

EQUALITIES MAINSTREAMING REPORT 2015

1. EXECUTIVE SUMMARY

The purpose of this report is to meet the duties placed on Argyll and Bute Council created by the secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

The specific duties include requirements to publish information and progress reports in 2015. Listed public authorities, including the council, are required to publish:

- A mainstreaming report
- Annual employee information together with details of the progress made in gathering and using the information to better meet the duty;
- A report on progress made towards achieving the equality outcomes set;
- Public authorities with 150 staff or more must also publish updated gender pay gap information
- Publish a statement on equal pay

As the duties are placed on both the local authority and the education authority, Argyll and Bute Council has taken an integrated approach when preparing this report to ensure that both authorities meet the requirements on the specific duties.

It is recommended that the Committee:

- Note that the content of the report meets the requirements of the Act
- Note the positive progress being made by the Council to deliver on the Equality Outcomes
- Note that the council operates an equal pay environment

EQUALITIES MAINSTREAMING REPORT 2015

2. SUMMARY

- 2.1 This report presents Argyll and Bute Council's Equalities Mainstreaming Report, as required by the Scottish Public Sector Equality Duty and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.
- 2.2 The specific duties include requirements to publish information and progress reports in 2015. Listed public authorities, including the council, are required to publish:
- A mainstreaming report
 - Annual employee information together with details of the progress made in gathering and using the information to better meet the duty;
 - A report on progress made towards achieving the equality outcomes set;
 - Public authorities with 150 staff or more must also publish updated gender pay gap information
 - Publish a statement on equal pay
- 2.3 The report, attached, finds that the council has made good progress on actions to deliver the agreed equality outcomes since April 2013. The workforce is broadly representative of the population, apart from the age profile, where 16-24 year olds are underrepresented in council employment. There is lower than average disability and LGBT representation, but this may be due to non-disclosure of information by employees. There are strategies in place to mitigate these. The report finds that the council operates a positive pay environment for pay equality, mainly as a result of the successful implementation of single status. There is a remaining organisational pay gap that is mostly reflective of the relative large numbers of lower paid female employees in high number occupancy roles. This is not anomalous in a local authority context.

3. RECOMMENDATIONS

- 3.1 It is recommended that the Committee:
- Note that the content of the report meets the requirements of the Act
 - Note the positive progress being made by the Council to deliver on the Equality Outcomes
 - Note that the council operates an equal pay environment

- Consider and comment on the report

4. DETAIL

4.1 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 places a number of requirements on public authorities, including the Council.

4.2 The duties set out that the council must:

- Report on mainstreaming the equality duty
- Publish equality outcomes
- Gather employee information
- Publish gender pay gap information
- Publish statements on equal pay

4.3 For each of the duties, the Council should report within 2 years of their last publication. The first Equality Outcomes and Mainstreaming Report was published on 25th April 2013 and activity has been led by Improvement and HR to comply fully with the legislative requirements. Equality Outcomes were agreed and submitted to Equality and Human Rights Commission (EHRC). This Mainstreaming Report is an integrated report which meets the requirements placed on Argyll and Bute Council both as a local authority and also as an education authority.

4.4 Following guidance and feedback from the Equality and Human Rights Commission in 2014, work was undertaken to review the Equality Outcomes for the Council. The new set of outcomes were approved by the Policy and Resources Committee on 18th December 2014.

4.5 The report attached contains information and analysis that meets the statutory requirements as set out in the Act. The report is in two sections: the first sets out information on the council's progress in mainstreaming equalities and details of the council's equality outcomes giving information on progress against actions in support of these as at December 2014; the second sets out employee information, gender pay gap analysis and an equal pay statement.

5. CONCLUSION

5.1 The Equalities Report 2015 meets the requirements of the public sector equality duty.

6. IMPLICATIONS

6.1 Policy - The Public Sector Equality Duty assists in delivering the Council's corporate objectives.

6.2 Financial – No Implications

- 6.3 Legal – The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 includes a duty for public authorities to publish equality outcomes and report on progress

Any person, including the EHRC, can apply to the Court of Session for judicial review of a public body that they felt was failing to comply with the general duty.

For the specific duty, the EHRC can only enforce.

- 6.4 HR – No implications
- 6.5 Equalities – As part of the Equality duty, the council is required to eliminate discrimination, advance equality of opportunity and foster good relations
- 6.6 Risk – Failure to publish Equality Outcomes/Pay information and a mainstreaming report could result in adverse publicity for the Council.
- 6.7 Customer Service – No Implications

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APPENDICES

- Appendix 1 – Employment Data
- Appendix 2 – Equal Pay Audit