

TAYSIDE CONTRACTS JOINT COMMITTEE – 16 NOVEMBER 2009

Report by the Managing Director

Subject: GENDER EQUALITY SCHEME – PROGRESS REPORT

ABSTRACT

This report informs the Tayside Contracts Joint Committee of the progress made in implementing the Tayside Contracts' Gender Equality Scheme 2007/2010.

1. RECOMMENDATION

It is recommended that the Joint Committee notes and approves the progress made in applying Tayside Contracts' Gender Equality Scheme.

2. INTRODUCTION

The Gender Equality Duty, which came into force in April 2007, was introduced by the Equality Act 2006 which in turn amended the Sex Discrimination Act 1975. It placed a legal duty on all public authorities to pay due regard to the need:

- to eliminate unlawful sex discrimination and harassment (including for transsexual people)
- to promote equality of opportunity between men and women

Tayside Contracts' first Gender Equality Scheme was approved by the Joint Committee on 20 August 2007 (Report No. JC 31/2007) and set down in writing Tayside Contracts' commitment to meeting its general and specific gender equality duties.

We are required to report on our progress and the attached review details progress we have made since the publication of our Gender Equality Scheme.

3. DIVERSITY AND EQUALITY IMPLICATIONS

Tayside Contracts' Gender Equality Scheme and associated review actively promotes gender equality and is consistent with Tayside Contracts' commitment to equality and diversity in employment.

4. FINANCIAL IMPLICATIONS

There are no financial implications in the terms of this report.

5. CONSULTATION

The Clerk and the Proper Officer to the Joint Committee and the relevant Trade Unions have been consulted on the preparation of this report.

6. CONCLUSION

The attached review meets our statutory gender equality duty to report to the Joint Committee on our progress.

A handwritten signature in black ink that reads "Iain C. Waddell," with a comma at the end.

**IAIN C WADDELL
MANAGING DIRECTOR**

BACKGROUND PAPERS

No background papers were relied on in preparing this report.

APPENDIX



Gender Equality Scheme 2007-10

Review of Progress - 2009

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1.0 INTRODUCTION

Tayside Contracts is an inclusive organisation fully committed to eliminating unlawful discrimination and harassment, promoting equality of opportunity and encouraging good community relations both in employment and in the delivery of our services.

The Gender Equality Duty which came into force in April 2007 was introduced by the Equality Act 2006 which in turn amended the Sex Discrimination Act 1975. It placed a legal duty on all public authorities to pay due regard to the need:

- to eliminate unlawful sex discrimination and harassment (including for transsexual people)
- to promote equality of opportunity between men and women

As a public authority Tayside Contracts produced its first Gender Equality Scheme in 2007 which highlighted our commitment to meeting the general and specific duties.

This report details the progress we have made since the introduction of the scheme in 2007 and what further actions we intend to take.

2.0 TAYSIDE CONTRACTS' PROGRESS

The following information details what actions we have taken in order to meet the gender equality duty.

2.1 Equal Pay Statement

Tayside Contracts' Equal Pay Statement was approved by the Tayside Contracts Joint Committee in November 2007 (Report No. JC 39/2007). This included a commitment to:

- examining existing pay practices to ensure that unfair, unjust or unlawful practices are eliminated
- providing training and guidance for those involved in determining pay
- informing employees of how their grades are determined
- responding to grievances on equal pay as a priority
- carrying out regular monitoring of pay and other terms and conditions of employment
- conducting equal pay audits on an annual basis to ensure pay equity

An equal pay audit is currently being conducted with the assistance of an external consultant. The findings of the equal pay audit will be reported to the Joint Committee early next year, and annually thereafter. The report will highlight any issues such as pay gaps and their causes. An Equal Pay Action Plan will be developed to address any issues identified in the audit. In order to conduct equal pay audits on an annual and ongoing basis Tayside Contracts has purchased equal pay reviewer software and trained our own Personnel staff to conduct audits in future to ensure cost-efficiency.

2.2 Single Status

On 1 July 2008 Tayside Contracts implemented an 'equality proof' pay and conditions package. Successful implementation of Single Status has significantly progressed Tayside Contracts' objective of meeting its gender equality obligations. Tayside Contracts recognised that whilst no absolute guarantee over equal pay 'proofing' can be given in respect of any pay system a satisfactory equality impact assessment was essential to confirm that any pay inequality and equal pay risks were identified and managed. To ensure that the revised pay and conditions of employment were free of gender bias an independent external consultant was employed to conduct an equality impact assessment. The conclusion of the equality impact assessment was that:

'The proposed pay structure and associated terms and conditions package improves the gender pay gap considerably... (and following the end of pay protection on 30 June 2011) ...we will witness a complete resolution to the gender based pay gap.'

Following the implementation of Single Status there remained the potential for Catering and Cleaning employees to raise an equal pay claim in respect of Tayside Contracts' Craft Workers who were not included in the Single Status pay and conditions package. However, in May 2009 a local Collective Agreement was reached with Tayside Contracts' recognised Trade Unions which retrospectively harmonised the pay and conditions of Tayside Contracts'

Craft Workers with the Single Status employees with effect from 1 July 2008, thus removing pay inequality across the entire organisation.

Retrospectively, Tayside Contracts, and most other local authorities nationally, faced the prospect of equal pay claims relating to the period prior to the implementation of Single Status. Tayside Contracts had previously resolved all potential equal pay claims (with the exception of one employee) up to a common settlement date of 14 August 2006. The period between 14 August 2006 and 30 June 2008 (the day prior to the implementation of Single Status) became known as the 'Gap Period'. The Tayside Contracts Joint Committee gave approval (Report No JC 38/2009) for resolving the 'Gap Period' through equal pay compensation payments being offered to all affected employees who agreed to sign agreements compromising all equal pay claims related to the period prior to the implementation of Single Status. This exercise will be concluded by the end of 2009 at which time it is hoped all retrospective pay inequality issues and equal pay risks will have been resolved.

2.3 Single Status Appeals

Following the implementation of Single Status on 1 July 2008 188 employees who did not agree with the outcome of the evaluation of their post submitted appeals.

The following table illustrates a breakdown of the 188 appellants. Please note that Tayside Contracts has undergone a restructuring exercise since 1 July 2008 and the breakdown of Division/Units below does not reflect the current organisational structure.

Table 1: Single Status Appeals

Division/Unit	Male	Female	Total
Catering	2	47	49
Cleaning	5	4	9
Construction	92	3	95
Finance & Administration	11	6	17
IT & Quality	1	2	3
Personnel	2	8	10
Transport	2	3	5
TOTAL	115	73	188

The first Single Status appeal was heard on 1 March 2009 and it is intended the process will be completed by the end of the current financial year.

Employees will be notified of the outcome of their appeal once all the appeals have been heard and successful appeals will be backdated to 1 July 2008, when the revised Single Status pay structure was implemented.

2.4 Equality Induction

Equality has now been incorporated into our corporate inductions; a presentation delivered by the Equalities & Personnel Projects team also includes the DVD 'TALK' from the former Disability Rights Commission.

2.5 Equality and Diversity Policy

Our Equal Opportunities Policy will shortly be replaced by an Equality and Diversity Policy. This will broaden the scope of our commitment to equality and diversity in employment and incorporate all relevant aspects in a single policy document.

2.6 Revised Recruitment and Selection Policy

Our Recruitment and Selection Policy and associated procedures have recently been reviewed and revised to place a greater emphasis than previously on the wider equality agenda and the associated public sector duties. Following approval of the revised policy, a programme of training events will be delivered to managers with a responsibility for recruiting, which will include the former Disability Rights Commission's DVD, 'The Appointment'.

2.7 Equality Etiquette Guidance

It is imperative that all employees recognise their role in achieving equality and Tayside Contracts continues to actively promote equality as the responsibility of every employee.

This message is central to the Equality Etiquette Guidance handbook which will be issued to all employees early next year and to all new starts thereafter. The guidance is designed to educate employees on what terms based on race, gender, disability, age, sexual orientation and religion or belief are unacceptable in modern society and to encourage all employees to embrace our differences and treat each other with dignity and respect.

The guidance encourages individuals to eradicate prejudice, stereotyping and negative attitudes to ensure that everyone is provided with opportunities in an inclusive and welcoming work environment.

2.8 Publicising Tayside Contracts Commitment to Equality and Diversity

In addition to publishing our Race, Disability and Gender Equality Schemes, progress reports and equalities questionnaires on our website, Tayside Contracts is currently utilising digital signage at our headquarters reception to raise awareness of equality. A series of articles are on display including why we ask individuals to complete a confidential equal opportunities monitoring form. Our objective is to improve the return rate of equal opportunities monitoring forms which will in turn allow us to identify and address any inequalities.

We also advertise in the Equality Britain directory and place recruitment adverts on its website. Equality Britain covers the seven strands of equality including gender and is widely distributed free of charge to job centres, universities, schools, citizen advice bureaus, central libraries, BME community centres and relevant charities representing all strands of equality.

2.9 Men's Health Week

In June 2008 Tayside Contracts accepted the opportunity offered by the Community Health Nursing Team on behalf of the Dundee Healthy Living Initiative. The scheme targeted our male employees in light of evidence that many men tend not to actively approach their GPs for minor or occasionally serious health concerns and have less awareness than women of healthy living issues. 37 of our male employees visited three Community Health Nurses at our Fairmuir Depot in Dundee.

Early intervention for many ailments can prevent serious future problems therefore the scheme was designed to target our male employees and offer advice and information to encourage a healthier lifestyle. Of the thirty seven male employees who attended, several were referred to their own GPs due to high blood pressure, chest pain, high glucose and eye checks. In addition, others were referred to the active for life programme which is a local gym scheme.

An evaluation of Tayside Contracts' participation in this initiative concluded that it was a highly successful exercise which was greatly appreciated by those who participated.

3.0 EQUALITY IMPACT ASSESSMENTS

Tayside Contracts recognises the importance of carrying out robust equality impact assessments on any new or existing functions or policies and the practices, procedures, initiatives and services which feed into the policy.

A Single Equality Duty, incorporating all equality strands will come into force in 2011 and it is Tayside Contracts' intention to incorporate our existing Race, Disability and Gender Equality Schemes into a Single Equality Scheme in 2010.

To ensure an inclusive approach we have also decided to extend our equality impact assessments to incorporate age, sexual orientation, religion or belief and gender reassignment.

We have therefore produced a revised equality impact assessment policy and procedures including assessment of relevance.

All Units across Tayside Contracts will be involved in the equality impact assessment process and a revised timetable for carrying out equality impact assessments will be published as an appendix to our Single Equality Scheme in March 2010.

4.0 EMPLOYMENT PROFILE

We are fully committed to our equality monitoring duties and ask all employees and applicants to complete a confidential equal opportunities monitoring form, we then record the information in Snowdrop in order to monitor key employment practices such as discipline, grievance, recruitment, promotion, employees who have received training and employees who have benefited or suffered from performance appraisal.

Table 2: Workforce Profile at 26 October 2009

Division/Unit	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Catering	681	97%	22	3%	703	31%
Cleaning	970	87%	141	13%	1,111	48%
Construction	11	3%	345	97%	356	15%
Support Services	48	56%	37	44%	85	4%
Transport Services	8	17%	40	83%	48	2%
TOTAL	1,718	75%	585	25%	2,303	100%

In certain Units our workforce is highly gender segregated, for example, women dominate within Catering and Cleaning and men dominate within Construction.

We recognise that gender segregating is an issue in public sector employment and we will identify opportunities to encourage applications from non-traditional applicants.

Employment Monitoring

The following data relates to the period 27 October 2008 and 26 October 2009. Individuals are not legally required to complete an equal opportunities monitoring form and a number of individuals choose not to disclose their gender. It should also be noted that within the above date range there will clearly be applicants who applied towards the end of this period who have not yet been appointed and appointments towards the beginning of the date range whose application will precede the date parameters. We are committed to capturing this data on a more precise basis by correlating each specific application to each specific appointment, although this will necessitate an overlap of date ranges.

The workforce profile in table 2 shows that our workforce is predominantly employed within Cleaning, Catering and Construction. Generally we experience a high turnover within Cleaning and Catering and the recruitment statistics in table 3 and 4 highlights this fact with the number of applicants appointed.

Table 3: Recruitment (Catering)

Catering	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	1659	73%	562	25%	2278	100%
Appointed	116	7%	10	2%	128	6%

- 57 applicants did not disclose their gender, of those 57 applicants 44% were shortlisted for interview and 4% were appointed.

Table 4: Recruitment (Cleaning)

Cleaning	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	1859	66%	876	31%	2832	100%
Appointed	164	9%	42	5%	216	8%

- 97 applicants choose not to disclose their gender, of those 97 applicants 19% were shortlisted for interview and 10% were appointed.

Table 5: Recruitment (Construction)

Construction	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	6	1%	545	96%	570	100%
Appointed	0	0%	11	2%	11	2%

- 19 applicants choose not to disclose their gender, of those 19 applicants 26% were shortlisted for interview however none of these applicants were appointed.

Table 6: Recruitment (Quarry)

Quarry	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	24	17%	111	80%	139	100%
Appointed	2	8%	1	1%	3	2%

- 4 applicants choose not to disclose their gender, of those 4 applicants 25% were shortlisted for interview however none of these applicants were appointed.

Table 7: Recruitment (Support Services)

Support Services	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	58	54%	47	44%	108	100%
Appointed	3	5%	1	2%	4	4%

- 3 applicants choose not to disclose their gender and none of these applicants were shortlisted for interview.

Table 8: Recruitment (Transport Services)

Transport Services	Female		Male		Total	
	Nos.	%	Nos.	%	Nos.	%
Applicants	41	8%	471	90%	522	100%
Appointed	3	7%	5	1%	8	2%

- 10 applicants choose not to disclose their gender, of those 10 applicants 40% were shortlisted for interview however none of these applicants were appointed.

Table 9: Leavers

Division/Unit	% of Total Females	% of Total Males
Catering	14%	39%
Cleaning	18%	23%
Construction	25%	6%
Support Services	4%	10%
Transport Services	14%	12%
TOTAL	16%	12%

We are currently improving our data capturing and recording procedures to ensure we can capture accurate statistical data. This will allow us to carry out an accurate analysis and report on our findings annually.

The tables above infer that:

- Within Catering, a woman is three times more likely to be appointed than a man
- Within Cleaning, a woman is twice as likely to be appointed than a man
- Within Construction, no women were appointed to front-line jobs
- Within Support Services, a woman is three times more likely to be appointed than a man
- Within both Catering and Cleaning men are significantly more likely to leave than women
- Within Construction, women are significantly more likely to leave than men

Although the findings illustrate that men and women continue to be employed in jobs traditionally associated with their gender, further investigation will be carried out as to whether Tayside Contracts can actively improve the ratio of males and females in non-traditional occupations. Further investigations will form part of the Gender Equality Action Plan with the findings reported as part of the next annual review of the Gender Equality Scheme.

5.0 CONCLUSION

Tayside Contracts has demonstrated throughout this report that significant progress has been made since the implementation of our Gender Equality Scheme in 2007. We recognise that further improvements are required and we are currently preparing to carry out a consultation exercise in preparation to implement a Single Equality Scheme incorporating race, disability and gender in March 2009.

An equal pay audit is currently being carried out and any issues identified will be addressed through an equal pay action plan. To ensure that no equal pay gaps develop we have made a commitment to carry out annual equal pay audits.

We will investigate the findings of our recruitment and selection employment monitoring statistics to establish the root cause of disproportionate gender profiles of job applicants in relation to appointments within each Unit. In addition we intend to deliver a programme of recruitment and selection training events to managers with responsibility for recruiting.

We also plan to carry out an employee equality validation exercise in order to capture accurate equality data. The information will continue to be recorded in our HR system 'Snowdrop' which will allow us to produce statistical reports for analysis.

Our Gender Equality Action Plan for 2009 – 2010 can be referred to in Appendix A.

Any comments on our Gender Equality Scheme and progress reports are welcome and should be forwarded to Frank Reilly, Head of Personnel Services, Tayside Contracts, Contracts House, 1 Soutar Street, Dundee; Tel 01382 834177; email frank.reilly@tayside-contracts.co.uk

APPENDIX A**GENDER EQUALITY SCHEME
ACTION PLAN**

Action	Lead Responsibility	Delivery/ Outcome	Timescale
Carry out an equal pay audit	Payroll & Personnel Systems Manager / Personnel Officer (Equalities & Personnel Projects) / External Consultant	Equal pay audit report which will highlight any pay inequality which requires to be addressed	December 2009
Develop an Equality Section on Tayside Contracts website	Personnel Officer (Equalities & Personnel Projects) / Network Support Officer	Equality Section on Tayside Contracts website with equality reports and information	December 2009
Develop Snowdrop our HR System to improve employment monitoring	Payroll & Personnel Systems Manager	Accurate equality statistics for reporting and analysis	December 2009
Investigate findings of recruitment and selection employment monitoring statistics	Personnel Manager / Personnel Officer (Equalities & Personnel Projects)	Establish root cause of disproportionate gender profiles of job applicants in relation to appointments within each Unit	January 2010
Raise employee and line manager awareness of Keeping In Touch days	Personnel Manager	Increased take up of Keeping In Touch days	February 2010
Continue to raise awareness of our equality monitoring duties	Personnel Officer (Equalities & Personnel Projects)	Increase of completed equality monitoring forms	February 2010
Carry out employee equality monitoring validation exercise	Personnel Officer (Equalities & Personnel Projects)	Accurate equality statistics for reporting	February 2010
Produce a Single Equality Scheme to incorporate race, disability and gender	Personnel Officer (Equalities & Personnel Projects)	Publication of Single Equality Scheme	March 2010