, all of the functions and policies of the department were identified and assessed for relevance in terms of the legislation. Appendix 1 contains this list.

3.2 These functions and policies were then prioritised in terms of high, medium, low priority. The details are attached in Appendix 2. Nine areas were identified as high relevance i.e. the employment policies detailed in Appendix 2 and front line services; the registration service, and the reception and switchboard services provided by Central Services.

3.3 Impact Assessments were carried out on these functions and action plans have been developed based on the outcomes of this. The results of the impact assessments highlight that there are some actions that require to be carried out mainly in relation to employment. The council should continue to collect employment data, however, relevant monitoring arrangements should be put in place to capture data on grievance and discipline cases, and the numbers of BME employees who are promoted and trained. The consultation exercise highlighted the perception of the BME employees that cultural awareness training should be provided. In addition, consideration will be given to the expansion of monitoring of users of the E-nquiry 2 system.

3.4 A departmental race action plan has been developed and is attached in Appendix 3.

3.5 A report updating the position on the employment duty will be submitted to the corporate management team for their consideration and approval. The information contained in this report is attached in Appendix 4.

4. Recommendations

4.1 It is recommended that the Committee approves the content of this report


Director of Administration

For further information on the content of this report please contact Iris Wylie, Head of Personnel Services on 01698 302215.

**RACE EQUALITY SCHEME
ASSESSING RELEVANCE**

Department Name: **ADMINISTRATION**

Function/Policy/Service	Which of the 3 aspects does it relate to?	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there or could there be public concern about potential discriminatory practices?	Overall relevance
	1 Eliminating discrimination	Yes		High
	2 Promoting equality of opportunity	No		Medium
	3 Promoting good race relations	Unknown		Low
Central Services Division				
Registration Service	1,3	NO	NO	HIGH
Reception & Switchboard Services	1,3	NO	NO	HIGH
Property Enquiry Certificates	1,3	NO	NO	LOW
Children's Panel Recruitment	1,2,3	NO	NO	LOW
Community Councils	1,2,3	NO	NO	LOW
Civic & Ceremonial Duties	1,3	NO	NO	LOW
Servicing & Minting of Committees	1,3	NO	NO	LOW
Member's Services (Including	1,3	NO	NO	LOW

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ASSESSING RELEVANCE**

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to?	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there or could there be public concern about potential discriminatory practices?	Overall relevance
	1 Eliminating discrimination	Yes		High
	2 Promoting equality of opportunity	No		Medium
	3 Promoting good race relations	Unknown		Low
Surgeries)				
Electoral Administration	1,3	NO	NO	LOW
LEGAL SERVICES				
Administration of house sale system	1,2	NO	NO	LOW
Administration of council's licensing systems under licensing legislation	1,2	NO	NO	LOW
Administration of council's licensing systems under civic government licensing legislation	1,2	NO	NO	LOW
Administration of district court service	1,2	NO	NO	LOW

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ASSESSING RELEVANCE**

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Function/Policy/Service	Which of the 3 aspects does it relate to?	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there or could there be public concern about potential discriminatory practices?	Overall relevance
	1 Eliminating discrimination	Yes		High
	2 Promoting equality of opportunity	No		Medium
	3 Promoting good race relations	Unknown		Low
PERSONNEL SERVICES				
Adoption Leave	1,2	NO	NO	LOW
Alcohol & Drug Related Problems	1,2	NO	NO	LOW
Equality of Opportunity in Employment	1,2,3	YES	YES	HIGH
Flexible Working	1,2	NO	NO	LOW
Discipline	1,2,3	YES	YES	HIGH
Grievance	1,2,3	YES	YES	HIGH

APPENDIX 1

North Lanarkshire Council

**RACE EQUALITY SCHEME
ASSESSING RELEVANCE**

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to? 1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	Is there evidence or reason to believe that some racial groups could be differently affected? Yes No Unknown	Is there or could there be public concern about potential discriminatory practices?	Overall relevance High Medium Low
Harassment	1,2,3	YES	YES	HIGH
Job Sharing	1,2	NO	NO	LOW
Managing Absence	1,2	NO	NO	LOW

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ASSESSING RELEVANCE**

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to?	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there or could there be public concern about potential discriminatory practices?	Overall relevance
	1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	Yes No Unknown		High Medium Low
Maternity Provisions Parental Leave	1,2	NO	NO	LOW
Recruitment Policy	1,2,3	YES	YES	HIGH
Redeployment	1,2	NO	NO	LOW

**RACE EQUALITY SCHEME
ASSESSING RELEVANCE**

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to?	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there or could there be public concern about potential discriminatory practices?	Overall relevance
	1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	Yes No Unknown		High Medium Low
Redundancy	1,2	NO	NO	LOW
Relocation	1,2,3	NO	NO	LOW
Special leave	1,2,3	YES	YES	HIGH

APPENDIX 1

North Lanarkshire Council

RACE EQUALITY SCHEME
ASSESSING RELEVANCE

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to? 1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	Is there evidence or reason to believe that some racial groups could be differently affected? Yes No Unknown	Is there or could there be public concern about potential discriminatory practices?	Overall relevance High Medium Low
Telecommunications	1,2	NO	NO	LOW
Time Off for Trade Union Duties	1	NO	NO	LOW
Time Off for Public Duties	1	NO	NO	LOW

APPENDIX 1

North Lanarkshire Council

**RACE EQUALITY SCHEME
ASSESSING RELEVANCE**

Department Name: ADMINISTRATION

Function/Policy/Service	Which of the 3 aspects does it relate to? 1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	Is there evidence or reason to believe that some racial groups could be differently affected? Yes No Unknown	Is there or could there be public concern about potential discriminatory practices?	Overall relevance High Medium Low
Training & development policy	1,2,3	YES	YES	HIGH
Health & Safety Policy	1,2	NO	NO	LOW
Job Evaluation	1,2,3	NO	NO	LOW

North Lanarkshire Council

RACE EQUALITY SCHEME
SUMMARY HIGH RELEVANCE

Department Name: Administration-

Function/Policy/Service	Which of the 3 aspects does it relate to?	Priority Order
	1 Eliminating discrimination 2 Promoting equality of opportunity 3 Promoting good race relations	1, 2, 3 1 = high
CENTRAL SERVICES DIVISION		
Registration Services	1,3	1
Reception and Switchboard Services	1,3	1
LEGAL SERVICES DIVISION		
None		
PERSONNEL SERVICES DIVISION		
Equality of Opportunity in Employment	1,2,3	1
Grievance	1,2,3	1
Discipline	1,2,3	1
Harassment	1,2,3	1
Recruitment Policy	1,2,3	1
Flexible Working	1,2,3	3, New Policy since Nov 2002
Training & Development	1,2,3	1

APPENDIX 3

**NORTH LANARKSHIRE COUNCIL
RACE EQUALITY SCHEME
ADMINISTRATION DEPARTMENTAL RACE ACTION PLAN**

ITEM	ACTION	BY WHOM	DATE FOR COMPLETION
Central Services Division			
Reception and Switchboard Services	Consideration of expansion of monitoring for users of E-nquiry 2 system	Chief Administrative Services Officer	April 2006
Employment Policies			
Harassment Policy	<ul style="list-style-type: none"> • Draft policy currently under consideration • Timescales now included in draft policy • Consideration to be given to general awareness raising training for managers and employees. • Training on cultural awareness for everyone • Consideration to be given to BME representative on investigatory panel. • Continue to monitor harassment complaints 	Corporate Policy Development/ Training Teams/black employee forum members/Ops Team/ Personnel Practitioners/ Harassment Support Officers	August 2006
Discipline Policy	<ul style="list-style-type: none"> • Consideration to be given to general awareness raising training for managers and employees. • Training on cultural awareness for everyone • Consideration to be given to BME representative on disciplinary panel. • Introduce audit of discipline cases 	Corporate Policy Development/ Training Teams/black employee forum members/ Ops Team	August 2006
Grievance Policy	<ul style="list-style-type: none"> • Consideration to be given to general awareness raising training for managers and employees. • Training on cultural awareness for everyone • Consideration to be given to BME representative on investigatory panel • Introduce audit of grievances 	Corporate Policy Development/ Training Teams/black employee forum members/ Ops Team	August 2006
Equal Opportunities in Employment Policy	<ul style="list-style-type: none"> • Consultation took place on this policy 17.9.05. • Impact assessment to be finalised following consultation on 17.9.05 	Policy Development Team/ BME	October 2005

APPENDIX 3

**NORTH LANARKSHIRE COUNCIL
RACE EQUALITY SCHEME
ADMINISTRATION DEPARTMENTAL RACE ACTION PLAN**

		community groups/ individuals	
Flexible Working Policy	<ul style="list-style-type: none"> • Consultation to take place with BM employees • Introduce audit of applications for flexible working and reasons for refusal. 	Policy Development Team/ BME community groups	To be Confirmed following consultation event on 17.9.05 & meeting with LEMAG on 27.9.05
Recruitment Policy	<ul style="list-style-type: none"> • Consultation took place on this policy 17.9.05. • Impact assessment to be finalised following consultation on 17.9.05 • Recruitment application form ethnic categories to be amended to be in line with Census 2001 categories. 	Policy Development Team/ BME community groups/ individuals	November 2005
Training and Development Policy	<ul style="list-style-type: none"> • Impact assessed • Corporate training administration system to be operational by April 2006. 	Training Team/ IT	April 2006

APPENDIX 4

1. Purpose

The purpose of this appendix is to provide an update on the employment and training duties under the race relations act, and to produce recommendations for future progress.

2. Background

2.1 The Race Relations (Amendment) Act 2000 requires public bodies to ensure they comply with the general duty to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations

2.2 Further specific duties include:

- Publish a Race Equality Scheme
- Assess impact of functions/ policies/services
- Consult on impact of functions/ policies/services
- Ensure public access to information and services
- Employment duty

2.3 In accordance with the Race Relations Act (Statutory Duties) Orders the council requires to carry out ethnic monitoring, or have in place arrangements for doing this as soon as is reasonably practicable, but by 30 November 2005 at the latest. This includes monitoring data by ethnicity on the numbers of staff :

- in posts
- applicants for employment, training and promotion
- who receive training
- who benefit or suffer detriment as a result of its performance assessment procedures
- who are involved in grievances
- who are the subject of disciplinary procedures
- who cease employment.

2.4 The council also has a duty to publish these monitoring results and explain how it is dealing with trends or problems highlighted by the monitoring. The council currently provides statistical information on staff in posts and applicants for employment, broken down by ethnicity, as a performance indicator, and to monitor the effectiveness of its employment policies and procedures in relation to race equality. This information is reported to the corporate management team on a quarterly basis.

3. Considerations

3.1 Numbers of Black and Minority Ethnic (BME) staff currently in post

3.1.1 Based on the 2001 census data, 2% of the Scottish population of working age is from a BME background (North Lanarkshire average is 1.4%). North Lanarkshire Council had 0.47% BME employees at that time in 2001. The council now has 0.5% BME employees. Figures as at 30.3.05, in the attached sheet). This data has been collated from information contained on the Cyborg system. From this data, it appears that the number of employees has remained fairly static since 2001.

3.1.2 There is a larger pool of BME individuals who are self-employed than in employment, which could explain the low numbers of BME employees in the council. From Census 2001

statistics, 25.8% of all BME economically active individuals are self-employed, as opposed to 6.8% of all white economically active individuals.

3.1.3 The 2001 Census data indicates that the council's number of BME employees is not reflective of the number of BME individuals in the community. One of the reasons for this could be the fact that there is a significantly higher proportion of BME individuals who are self employed than in employment. The Data is taken from the monitoring form attached to the council's application form when candidates apply for jobs with the council.

3.2 Numbers of BME Applications for Employment

3.2.1 In relation to the respective population, or ethnic group statistics, fewer BME candidates than white candidates are applying for jobs. Of the 31950 applications received in 2003, only 468 were BME applicants. In 2004, the figure was 434 out of a total of 31612 applicants.

3.2.2 As illustrated in the table below, in 2003, 26.7% of BME applicants and 26.6% of white applicants were interviewed, in 2004 the rate varied slightly to 22.1% and 29.5% respectively.

YEAR	Applicants Applied White	Applicants Applied BME	Interviewed Applicants White	Interviewed Applicants BME
2004	31178	434	29.5%(9186 out of 31178)	22.1% (96 out of 434)
2003	31482	468	26.6%(8385 out of 31482)	26.7% (125 out of 468)

3.2.3 In 2003 2.8% of BME applicants were successful, compared to 4.4% of white applicants. In 2004, this position changed and only 1.6% BME candidates, compared to 5.3% of white applicants were successful.

YEAR	Successful White Applicants	Successful BME Applicants
2004	5.3% (1665 as % of 31178)	1.6% (7 as % of 434)
2003	4.4% (1406 as % of 31482)	2.8% (13 as % of 468)

3.2.4 In summary, although comparable proportions of BME applicants are interviewed as white applicants – in 2004, 22.1% of BME applicants were interviewed compared to 29.5% of white applicants, BME applicants are less likely to apply for jobs – in 2004, only one in every 72 applicants were BME; and once interviewed, are less likely to be appointed – in 2004 5.3% of white applicants gained employment compared to only 1.6% of BME applicants.

Full statistics are attached.

3.3 Summary of Action

3.3.1 In comparing statistics for 2003 and 2004, fewer BME candidates have applied for, been interviewed for, and been successful in gaining employment with the council. There may be particular circumstances which has affected this. Further analysis is required on a consistent and ongoing basis as to the underlying reasons.

3.3.2 The specific duty on employment contained in the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002 is designed to provide a framework for measuring progress in equality of opportunity in public sector employment. The specific duties are also aimed at providing monitoring information to guide initiatives that could lead to a more representative public sector workforce.

3.3.3 From the statistics currently collected, substantially more information is required to analyse the reasons why BME candidates are not applying for jobs, or getting jobs with the council. This may entail a variety of approaches including an analysis of the posts advertised; the way in which the council advertises its posts; the reasons for BME candidates not gaining jobs; consulting with BME community groups to listen to their views.

3.3.4 Recruitment

- the council should continue to collect employment data and analyse it further on an ongoing and consistent basis across all council departments to provide a clear picture of what is happening during the council's recruitment process and why the council receives fewer applications from BME individuals and the reasons for the apparent lower success rate at interview. This could be done in conjunction with an analysis of gender and disability data.
- collection of data should be by the Census 2001 ethnic groupings. Employment categories to be amended in the council's recruitment application form to reflect this.

3.3.5 Promotion, Training, Performance Review and Development Assessment, Grievance and Discipline

- data to be collected on the numbers of BME employees who are promoted and trained and also those who are the subject of discipline and grievance.
- performance review and development scheme to be rolled out by 2006/07 to include training and development opportunities over and above training courses.
- that the outcomes of the results are shared with each department and the black and minority ethnic employee forum on a regular basis.
- the council continues to offer a wide range of equalities training which is provided in a variety of ways. Through general awareness and induction training, along with equality strand and service specific training.

3.3.6 Employment and training considerations resulting from LEMAG Consultation

- the council will consider positive action schemes to target job training and recruitment efforts at those groups that are under-represented in a particular area of work. The Lanarkshire Ethnic Minority Group (LEMAG) recommended as part of their priorities that there is a need to consider establishing back to work/ first job support schemes. The Social Work Department is taking the lead on this, in conjunction with the Planning and Environment Department. They are currently in discussion with LEMAG to explore whether an existing Training for Work Scheme to recruit Home Care Support Workers can be tailored and targeted towards BME individuals.

- consideration will be given to analyse if there is a need for positive action posts to target job training and recruitment efforts at those groups that are under-represented in a particular area of work and if so, how this can be achieved e.g South Asian receptionist in a surgery that has a large South Asian community. This will be taken forward by the corporate race equality working group in conjunction with LEMAG.
- consideration will be given to identifying the most appropriate way of developing tools that support and encourage BME candidates in their application for posts, and who should deliver this. LEMAG identified that some BME applicants require assistance in how to complete application forms and in the development of their interview skills. This will be progressed by the corporate race equality working group in conjunction with LEMAG.
- the council to consider pro-active ways to support minority ethnic staff often working in an all white environment e.g mentoring or buddy system. This will be achieved by the corporate race equality working group in conjunction with the corporate training team.

APPENDIX 4 Full Statistics

Black & Minority Ethnic Applicants (BME)								
	2003				2004			
	No of White Applicants	No of BME Applicants	Total no of Applicants	BME Applicants as % of Total BME Applicants	No of White Applicants	No of BME Applicants	Total no of Applicants	BME Applicants as % of Total BME Applicants
Applied	31482	468	31950	1.5%	31178	434	31612	1.4%
Interviewed	8385	125	8510	26.6%	9186	96	9282	22.1%
Appointed	1406	13	1419	2.8%	1665	7	1672	1.6%
YEAR	Numbers of NLC Black and Minority Ethnic Employees (BME) as % of Total Workforce							
2005	100	0.5%						
2001	75	0.47%						