

Race Relations (Amendment) Act: Monitoring Report on Employment Issues: 2003/2004

1. Introduction

Amongst the duties introduced for public sector organisations by the Race Relations (Amendment) Act was the requirement to monitor specified aspects of their employment practices and to produce an annual monitoring report. It was noted when the 2002/3 report was prepared that at the time of writing (summer 2003) many organisations had yet to produce their first monitoring report. Tameside had decided to do this at an early stage to give us the opportunity to review monitoring arrangements and take any steps needed to improve them. Almost 12 months on this is the second annual report produced by the Council, and it is still the case that many other organisations have yet to produce their first report.

1.1 Range of monitoring required.

The legislation requires us to monitor, by their racial groups:

- Our employees
- Applicants for jobs, promotion and training

In addition, as we have more than 150 employees we also have to monitor:

- Training received
- Benefit or disadvantage from performance assessment
- Grievances
- Disciplinary action
- Ending employment with the authority

The ethnic categories that we are recommended to use for this purpose are those used in the 2001 Census. The Government's Best Value performance framework requires us to use those categories. It is possible for individual Councils to further sub-divide some categories, depending upon the ethnic groups in their locality. The Council has decided that there is no need to take this approach.

For each requirement of the Act this report analyses:

- The way in which data is collected
- Any data collection issues that have been raised
- The results from the data, either as a snapshot at March 31st 2004 or during 2003/2004, as appropriate.
- Comparisons with the 2002/3 data.
- Any issues raised by the analysis

2. Employees

2.1 Data collection

The Council's Personnel/Payroll system has always allowed for ethnic monitoring. Information on the ethnic category an employee wishes to be shown under is collected along with other key information when an employee commences with the Council. There are some important issues with the data collection process which are discussed in Section 2.2 below.

2.2 Data Collection Issues

As was noted last year, the classification system for ethnicity previously used did not conform with the 2001 Census categories, and it was necessary to ask all existing employees to re-categorise themselves. It was always recognised that there would be problems in getting

employees to respond and there have now been four separate initiatives. Notwithstanding this work, as at March 31st the overall response rate was %.

Specific advice was sought in 2003 from the Commission for Racial Equality about the possibility of getting Managers to classify their employees. Whilst this approach is possible under the legislation it does conflict with the Data Protection Act, which requires the specific consent of the individual for certain items of sensitive personal data, including ethnic origin. In addition the CRE advice was that such a course of action could in practice conflict with the over-arching purpose of the Race Relations (Amendment) Act, which is to promote equal opportunities and good race relations. The CRE recommended that further action is taken to collect information on a voluntary basis.

The Council is now implementing a new HR/Payroll system, "Trent" from Midland Software. As part of this process all employees will be asked to re-validate the information we hold on them. This will include their ethnic origin category. As part of this process the old codes will be converted to their "matching" category in the new classification prior to the data being sent to employees, which is likely to substantially reduce the proportion of employees in the "unknown" category. The position at the end of March is shown in Appendix 1, showing employees on which we have no data or are still held on the old codes. In addition the Trent system will also manage the recruitment process and will not require applicants to provide further monitoring information when they commence employment

2.3 Results

The situation at March 31st 2004 is shown in Appendix 2

This covers all permanent and temporary employees, and combines employees still categorised under the previous ethnic origin categories with those shown on the new. Whilst the results for the smaller Services (those with under 100 employees) are not statistically significant there are considerable variations. The overall outcome for the Council is that 3.7% of its workforce is from black and minority ethnic groups.

2.4 Issues raised

Clearly the Council wishes to have a workforce that is broadly representative of the locality it serves. The 2001 Census data makes it possible to draw this comparison. This shows that 5.2% of the economically active Tameside population aged between 16 and 65 comes from black or minority ethnic groups. This compares with 3.7% of the Council's workforce. This does show that there is some way to go to having a representative workforce. However as was noted in the 2002/3 report Tameside has a more representative workforce than any other Greater Manchester Council: See Appendix 3 of the 2002/3 report.

NB Whilst data is not available for other Councils the Tameside situation is that 74% of its employees live within the borough.

3. Recruitment

3.1 Data Collection

The standard application form includes a section to collect equalities monitoring information from applicants. The recruitment administration system makes it possible to analyse the progress made by applicants.

3.2 Data Collection Issues

Information is not available for school-based jobs, where application forms are returned directly to the School concerned. For non-school jobs the system depends on completed recruitment monitoring forms being returned by Managers.

3.3 Results

Appendix 7 has details of the recruitment analysis. The crucial measure is the “equality ratio” ie comparing the percentage of successful applicants from each group.

3.4 Comparisons with 2002/3

3.5 Issues Raised

In respect of ethnic origin, the monitoring shows that white and Black and minority ethnic groups have an more or less an identical chance of being appointed. One potential cause for concern is the slightly higher percentage of applicants from Black and minority ethnic groups who are being rejected after selection testing. Whilst the number of applicants involved is not high further work will be carried out into the selection tests used by the Council to ensure that they are not biased towards particular ethnic groups.

4. Promotion

4.1 Data Collection

We have defined promotion as the “movement of existing employees to a new post on a higher grade than the one they currently occupy”. Data on promotion has been obtained from the Council’s Personnel/Payroll system. This was amended from April 2002 to allow the recording of “Promotion” as a means of arriving in a new post. The intention was that “Transfer” into a post would be reserved for organisational change situations when an entire workgroup was moved within the Council’s structure. Similar arrangements will be available within the Trent system.

4.2 Data Collection Issues

The legislation and the associated CRE Guidance do not have a definition of Promotion. For personal or career reasons it is possible to move to a higher grade but with reduced hours, to a lower grade but increased hours, from a temporary job to a lower graded permanent job and so forth. In any of these cases the employee may perceive that they have been promoted. It is also possible for an employee to be “promoted” without changing post, via a specific re-grade or as part of a re-structure.

4.3 Results

The data collected for 2003/4 is shown in Appendix 4.

4.4 Comparisons with 2002/3

4.5 Issues Raised

As noted above more work needs to be done to improve the quality of our data. In addition as other Councils begin to publish monitoring reports it will be possible to draw comparisons. Our intention is to develop existing links across Greater Manchester Human Resource teams: one key issue is to ensure that as far as possible our working definition of “promotion” is uniform.

5. Training

5.1 Data Collection

The data is obtained from evaluation forms completed by delegates and input to the Organisational and Employee Development teams course booking/training administration system.

5.2 Data Collection Issues

Data is not available on any training event **not** organised corporately. This will include any training organised by Schools or by individual Services. Monitoring is not currently carried out of *requests* for training by ethnicity. The new HR/Payroll system currently being implemented will be able to produce this data.

5.3 Results

The data for 03/04 is in Appendix 4

5.4 Comparisons with 2002/3

6.4 Issues Raised

There is no evidence of any significant difference in access to training between ethnic groups from the available data.

6. Performance Assessment

The Council's Employee Development review scheme ensures that every employee has a one to one review with their manager on an annual basis. The review focuses on work targets from the previous year, targets for the current year, evaluation of any training received in the previous year and identifying training needs for the current year.

This assessment is not a forum for decisions on promotion/demotion or any pay issues.

The new HR/Payroll system currently being implemented will be able to produce information on the EDR process and the ethnicity of employees

7. Disciplinary Action

7.1 Data collection

From April 2002 the workload monitoring system with Human Resources was revised to add further data on employees. HR data will not cover employees who have been given an oral warning. The ethnic grouping data is obtained from the employee's record on the Personnel Information system

7.2 Data Collection Issues

The data does depend on Human Resources being informed of and subsequently involved in a disciplinary case. Within the current disciplinary procedure and the close relationship HR maintains with service managers it is possible but unlikely that some cases are not being recorded.

7.3 Results

The data for 2003/2004 is in Appendix 5

7.4 Comparisons with 2002/3

7.5 Issues Raised

Given the small number of cases no clear conclusions can be drawn, although the results for all three categories are more or less identical.

8. Grievances

8.1 Data Collection

From April 2002 the workload monitoring system with Human Resources was revised to add further data on employees. Data is only collected on employees who progress their grievance beyond the informal stage. The ethnic grouping data is obtained from the employee's record on the Personnel Information system.

8.2 Data Collection Issues

The data does depend on Human Resources being informed of and subsequently involved in a grievance case. Within the current grievance procedure and the close relationship HR maintains with service managers it is possible but unlikely that some cases are not being recorded. A more complex issue is categorising the outcome of individual grievances, as there is no clear-cut way of determining "success" or failure. HR will explore if there is any way of categorising outcomes.

8.3 Results

The data for 2003/2004 is in Appendix 5

8.4 Comparisons with 2002/3

8.5 Issues Raised

The small number of cases makes it difficult to draw any conclusions: it will be necessary to aggregate data from a number of years to accumulate sufficient information.

9. Overall Conclusions

As noted in the first monitoring report there are still some issues with the data available for analysis. When procuring the HR/Payroll system currently being implemented compliance with the requirements of the Race relations (Amendment) Act was included in the system specification and the system currently being implemented should resolve the outstanding issues.

More clarity is still needed in respect of certain elements of the new monitoring framework e.g. promotion and appraisal, but as so few Councils have yet produced the reports required under the Act there is a dearth of comparative information or any consensus on the interpretation of the Act's requirements.

Appendix 1: Employees with old or no ethnicity data

Service	% missing/old
ADULT SERVICES	23.4
BOROUGH SOLICITOR	12.5
BOROUGH TREASURER	6.5
CHILDREN & FAMILIES	19.6
CORPORATE & COMMUNITY	19.9
DISTRICT ASSEMBLIES	35.9
ECON ASSETS AND SERV	13.7
EDUCATION SERVICE	10.2
ENGINEERING	29.9
ENV HEALTH	28.7
EXCHEQUER & COMMUNITY S	11.9
EXCHEQUER-LIBRARIES	8.3
HOUSING AND REGEN	11.2
HUMAN RESOURCES	2.6
IT	28.1
PENSIONS	15.5
PLANNING	24.1
POLICY & PERFORMANCE	4.2
RECREATION	25.6
SCHOOLS	32.0
SS STRAT & SUPP	10.1
Total	26.5

Appendix 2

All Permanent Employees at 31/3/04, combining "old" and new ethnic origin categories

Service

Service	Unknown	White	BME
ADULT SERVICES	1.2	94.1	4.7
BOROUGH SOLICITOR	3.1	93.8	3.1
BOROUGH TREASURER	0.0	90.3	9.7
CHILDREN & FAMILIES	1.5	95.5	3.0
CORPORATE & COMMUNITY	1.1	93.4	5.5
DISTRICT ASSEMBLIES	1.6	98.0	0.4
ECON ASSETS AND SERV	0.0	98.6	1.4
EDUCATION SERVICE	2.8	92.6	4.7
ENGINEERING	1.8	95.5	2.7
ENV HEALTH	0.0	98.2	1.8
EXCHEQUER & COMMUNITY SERVICES	0.4	93.5	6.2
EXCHEQUER-LIBRARIES	0.0	97.7	2.3
HOUSING AND REGEN	1.1	88.8	10.1
HUMAN RESOURCES	0.0	98.7	1.3
IT	3.3	92.6	4.1
PENSIONS	3.1	91.5	5.4
PLANNING	0.0	98.1	1.9
POLICY & PERFORMANCE	0.0	95.8	4.2
RECREATION	6.3	91.2	2.6
SCHOOLS	9.9	88.2	1.9
Grand Total	6.0	91.1	2.9

Appendix 4

Employees Promoted during 2003/2004 (as a % of each ethnic group in each service)

Service	White	BME	Unknown
ADULT SERVICES	8.8	4.8	18.2
BOROUGH SOLICITOR	7.4	0.0	0.0
BOROUGH TREASURER	19.2	0.0	0.0
CHILDREN & FAMILIES	6.9	30.0	0.0
CORPORATE & COMMUNITY	4.1	0.0	0.0
DISTRICT ASSEMBLIES	2.5	0.0	0.0
ECON ASSETS AND SERV	8.1	100.0	0.0
EDUCATION SERVICE	5.8	5.9	10.0
ENGINEERING	2.2	0.0	0.0
EXCHEQUER & COMMUNITY SERVICES	7.5	6.3	0.0
EXCHEQUER-LIBRARIES	9.4	0.0	0.0
HOUSING AND REGEN	4.3	33.3	0.0
HUMAN RESOURCES	5.5	0.0	0.0
IT	6.0	0.0	0.0
PENSIONS	1.9	0.0	0.0
PLANNING	25.0	0.0	0.0
POLICY & PERFORMANCE	9.5	0.0	0.0
RECREATION	5.2	21.4	2.9
SCHOOLS	0.2	0.0	0.0
SS STRAT & SUPP	23.7	0.0	0.0
Grand Total	3.4	5.5	0.8

Appendix 5

Training Delivered 03/04

Group	% of employees trained	% of Employees in workforce
White	92	91
BME	8	3

NB Excludes School based employees

Appendix 6

Disciplinary Action

2003/2004

Cases resolved in 03/04

Group	Number	As % of relevant group
White	38	0.5
Black & Minority Ethnic groups	1	0.4
Not known	3	0.6
Total	42	0.5

Grievances

Cases resolved in 03/04

Group	Number	As % of relevant group
White	27	0.3
Black & Minority Ethnic groups	0	0.0
Not known	2	0.4
Total	29	0.3

Leavers 2003/2004: as a % of the total workforce for each ethnic grouping

Reason for leaving	Unknown %	White %	BME %
CESSATION OF SECONDMENT	0.0	0.0	0.0
DISMISSAL/COMPROMISE AGREEMENT	0.8	0.5	1.9
EARLY RETIREMENT	0.0	0.9	0.4
EMPLOYEE DECEASED	0.0	0.1	0.4
EXPIRY OF F.T.C.	1.9	0.5	1.2
ILL HEALTH RETIREMENT	0.0	0.3	0.0
PROBATION NOT CONFIRMED	0.0	0.0	0.0
RETIREMENT.	0.0	0.5	0.0
T.U.P.E. TRANSFER	0.0	0.0	0.0
UNKNOWN	3.8	0.5	1.6
VOLUNTARY RESIGNATION	12.4	6.1	10.5

Recruitment data

1. By Stage reached in recruitment

Status	BME %	White %	Unknown %
Applied	48.1	51.2	70.6
Shortlisted	8.2	12.2	5.9
Interviewed	28.6	20.5	11.8
Offered	1.2	1.4	0.0
Appointed	13.8	14.7	11.8

2. By Reason for non selection

	BME	White	Unknown
Inadequate Information on Application Form	8.2	6.2	6.8
Does Not Meet Person Spec. - Essential Requirements	29.4	30.8	32.1
Does Not Meet Person Spec. - Essential & Desirable Requirements	12.2	17.3	10.6
Candidate Withdrew Application	6.0	9.4	2.1
Performance at Selection	28.6	20.1	26.0
Rejected for Medical Reasons	0.0	0.1	0.0
Unsatisfactory References	0.0	0.1	0.0
Unsatisfactory Criminal Record Check	0.7	0.0	0.0
Candidate Declined Job Offer	1.1	0.9	0.0
The post needs to be re-advertised - Poor Response	0.0	0.1	0.0
Post Withdrawn	0.0	0.3	10.5
Appointed	13.8	14.7	11.8