

TAYSIDE CONTRACTS JOINT COMMITTEE – 26 JANUARY 2009

Report by the Managing Director

Subject:

RACE EQUALITY SCHEME 2005/2008

ABSTRACT

The Report informs the Joint Committee of the progress made in implementing the improvement actions identified in Tayside Contracts' corporate Race Equality Scheme 2005/2008 and seeks approval to extend the scheme for one year.

1. RECOMMENDATION

It is recommended that the Tayside Contracts Joint Committee:-

- I. notes the progress made in applying Tayside Contracts' corporate Race Equality Scheme 2005-2008 and approves the appended Race Equality Scheme Annual Report 2005-2008.
- II. extends the current scheme for a further one year in anticipation of in the introduction of a new streamlined Equality Duty in 2009.

2. INTRODUCTION

Reference is made to the approved Joint Committee Report JC 41/2002 and the Race Equality Scheme, which sets out how Tayside Contracts plans to meet our duties under the Race Relations Act 1976 (as amended 2000) and fulfill our commitment to promote race equality and diversity as a public authority.

3. INFORMATION

Current legislation requires that every three years public authorities will review their list of functions, policies and proposed policies for relevance to the general statutory race equality duty. This is to ensure that there are proper arrangements in place for effective implementation of the Race Equality Scheme and that the Scheme is kept up-to-date and relevant.

There is no statutory requirement to revise and republish the Scheme (although the former Commission for Racial Equality recommended that this be done). The Government has recently published a paper "Framework for a Fairer Future –The Equality Bill", which will introduce a new single equality duty on the public sector in the next parliamentary session. In light of this change, it is proposed that Tayside Contracts' Race Equality Scheme is not revised and republished at this time.

Guidance suggests that the list of relevant functions, policies and proposed policies is reviewed to ensure that it is properly reflective of the organisation and business needs: that Tayside Contracts gives attention to any duties or powers which may have changed: and that changes to the organisation structure or remit be taken into account.

All of the above have been considered by all Units in drawing up their Service Plans and the equalities screening process is undertaken in respect of all internal reports to the Corporate Management Team and in all reports to the Tayside Contracts Joint Committee.

This in effect ensures an ongoing review of the list of functions, policies and proposed policies relevant to equality and the general statutory duties.

The appendix to this report provides a review of the progress made in respect of Tayside Contracts' Race Equality Scheme.

4. DIVERSITY AND EQUALITY IMPLICATIONS

This report details measures taken to date and proposed future actions in respect of the Race Equality Scheme accord with equality and diversity legislation and are consistent with Tayside Contracts commitment to equality and diversity in employment.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. CONSULTATION

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

7. CONCLUSION

Tayside Contracts has fulfilled its statutory duties to date in respect of race equality. The Action Plan in the attached report and the revised post of Equalities and Personnel Projects Manager will enable a more systematic, co-ordinated and sustainable approach to ensure that future objectives are achieved.



**IAIN C WADDELL
MANAGING DIRECTOR**

BACKGROUND PAPERS

No background papers were relied on in preparing this report.

TAYSIDE CONTRACTS' RACE EQUALITY SCHEME ANNUAL REPORT 2008

1. Introduction

- a) This is Tayside Contracts' Race Equality Annual Report – 2005/2008.
- b) This report is Tayside Contracts' response to the Race Relations (Amendment) Act 2000 on ethnic monitoring in employment, and is guided by the Equality and Human Rights Commission's (formerly the Commission for Racial Equality) new statutory code of practice on racial equality in employment that came into effect in April 2006.
- c) Since its inception in 1996, Tayside Contracts has demonstrated consistent commitment to the principles and practice of race equality and diversity and to meeting the requirements of the general statutory duty:
 - to eliminate unlawful racial discrimination
 - to promote race equality
 - to promote good relations between people from different racial groups
- d) Equal opportunities policies have been reviewed in line with the commitment to social inclusion and legislative responsibilities, culminating in the production of the Race Equality Scheme.
- e) Current legislation requires that every three years public authorities will review their list of functions, policies and proposed policies for relevance to the general statutory race equality duty. This is to ensure that there are proper arrangements in place for effective implementation of the Race Equality Scheme and that the Scheme is kept up-to date and relevant.
- f) The list of relevant functions, policies and proposed policies is reviewed to ensure that it is properly reflective of the organisation and business: that we give attention to any duties or powers which may have changed: and that changes to the organisation structure or remit be taken into account.
- g) All of the above were considered by all Units in drawing up their Service Plans and equalities screening is undertaken in respect of all proposals reported to the Corporate Management Team and the Tayside Contracts Joint Committee. These screenings constitute Tayside Contracts' reviewed list of functions, policies and proposed policies relevant to equality and the general statutory duties and all Joint Committee reports are published on Tayside Contracts' website.
- h) This long-term strategy will ensure that:
 - i) policy-making is fully sensitive to the diverse needs and experience of the different minority ethnic groups in Tayside;
 - ii) suitable changes are made to any structures which contribute towards inequality and discrimination;
 - iii) policies and programmes which may continue or worsen existing inequalities are avoided
 - iv) a policy review process is in place to specifically focus on equality and diversity outcomes

- i) This report provides a review of the progress made towards Tayside Contracts' Race Equality Action Plan and Equality Impact Assessments (EQIA) in relation to race, and an overview of ethnic monitoring of the workforce. The report covers:
 - i) a review of the progress made towards the Race Equality Action Plan and Equality and Diversity Monitoring Action Plan;
 - ii) an overview of the performance of each Unit in undertaking the actions identified in the Action Plans;
 - iii) An overview of the ethnic monitoring of Tayside Contracts' workforce and
 - iv) the monitoring requirements of the Commission for Racial Equality's statutory code of practice on racial equality in employment.

2. Support Arrangements for the Delivery of Equality Work

- a) During the life of the current scheme, Tayside Contracts ensured arrangements were in place to monitor overall performance relating to race equality and diversity objectives, including:
 - i) analysis of data produced by the Personnel Services Unit to ensure that there are no areas of minority ethnic under-representation in the workforce;
 - ii) providing feedback and recommendations to Units regarding areas of positive action that could be taken to increase the racial diversity of Tayside Contracts' workforce;
 - iii) monitoring and providing feedback to Units in relation to full impact assessments and race equality action plans;
 - iv) analysis of monitoring data produced across all Units and identification of any potential barriers to accessibility from minority ethnic communities;
 - v) consulting with relevant external groups in the preparation of the Race Equality Scheme and in the development of generic equality and diversity policies;
 - vi) providing input on how Tayside Contracts responds to consultations on new policies and legislation relating to race.
- b) This arrangement was mirrored for both the Disability and Gender equality strands.
- c) During 2008, however, the impending single equality duty described in the Government's paper "Framework for a Fairer Future -The Equality Bill" have given cause for a review of these arrangements. During 2009, a single Equality & Diversity Implementation Group will be established and led by the Equalities and Personnel Projects Manager (a post which has been redesigned primarily for this purpose) to address the requirements of all equality strands i.e. race, disability, gender, age, sexual orientation, religion or belief.
- d) A need for comprehensive and consistent service monitoring to determine the success of current arrangements has also been identified and the Equalities and Personnel Projects Manager will be remitted to take this matter forward.

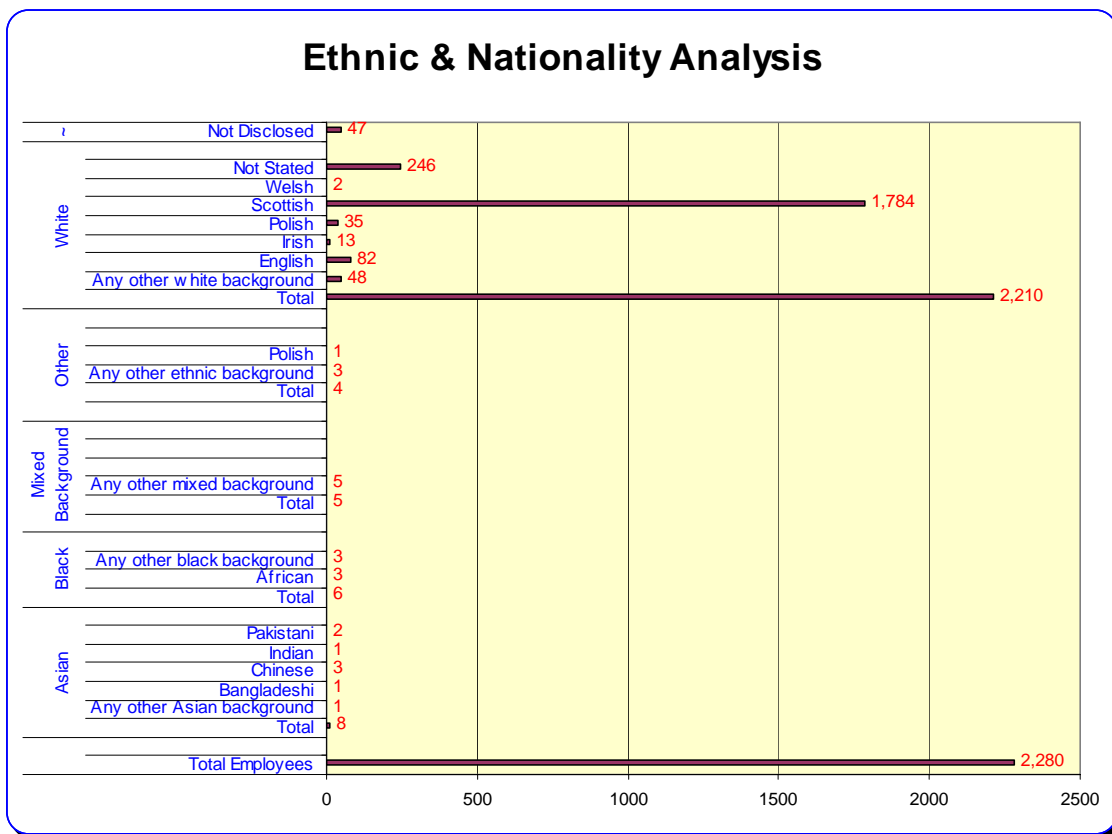
3. Review of Race Equality Action Plan 2005-2008 and Equality Impact Assessments

- a) When preparing a Race Equality Scheme, listed public authorities were required to produce a list of their functions, policies and proposed policies and assess which of those were relevant to race equality and the general statutory duty. Tayside Contracts established this list through a comprehensive screening of all of its functions, by Unit, and identifying resulting objectives.

- b) Progress against these objectives is monitored through a series of reports produced by the personnel records system and other systems as appropriate.
- c) The majority of the objectives have been assessed as completed or on schedule and only a small minority as being behind schedule. There is evidence that race equality has been considered in the mainstream of Units' activities.
- d) With regard to those actions behind schedule, any current concerns will have been identified during the service planning process. All future service plans will include an up-to-date EQIA screening of policies/functions of Units and will identify those objectives relating to race equality to be met in the coming years.
- e) All objectives will be collated on a monitoring database, developed and maintained by the Equalities and Personnel Projects Manager and, taken together, will constitute the new Race Equality Scheme Action Plan. A list of these objectives will be published on Tayside Contracts website as an addendum to the current Race Equality Scheme

4. Workforce Equality Monitoring

The ethnic and nationality profile of Tayside Contracts' workforce is detailed below:-



- a) Tayside Contracts' Race Equality Scheme sets out how Tayside Contracts plans to meet the requirements of employment legislation and gives a commitment to equality monitoring.

- b) Equality monitoring allows Tayside Contracts to highlight possible inequalities, investigate the underlying causes and remove any unfairness or disadvantage in employment and recruitment. Monitoring also allows us to check that Tayside Contracts equality policies are working.
- c) Tayside Contracts has recently completed an exercise which required all employees to verify that personal information held on our records systems about them is correct. As part of this process employees were asked to complete a form which included equality monitoring information.
- d) The information from this exercise, when added to the information gained from other systems, will enable Tayside Contracts to fully report the equality details of employees in future.
- e) There has been a significant increase in disclosure of ethnicity with only 47 (2.06%) of existing employees failing to enter their ethnic background.
- f) In 2008, Tayside Contracts recruited 514 new employees. Equality monitoring information for successful applicants is recorded. Non-disclosure of equality information is relatively high amongst applicants and further effort will be made to encourage greater disclosure of information in future to enable meaningful data to be collated and analysed.
- g) The Equal Opportunities section of the Application for Employment form has been amended to ensure that Tayside Contracts will be in a position to improve its monitoring information. This has been achieved by a more detailed breakdown of ethnicity, nationality and disability into a number of classifications; the addition of a further age band to capture information in relation to applicants/employees aged over 65; and will also feature a question covering religious belief.
- h) Tayside Contracts Annual Employee Survey has been revised to include specific questions in respect of ethnicity and nationality. This will enable more detailed data to be gathered and analysed for the next annual report.
- i) All employment policies were screened during 2008 to ensure that there are no revisions required in respect of equality and diversity.
- j) It is encouraging to note that during 2008 there were no issues relating to race which resulted in formal or informal complaints or disciplinary action.
- k) Tayside Contracts recruitment advertisements continue to reflect a multi racial workforce in both the text and images used. In addition Tayside Contracts places a full page promotional advertisement in Equality Britain each year, re-affirming our commitment to equality of opportunity in employment.
- l) Tayside Contracts has markedly increased the use of interpreters at recruitment interviews and as required at other internal meetings with employees whose first language is other than English.
- m) Key employment-related documents have also been translated using the Dundee Translation and Interpretation Service (DTIS).

Future Actions

- n) The equality monitoring statistics will be analysed and, if required, action plans prepared to address any issues. Action plans will be subject to review on an annual basis following the publication of the equality monitoring statistics.
- o) The Personnel Services Unit will continue to provide advice, training and guidance to operational managers in order for them to develop or establish systems where training requests and activities can be profiled by each of the equalities strands, including race. The system will require recording training requested and undertaken and whether training resulted from Tayreview, our employee appraisal and development scheme.
- p) Employees who did not disclose monitoring information or have an incomplete disclosure of information relating to equalities will be encouraged to fully disclose the information.
- q) An analysis of current employees by earnings in respect of each of the equalities strands will be provided by Equalities and Personnel Projects Manager and considered by the Corporate Management Team.
- r) Tayside Contracts is currently reviewing where it advertises vacancies. The purpose of the review will be to ensure that every reasonable step is taken to encourage all sections of the community to apply for Tayside Contracts' job vacancies.