

**North Yorkshire County Council**  
**Corporate and Partnerships Overview and Scrutiny Committee**  
**18 April 2016**  
**Equality**

**1.0 Purpose of the Report**

- 1.1 To update Members about specific areas of practice in relation to equality within North Yorkshire County Council as requested at the committee's mid-cycle briefing.

**2.0 Background and context**

- 2.1 Under the provisions of the Equality Act 2010, the County Council is subject to the Public Sector Equality Duty which requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

- 2.2 The protected characteristics are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

- 2.3 In addition to the statutory protected characteristics the County Council has also taken the decision to consider two additional characteristics in relation to equality – rurality and low income.

- 2.4 At the Corporate and Partnerships Overview and Scrutiny Committee mid-cycle briefing, Members asked for a report on:
- progress with equal pay within the organisation;
  - monitoring of workforce data;
  - Member training in equality issues, and;

- the refreshed equality objectives to be published by the organisation.

### **3.0 Progress on equal pay**

3.1 A review of pay at North Yorkshire County Council for equal pay purposes has been completed in 2015 jointly with Unison. This follows previous joint reviews in 2012 and 2009. The equal pay audit is more than a data collection exercise, it entails a commitment to put right any identified issues relating to pay equality and this means that the audit must have involvement and support of managers within the authority to deliver the necessary changes.

3.2 The audit ensures pay practices align with the Council's priorities. The Authority supports the principle of equality of opportunity in employment and is committed to the fundamental principle that procedures to determine the pay and conditions of employment for all employees do not discriminate unlawfully and are free from bias. Basic elements of terms and conditions for all staff e.g. pay bands, pay rates, JE schemes are applied consistently, and application of policy, indeed the pay and reward package associated with the NJC agreement have been separately negotiated to incorporate Soulbury and JNC to ensure transparent and consistent application of pay policy.

3.3 There is much to be positive about in the latest equal pay audit:

- the progression of men and women looks to be equal through the grades, and women are at least as successful and in some areas more so than their male counterparts in progression through the recruitment/selection process for senior posts;
- systemically there are many safeguards to ensure equal pay for all with protected characteristics;
- progress has been made since the last audit in terms of spot salaries and grades with bar points; and
- changes to the Increments policy have offered greater protection for staff with a disability who need to be absent.

3.4 Areas where further work is needed have also been highlighted including Clerk to Governor and sessional worker posts. There is also a need for all equality impact assessments for service changes which include re-structures or changes in staff numbers, or terms and conditions, to focus on the impact on staff as well as service users.

3.5 In addition, it is recognised that the Council needs to keep a watching brief on the implementation of the National Living Wage, the streamlined job evaluation system, gender pay gap reporting and staff numbers declaring a disability.

### **4.0 Monitoring of workforce data**

4.1 North Yorkshire County Council (NYCC) has continued to monitor equalities information on its workforce over several years as part of its compliance with the Public Sector Equality Duty. The protected characteristics are age, sex (gender), disability, race, sexual orientation, religion or belief, gender reassignment, pregnancy or maternity and marriage or civil partnership.

4.2 The aim of the monitoring is to enable NYCC to consider the needs of all individuals in their day to day work and in developing policy. Currently NYCC collects information on the following protected characteristics – age, gender, ethnicity and disability. Data is collected by post rather than individual employee. This may result

in some double counting where an individual has more than one post but allows year on year comparisons to be made.

4.3 An annual report is collated and published on the NYCC website at <http://www.northyorks.gov.uk/article/26151/Equal-opportunities-information>

4.4 NYCC does not collate information on the workforce relating to sexual orientation, religion or belief or gender reassignment. Although staff are asked to identify their sexual orientation, and religion or belief at recruitment/appointment stage, and again at intervals throughout their employment, this is voluntary and the take up is not yet considered to be sufficient despite regular communication and reminders to staff. Therefore this is not reported as it would give an inaccurate position.

In relation to gender reassignment, this is currently not a reported category in the HR and payroll system so staff are not asked to record this. This gap is currently with the system supplier for consideration and progression as a development.

NYCC will work to engage with employees and develop a culture of trust to enable future data collection which will be analysed, interpreted and used to advance equality and good relations. The rationale for collection of sensitive data and the way in which it is collected will be transparent with clear information regarding privacy protection.

4.5 The Executive receives information on the age profile of the workforce as part of the workforce performance section of the quarterly performance monitoring report.

## **5.0 Member training on equality issues**

5.1 All staff at North Yorkshire County Council have to complete mandatory e-learning in equality and diversity. An additional e-learning package is currently being developed for staff who are responsible for completing equality impact assessments.

5.2 Some awareness raising for Members has been carried out through Members' seminars but the general e-learning package on equality and diversity can also be accessed by Members if this is considered useful. Members can access the Learning Zone in the same way as staff, although there is currently no specific training for Members included there.

5.3 At the mid-cycle briefing Members felt that it would help with their decision making if they understood more about how equality impact assessments are carried out. Members may wish to consider recommending that an appropriate session is included in a future Members' seminar.

## **6.0 Refreshed equality objectives**

6.1 As part of the Public Sector Equality Duty, NYCC is required to set and publish equality objectives at least every four years. Current objectives can be found at [http://www.northyorks.gov.uk/media/18006/Equality-objectives/pdf/General\\_Equality\\_Duty\\_Update\\_Feb\\_2015\\_FINAL.pdf](http://www.northyorks.gov.uk/media/18006/Equality-objectives/pdf/General_Equality_Duty_Update_Feb_2015_FINAL.pdf)

6.2 A refresh to the organisation's equality objectives is due to begin in April 2016 and it is proposed that a small number of objectives be set which comply with the following criteria:

- Relate directly to the approach and ambitions of the Council Plan
- Need to be evidenced by data/engagement
- Are achievable and measurable

- Do not require a large increase in costs or resources

In this way, we seek to ensure that those with protected characteristics in the county are not excluded from our aspirations for our communities and are supported to embrace future opportunities. Directorates are currently considering possible objectives which may include the following:

- LGBT children and young people
- Poor health outcomes – Gypsy, Roma and Traveller young people / Looked after children / Care leavers
- Closing the attainment gap for vulnerable groups of young people
- Digital by default
- Accessible transport
- Fostering good relations
- Physical access

## **7.0 Recommendations**

7.1 It is recommended that the Committee:

- a) receives and considers the report,
- b) notes progress on equal pay,
- c) considers recommending that Members be encouraged to complete the equality e-learning package on the Learning Zone; and
- d) considers recommending that a session on equality impact assessments is included in a future Members' seminar.

Neil Irving  
Assistant Director – Policy and Partnerships  
6 April 2016

Background document – North Yorkshire County Council equal pay audit 2015