

Calderdale MBC

Wards Affected All

Cabinet 11th March 2024



Report of Director of Public Services

Everyone Different Everyone Matters: Meeting the Equality Duty Report 2023

1. Purpose of Report

- 1.1 Under the Equality Act 2010 and the Public Sector Equality Duty, public authorities were required to develop and publish equality objectives by 6 April 2012 and then at least every four years. Calderdale Council's revised equality objectives were approved and published on the Council's website in 2021.
- 1.2 Following the introduction of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 organisations listed under the Equality Act are now also required to publish and report specific figures about their gender pay gap. The gender pay gap is the difference between the average earnings of men and women, expressed relative to men's earnings. The obligations apply if employers have 250 or more employees on the snapshot date of 31 March of a given year.
- 1.3 To comply with the 'Equality duty' we report on our equality progress (Appendix A) on at least an annual basis. This report outlines progress against the six corporate equality objectives, gender pay gap data and ethnic pay gap data are also presented alongside the analysis of the workforce.

2. Need for a decision

- 2.1 When Cabinet agreed the adoption of its equality objectives 2021-25, it requested that a report outlining progress against the objectives should be brought to Cabinet on an annual basis.

3. Recommendation

Cabinet to:

- 3.1 Note the reports presented to them in accordance with the statutory requirement under the Equality Act 2010 and subsequent regulations.
- 3.2 Agree to receive a further updated report in 2024 and annually thereafter.

4. Background and/or details

- 4.1 The Equality Act 2010 aims to tackle discrimination and inequality, and to ensure that all people are treated fairly and equitably. It specifically prevents discrimination on the grounds of age, disability, sex, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion or belief and sexual orientation.
- 4.2 The Public Sector Equality Duty within the Act requires public bodies, such as Calderdale Council, to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good community relations.
- 4.3 The Act sets specific duties for public bodies to:
- Publish information to demonstrate compliance with the Public Sector Equality Duty at least annually, starting by 31 January 2012.
 - Prepare and publish one or more equality objectives at least every four years, starting by 6 April 2012.
- 4.4 The Act states that the information published must include information relating to people who share a relevant protected characteristic who are:
- Its employees (for authorities with more than 150 staff)
 - People affected by its policies and practices (for example, service users).
- 4.5 Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 any organisation that has 250 or more employees must now publish and report specific figures about their gender pay gap. The figure must be calculated using a specific reference/snapshot date:
- 31 March for public sector organisations
 - 5 April for businesses and charities.
- 4.6 Under the 2017 regulations employers must:
- publish their gender pay gap data and a written statement on their public-facing website within a year of the snapshot date
 - report their data to government online - using the gender pay gap reporting service.
- 4.7 The gender pay gap shows the differences in the average pay between men and women unlike equal pay which deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value (it is unlawful to pay people unequally because they are a man or a woman).
- 4.8 To meet our responsibilities as an employer, workforce analysis has been carried out annually to look at progress on workplace equality and to help the Council to identify and address any areas of underrepresentation or disparity. The HR Workforce (Appendix B) and Gender Pay Gap (Appendix C) reports are published as separate documents and both accompany Calderdale Council's annual equality progress report.

4.9 Appendix 1 provides a summary and highlights some areas of equality improvement covering the period April 2022 to March 2023.

5. Options considered

5.1 No alternative options have been considered as the Council has a statutory duty to publish its gender pay data and its progress against its 'Equality duty' and equality objectives to comply with the Public Sector Equality Duty.

6. Financial implications

6.1 Actions to make further progress on the Council's equality objectives and workforce action plan(s) will be contained within existing budgets

7. Legal Implications

7.1 The Council has a statutory duty to comply with the Equality Act 2010 and subsequent regulations.

8. Consultation

8.1 None applicable.

9. Environment, Health and Economic Implications

9.1 National research/evidence indicates that some protected groups are at higher risk of developing health problems and lower wellbeing as a consequence of issues such as deprivation, inequalities and social exclusion. As indicated within this report, Calderdale Council's progress on equality has and will hopefully continue to have a positive impact on people's health and overall wellbeing.

10. Equality and Diversity

10.1 The very nature of the proposals within this report is to help advance equality. Actions to achieve the objectives include carrying out Equality Impact Assessments on policy and service developments and procurement exercises. The Impact Assessment tool also includes a requirement to consider the staffing implications of proposed courses of action.

11. Summary and Recommendations

11.1 Calderdale Council is committed to delivering fair and accessible services to achieve the best outcomes for the people it serves. Reducing inequalities continues to be one of three priorities in the Council's corporate plan.

11.2 The Council has made good progress on equality and diversity, however operating in an environment of constant change and economic pressures it recognises that further work is always required.

11.3 More than ever, Calderdale Council's relationships with partners and stakeholders is crucial, it will continue to collaborate and prioritise the most important actions to take to ensure its services are responsive to meeting the ever-changing needs

of its communities and ensure it is using its resources as effectively as possible to achieve maximum impact.

For further information on this report, contact:

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The documents used in the preparation of this report are:

1. EHRC Equality Act 2010 guidance
2. EHRC Public Sector Equality Duty guidance
3. Cabinet Report 8 November 2021 – Calderdale Council's Equality Objectives 2021-2025

Appendix 1:

Executive Summary

This is an executive summary of Calderdale Council's Everyone Different Everyone Matters: Meeting the Equality Duty April 2022 – March 2023. It provides a brief snapshot of the report outlining the key messages.

Some of the main findings:

Compliance with the Public Sector Equality Duty

Calderdale Council is firmly committed to the principle of equality of opportunity. We are committed to delivering services that meet the needs of all our diverse communities and ensuring fair and equitable access for all. We ensure we pay due regard to the public sector equality duty when making decisions about overarching policies, budget and general decisions which affect staff and customers.

Appendix A highlights some of the actions that have been taken to improve the lives of people in Calderdale, it also demonstrates how we have worked effectively with partners to achieve this.

Examples of where we have given due regard and advanced equality of opportunity resulting in service improvements during the timeline of the report include:

Access for all Calderdale Sports Centres

Disabled parking bays at Todmorden and Brighouse sports centres are frequently being used by cars that are not displaying blue badges which can make it difficult for disabled people to park and visit the centres.

Responding to this the Council is taking action to enforce the correct use of disabled parking bays and double yellow lines in both Todmorden and Brighouse sports centre car parks. Enforceable terms and conditions, which are standard across all Council car parks, will soon apply and fines will be issued for non-compliance:

- Parking in disabled bays is for blue badge holders only and a blue badge must be displayed in the parked vehicle
- All parking must be in a marked bay – no parking will be permitted on the double yellow lines
- There is a weight limit for parked vehicles of three tonnes

The Council is also in the process of refreshing the bay markings and lines in the car parks to ensure all restrictions and bays are clear, including the disabled parking spaces. New signage will also be installed to ensure that the parking restrictions are clear. Staff will continue to advise customers of the requirements.

Flexible provision that supports choice and continuity

Direct payments are offered to support people to access the support they wish to receive. The Commissioning and Contracts team have procured a range of Approved Provider Lists

(APLs). The principle of this approach is to offer choice and control from a list of providers who have met quality thresholds. APLs include homecare, daytime opportunities, outreach and support living provision. The team works with the provider market to ensure APLs contain a wide variety of providers, giving choice and control to people. The APL for daytime opportunities was expanded following engagement with current and future people who use the service. The engagement identified gaps in the market around support to gain employment and drama-based activities. Commissioners engaged with providers from other localities and have successfully expanded the APL bringing in new providers who offer these opportunities. To offer guidance and information a Look Book has been created so that families can consider the opportunities available to them and make person centred choices.

An APL for Supported Living offers similar choice to existing and new tenant groups. Tenants and families have identified continuity of support as a key issue. APLs allow tenants to maintain the same support provider without the requirement to re-tender care and support if tenants and families remain happy with the standard of provision.

The APLs are jointly commissioned and procured with the ICB to offer continuity of support regardless of who funds the support.

As an employer we are committed to being fair and inclusive. We have gathered a wide range of employment information and the main findings are:

- As of 31 March 2023, the workforce profile of Calderdale Council consisted of 2631 employees of whom 843 (32%) were male and 1788 (68%) were female. Since 2021/2022 the Council's workforce has increased by four.
- The percentage of part time posts has reduced from 42% in 2020/21 to 38% in 2022/23. 30.6% of female employees, 7.8% of male employees and 31.61% of disabled employees work part time hours. The number of full time staff declaring a disability has risen from 90 in 2021/22 to 106 in 2022/23 whilst part time disabled staff remained stable at 49.
- Since 2015, as a consequence of budgetary pressures and smarter ways of working we have downsized our workforce which has resulted in the decrease of both sexes for many years since, however this year we have seen the trend reverse with an increase of four staff. The number of men has decreased by 14 since 2021/22 with the number of women increasing by 18, the impact being greater for men than women when compared with the overall profile of the workforce.
- The majority of our employees are White British, female, Christian, do not have a disability and more than half are within the [45-54] and [55-64] age bands.
- Disabled employees have increased from 139 in 2022 to 155 with 5.89% declaring a disability (5.29% in 2022). A higher percentage of internal disabled applicants (8.79%) were shortlisted and successful in appointment in comparison to external applicants (4.89%) which was the opposite trend to last year. Eight of the 19 internal applicants were successfully appointed compared to 32 out of 271 external candidates that applied.
- Using the Census 2021 ethnicity categories, the percentage of employees who declare themselves as Black, Asian, Mixed or other ethnic group has increased

slightly from 10.32% to 11.17%, an increase of 23 employees since 2022. The proportion of Asian employees, who form the largest ethnic minority employee group increased by 13 employees overall from 183 employees to 196.

- 26 employees hold an apprenticeship at Calderdale Council. There has been an decrease in the proportion of apprentices from ethnic minority groups falling from three in 2021/22 (20%) to four (15.39%) in 2022/23.
- The declaration rates for disability and ethnicity have remained fairly static at 97.3% and 99.58% respectively, however the declaration rates for sexual orientation and religion have grown since 2021, increasing from 84.01% to 85.90% for sexual orientation and 83.71% to 85.85% for religion.
- The average FTE salary for female employees is £34,099.42 and £32,277.40 for male employees. Gay women/Lesbian employees earn the highest average salary at £34,659.64. The ethnicity with the highest average FTE salary of £32,250.87 is Black (female).
- 156 employees make up the top 5% of earners group, an increase of four employees since 2021/22. The average salary of the top 5% earners is £58,546.85 pa. The majority of top earners, 138 employees are from a White background, this is a decrease of one from 2022. 15 (9.61%) employees are from a Black, Asian, Mixed or other ethnic group background, this is an increase of five Black, Asian, Mixed or other ethnic group employees from 2022 (6.59%). Nine disabled employees (5.77%) are within the top earner group, which is a increase of five employee from 2022 (2.63%).
- The mean hourly rate for male staff is £15.89 which is slightly lower than the mean hourly rate £15.95 for female staff. Expressed as a percentage of the male rate, the Mean Gender Pay Gap for 2022/3 is -0.4% (£-0.06) compared to 1.7% (£0.26) in 2022/23, indicating a closure of the gender gap between men and women.
- The median gender pay gap represents the middle hourly rate of pay and the percentage difference between males and females. The Median Gender Pay Gap for 2023 is -2.3% which is lower than the 2022 figure of -2.0%. Although the negative figure indicates that females are paid more than males on average, the gap has increased slightly between the two sexes.
- Using the gender pay reporting methodology, the mean ethnicity pay gap at Calderdale is 0.7% (fall from 1.6% in 2022) and the median ethnicity pay gap is -7.7% (decrease from -6.1% in 2022). The mean ethnicity pay gap trajectory is positive. The median bonus ethnicity pay gap has increased from -10.0% to 4.00% and the mean bonus ethnicity pay gap has also increased from -3.6% to 3.1%.