

Subject:	Fair & Inclusive update including ethnicity pay gap		
Date of Meeting:	1 July 2021		
Report of:	Executive Director Finance & Resources		
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Ward(s) affected:	All Wards		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report follows a P&R decision in December 2020 for the council to produce an ethnicity pay gap report, alongside our gender pay gap reporting that is required by statute. The report outlines the ethnicity pay gap and provides an update on the Fair and Inclusive Action Plan that is endeavouring to address the pay gap that exists.
- 1.2 Brighton & Hove City Council is committed to being a fair and inclusive employer with a workforce that knows and understands the city's population and is representative of the people it serves. Our People Promise includes the commitment to be a fair and inclusive place to work and the council made a pledge to become an anti-racist council and city in 2020.
- 1.3 The Fair & Inclusive Action Plan (FIAP) (see **Appendix 1**) was co-created in 2019 and has four workstreams with key outputs for our workforce and services. Progress towards improved outcomes is monitored through a range of measures that includes both quantitative and qualitative data.
- 1.4 Whilst there have been some significant improvements, the employment outcomes for BME staff and other groups are not always consistent across the organisation and continued efforts are required to achieve our equalities objectives.

2. RECOMMENDATIONS:

That the Policy & Resources Committee (P&R):

- 2.1 Notes the reports and the median ethnicity pay gap of 3.1%.
- 2.2 Instructs officers to produce annual ethnicity pay gap reporting in line with the gender pay gap reporting schedule.
- 2.3 Continues to support and champion the actions within the Fair & Inclusive Action Plan.

3. CONTEXT/ BACKGROUND INFORMATION

2020 Pay gap reporting

- 3.1 Currently there is no mandate or framework from central government for ethnicity pay gap reporting. For this reason, the attached ethnicity pay gap report replicates the measures used in the council's gender pay gap reporting and follows ONS guidelines for ethnic origin groupings.
- 3.2 The ethnicity pay gap shows the difference in the average pay between all BME staff in a workforce and White British. Where there is a positive percentage, this means that the pay of White British employees is higher than the pay of BME employees. The higher the percentage, the greater the ethnicity pay gap.
- 3.3 NB. The Black and Minority Ethnic grouping includes the ethnic category White Irish; this particular group is well-represented at all levels of the council and could therefore potentially skew the ethnicity pay gap such that it appears smaller. The council's 2020 ethnicity pay gap report (see **Appendix 3**) found that on average White British employees are paid more than BME employees, with a median pay gap of 3.1%.
- 3.4 Further detailed information about the ethnicity pay gap, including some information about the intersectionality of the data is included in the report at appendix 3.
- 3.5 Recommendations and actions to address these inequalities are focussed on ensuring BME staff are proportionately represented at all levels of the organisation. Actions will be implemented and monitored through the Fair & Inclusive Action Plan.

In addition, following collaboration with our BME Workers Forum and the P&R committee standing representative, future reporting will include more detailed analysis to compare pay gaps between specific ethnic groups, where total numbers allow for meaningful analysis.

Fair & Inclusive actions and progress 2020/21

- 3.6 Between 1 April 2020 and 31 March 2021, some new actions were prioritised in our FIAP in response to both the pandemic and the anti-racist pledge made by the council in summer 2020. The adaptation of the plan to emerging needs involved some reallocation of resource from previously planned FIAP activities.
- 3.7 Some of the work undertaken during this period included:
 - Collaboration with our workers fora to produce the Covid-19 individual risk assessment and accompanying sensitive guidance
 - BME Wellbeing listening workshops facilitated by senior leaders in light of Public Health England evidence of disproportionate impacts
 - Delivering Anti-racist and White privilege training
 - Producing and publishing 'Recruiting Virtually' e-learning as a mandatory requirement for recruitment managers

- Publishing e-learning for managers on inclusive management of remote teams
- Conducting an all-staff wellbeing pulse survey
- Partnering with NHS Sussex Health & Care Partnership on the Sussex-wide BAME Disparities Programme
- Publishing a range of anti-racism resources on our Learning Gateway
- Delivering 'BHCC – the Employer' presentation to the city's anti-racism strategy Community Advisory Group

3.8 Planned activities that were delivered, included:

- Delivery of Fair & Inclusive mandatory briefings to over 3000 staff
- Developing a restorative approach to reports of racist behaviour with our BME Workers Forum
- Offering (online) mediation
- Attendance at (virtual) Universities careers fairs
- Supporting managers with targeted recruitment including inclusive advert writing and promotion of roles on social media
- Establishing ethnically diverse panels for senior recruitment
- Providing development opportunities to our Leadership and Managers Networks to support the fair and inclusive agenda
- Supporting the six Directorate Equality Delivery Groups in using data for positive action (HR Business Partners)
- Piloting an 'Applying to Work at BHCC' insight programme with Voices in Exile
- Delivering 'Making the Most of your 121s' training to support staff development

The council's position as at 31 March 2021

- 3.9 The workforce profile of our BME staff continues to increase and this has been a six-year trend. As at 31 March 2021, the percentage of BME staff within the overall council non-schools workforce is 8.43%, compared with a target of 9.1%. NB. The council's workforce profile data reports the following ethnic groups discretely: BME, White British, White Irish and White Other.
- 3.10 It is important to note that when the Census 2021 data becomes available it is very likely to report an increased local economically active BME population. Therefore, our workforce profile targets will need to be updated to ensure they accurately reflect our communities.
- 3.11 Whilst it is encouraging that the overall workforce profile is increasing, BME staff remain under-represented in roles graded SO1/2 and above (7.51%).
- 3.12 Organisational workforce data from 1 April 2018 up to 31 March 2020 shows that BME staff are obtaining secondments, promotions and acting ups above or in line with their workforce profile. Despite this positive data, it is clear that this is not the consistent experience of BME staff, and the BME Workers Forum feedback tells us there is a lack of consistent support and opportunity for staff to progress within the council.

- 3.13 Further data for 2020/21 will be analysed and published later this year, including 2021 staff survey results which includes a Fair & Inclusive Index.
- 3.14 The organisational workforce data shows clear progress but neither the data nor the lived experiences of staff are consistent across directorates. To ensure interventions are targeted in a meaningful way, each directorate uses its own workforce profile data and holds focussed discussion at regular Directorate Equality Delivery Group meetings. Actions are reported regularly through the Corporate Equality Delivery Group and progress against objectives is monitored through the council's performance management framework.
- 3.15 Specific directorate actions included:
- HASC and FCL's successful application to the Department of Health & Social Care's pilot of the Workforce Race Equality Standard in social care
 - FCL's appointment of a Lead Practitioner for Anti-racist practice
 - F&R's use of ethnically diverse recruitment panels and recruitment of HR Diversity Recruitment Consultants (2 x 0.6 FTE)
 - HNC's external review of recruitment
 - SGL's focus on ensuring workers' forums are aware of secondments and other job opportunities
 - EEC's attendance at the Universities careers fair to recruit to five new graduate positions

Priorities for 2021/22

- 3.16 The recruitment of the HR Diversity Recruitment Consultants means that this year the council can press ahead with the FIAP recruitment, retention & progression priorities working closely with our Workforce Development Team on positive action initiatives outlined in Appendix 1.
- 3.17 The updated FIAP includes additional outputs with regard to improving the workplace for disabled staff. To deliver these outputs, actions include:
- A dedicated project group managing the IT&D accessibility workstream to focus on digital inclusion and accessibility
 - Improving the reasonable adjustments process
 - Offering a broader range of disability-related training
 - Implementing the Hidden Disabilities Sunflower Scheme
 - Membership of the Business Disability Forum to support work such as policy reviews and training commission
- 3.18 Our workforce profile data shows that disabled staff represent 7.67% of our overall workforce but they are under-represented in roles graded M8 and above (4.26%). Future consideration will be given to disability pay gap reporting.
- 3.19 Many of the outputs within the FIAP will impact positively on all of our staff groups and it is essential that we are able to respond appropriately to the needs of those who share a particular protected characteristic, as well as recognising the nuances of intersectionality. Recognition from all stakeholders of the benefits

of a diverse and inclusive workplace, where all staff feel they belong will be key to the success of the programme.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The progress outlined above is on previously Member agreed work under the Fair & Inclusive Action Plan and petitions accepted by committees, as well as commitments in the anti-racist pledge.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council's Corporate Equality Delivery Group oversees progress of the FIAP and priorities for Year 3 were considered at a meeting on 12 April 2021. Membership of this group includes our workers fora, Trade Unions and other stakeholders. Additional meetings were held with the steering group co-ordinators of our BME Workers Forum and Disabled Workers and Carers Network to discuss priorities for their members and forum capacity to collaborate on FIAP actions. We have worked closely with the P&R BME standing invitee on this report, and in the recommended changes to our approach to producing data in the future.

6. CONCLUSION

- 6.1 The council is maintaining steady progress in diversifying its workforce and improving employment outcomes for particular staff groups. It has built trust with its workers fora and through continued collaboration and focus on agreed priorities, it should minimise risks to the successful delivery of the fair and inclusive objectives.
- 6.2 We remain committed to collaborating with our workers fora, our communities and other key stakeholders to achieve representation of BME staff across all pay bands and to ensuring a fair and inclusive place to work for all staff groups.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications resulting from the recommendations of this report. Current and planned actions to address employment outcomes for BME staff and other groups can be accommodated within approved budgets. Any actions that resulted in changes with consequent financial implications for the council would be brought to Policy & Resources Committee for approval.

Finance Officer Consulted: Nigel Manvell

Date: 23/06/2021

Legal Implications:

- 7.2 The Council as a public authority is under a legal duty to ensure compliance with the Public Sector Equality Duty which is covered below. Current and planned actions within the Fair & Inclusive Action Plan would be evidence of the Council's compliance with that duty.

Equalities Implications:

- 7.3 As part of the Public Sector Equality Duty under the Equality Act 2010, the council must seek to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.4 The council has identified Year 3 priorities for action in collaboration with its workers fora and agreement at CEDG. The Fair & Inclusive Action Plan has defined actions to remove barriers, create opportunities for career development and progression and improve employment outcomes for under-represented groups.
- 7.5 All staff must be confident that they can be themselves at work and feel valued and a sense of belonging, supported by an inclusive culture that identifies and removes barriers and creates opportunities and career development and progression.
- 7.6 The Fair & Inclusive Action Plan will support all these aims and bring benefits to council employees as well as to the reputation of, and trust and confidence in the council across the city.

Officer Consulted: Deborah Totney

Date: 03/06/2021

Sustainability Implications:

- 7.7 None identified

SUPPORTING DOCUMENTATION

Appendices:

- 1 Fair and Inclusive Action Plan
- 2 Ethnicity pay gap report
- 3 Employment & Skills recovery plan