

Brighton & Hove City Council

Cabinet

Agenda Item 117

Subject: Fair and inclusive Action Plan update including workforce equalities and pay gap reports

Date of meeting: 5 December 2024

Report of: Cabinet Member for Communities, Equalities and Human Rights

Contact Officer: Kenneth Simpson – Interim Director – Human Resources & Organisational Development
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Ward(s) affected: All

Key decision: No

For general release

1. Purpose of the report and policy context

- 1.1 Our Council Plan, 'A Better Brighton & Hove for All', has a core mission to create a council and a city that is fair, inclusive and accessible, where everyone can thrive. We are committed to driving forward actions to deliver this mission and holding ourselves to account with clear performance targets that we regularly monitor. This report details our current position on our workforce actions, highlighting our successes and outlining our future actions and priorities to continue with this work.
- 1.2 The report includes the 2023-24 annual workforce equalities report (**Appendix 1**) and 2024 gender, ethnicity and disability pay gap reports (**Appendix 2, 3 and 4** respectively). There is much progress to be proud of, but as we strive for excellence there is also a significant amount of work still to do.
- 1.3 The Fair & Inclusive Action Plan (FIAP) has been co-created with our staff networks and other stakeholders to address disproportionate outcomes for diverse staff groups and communities across the council and city. Workforce actions include activity to eliminate pay gaps by achieving proportionate representation at all levels, to significantly reduce barriers in the workplace, and to challenge discrimination so that all staff feel a sense of belonging.

2. Recommendations

- 2.1 That Cabinet notes the report and progress made to date.
- 2.2 That Cabinet agrees the data-driven approach to prioritise actions and allocate resource where there is greatest need, as set out in the report, for

example, to improve the experiences of disabled staff and better understand the impacts of different intersecting identities.

- 2.3 That Cabinet notes the proposal set out at paragraph 3.13 to explore the collation of socio-economic background data to provide further insight ahead of the government's proposal to enact the socio-economic duty of Section 1 of the Equality Act 2010.

3. Context and background information

- 3.1 The [council's 2023 – 2027 FIAP](#) was agreed in June 2023 at Corporate Equality Delivery Group (CEDG). The plan is reviewed annually, and priority actions for delivery in 2024-25 were agreed with stakeholders and approved at CEDG in April 2024.
- 3.2 Our workforce profile data shows a higher percentage of women than men across all pay bands which has been the case for more than 10 years. At the end of September 2024, women make up 57.6% of the whole workforce, with men remaining under-represented at the council. When looking at staff employed in the upper pay band only (roles graded M8 and above) 62.7% of staff are women
- 3.3 LGBTQ+ staff are more than proportionately represented across all pay bands. This is a 3-year trend, that shows our workforce are representative at all levels when compared to the local LGBTQ+ economically active population.
- 3.4 The council takes pride in the well embedded policies and employment practices that ensure we have strong representation of female staff at a senior level, and a gender pay gap that bucks the trend of many other organisations in both the public and private sector.
- 3.5 In most areas, the council's workforce representation is improving in terms of how we reflect the communities we serve. Whilst our data is moving in the right direction, there is still much to do to ensure that we are truly representative and it is in the detailed analysis of our data that we are able to focus our resource and drive forward the actions needed.
- 3.6 The percentage of BME, disabled and White Other staff in the council workforce continues to increase (now at 11.6%, 9.8% and 9.0% respectively), although these groups remain under-represented when compared with the local economically active population 2021 Census data (12.1%, 11.7% and 13.1% respectively).
- 3.7 BME, disabled and White Other staff are also less likely to be employed in the upper pay band (9.5%, 7.8% and 6.5% respectively) when compared with their proportion in the workforce. However, we have seen increases in these workforce profiles when compared with data at 31 December 2023 (8.1%, 7.3% and 5.4% respectively).

- 3.8 Additional positive actions were approved by committee in December 2023 and have been implemented through the year. Specifically, these included ensuring that all recruitment panels for senior roles are ethnically diverse, and we maximise the use of positive action in recruitment to achieve a more representative workforce at increased pace. Impacts of these actions will be analysed and reported on in the 2024-25 statutory workforce equalities report, but the improvements in our workforce data are starting to indicate the success of these initiatives.
- 3.9 Whilst increasing workforce diversity is important, the council sustains its focus on being a fair and inclusive place to work where staff have a positive experience and feel a sense of belonging. We use data from the biennial staff survey to measure workplace inclusion. Survey results are reported for whole organisation as well as by protected characteristics and other demographics. This means we can monitor variance from the organisational benchmark to understand the different experiences of our staff groups. Additionally, for the first time in 2023, the results included some intersectional analysis.
- 3.10 2984 staff responded to the 2023 staff survey, a response rate of 62%. The survey includes a Fair & Inclusive Index, compiling a range of statements (see **Appendix 5**). Results from the 2023 staff survey in response to the Fair & Inclusive Index show the following:
- An organisational benchmark of 80% positive responses
 - 80% positive responses for BME staff and for LGBTQ+ staff
 - 74% positive responses for disabled staff
 - 73% positive responses for LGBTQ+ staff with a disability
 - 68% positive responses for disabled staff from BME backgrounds.

Disabled staff reported less positively against the Fair & Inclusive Index when compared with the organisational benchmark. Moreover, of 2984 respondents to the survey, 25 told us they were disabled and also from BME backgrounds. Although it is difficult to draw meaningful conclusions from this small dataset, the results above indicate that the intersection of ethnicity and disability is likely to be correlated with less positive experiences, and this is an area of priority that we will work with our staff networks on.

- 3.11 In addition, following initiatives to develop our ethnically diverse talent and to support trans and non-binary awareness at the council, the 2023 staff survey showed notable increases in positive responses compared with the 2021 staff survey as follows:
- Increases of 7%, 10% and 15% from Asian/Asian British, Black/Black British and Mixed ethnic staff respectively to the statement 'I believe I have opportunities to grow and develop at work'. They also responded more positively when compared with the whole organisation.
 - Staff whose gender is different from the sex they were registered at birth are 16% more likely to feel valued by the organisation and 10% more likely to feel a sense of belonging in the organisation. They also responded more positively when compared with the whole organisation.

- 3.12 Additional questions in the 2023 survey about staff experiencing or witnessing bullying, harassment, discrimination and abuse found that most of these reported behaviours were from external customers, service users, commissioned providers or members of the public. This was compared with line managers and other people or colleagues within the organisation. Only 58% of respondents said they had never experienced or witnessed these behaviours from external customers compared with 90% of respondents who had never seen these behaviours from a line manager.
- 3.13 To date, the organisation has not collated socio-economic background data for its workforce but recognises this can provide further valuable insight in delivering a fair and inclusive workplace. The government has proposed to enact the socio-economic duty of Section 1 of the Equality Act 2010. Ahead of this, we will explore ways to measure socio-economic background, including recommendations from the Social Mobility Commission and aim to implement collation of this data from 1 April 2025.
- 3.14 The annual workforce equalities report 2023-24 (see **Appendix I**) provides a full update on fair and inclusive work carried out within that period as well as future recommendations. Fair and inclusive activities delivered since April 2024 include:
- Delivering a Future Leaders Diverse Talent Programme for disabled and/or Black and racially minoritised staff
 - Substantial update of the council's external jobsite
 - Publishing a new Anti-bullying, Harassment and Victimisation policy
 - Implementing an anonymous reporting tool
 - Publishing a reparative approach to discrimination
 - Reviewing our reasonable adjustments process and guidance to improve the experience of disabled colleagues in the workplace
 - Delivering new 'Supporting trans and non-binary inclusion in the workplace' instructor-led training (Nov 2024)
 - Delivering a programme of work at City Clean in response to recommendations in the 2023 King's Counsel report (ongoing)
 - Developing our guidance and practice to respond consistently to unreasonable customer behaviour (in progress)

2024 pay gap reporting

- 3.15 Gender pay gap reporting is a requirement under the Equality Act (2010) for all public and private sector employers with more than 250 employees. The gender pay gap measures the difference between male and female employee average ordinary earnings (excluding overtime) across the workforce. The median gender pay gap reported in 2024 by the Office of National Statistics (ONS) is 13.1%. In contrast, the council's median gender pay gap in hourly pay is **-3.0%**, with no change from the previous year. We have a negative gender pay gap because we have fewer male employees holding higher paid management and senior positions within the council. Further details available at **Appendix 2**.

- 3.16 As part of our drive for continual and focused improvement, the council has also voluntarily published ethnicity and disability pay gap reports annually since 2021. Disability and ethnicity pay gap reporting is not currently a legal requirement but is included in the government's proposed Equality (Race and Disability) Bill. The council's ethnicity pay gap report (**Appendix 3**) is formatted in line with the [government's ethnicity pay reporting guidance](#) for employers, with additional inclusion of data agreed with our Black & Minority Ethnic Workers Forum. There is no government framework for disability pay gap reporting. The council's current format for reporting disability pay gap (**Appendix 4**) was agreed with stakeholders from the Disabled Workers and Carers Network.
- 3.17 The ethnicity pay gap measures the difference between White and BME employee average ordinary earnings (excluding overtime) across the workforce. The council's median ethnicity pay gap in hourly pay is **2.7%**, reducing from 5.2% the previous year. This is a significant improvement to make in one year and provides a good basis for us to drive for a complete removal of our pay gap. The reason for the ongoing gap is that there are a greater number of White employees in senior roles. The ethnicity pay gap report (**Appendix 3**) contains more detailed analysis using a range of ONS ethnic categories and groupings.
- 3.18 The disability pay gap measures the difference in average ordinary earnings (excluding overtime) between employees with no disabilities and employees with disabilities across the workforce. The median disability pay gap reported in 2023 by the ONS is 12.7%. The council's median disability pay gap in hourly pay is **2.7%**, reducing from 5.8% the previous year. This is because we have fewer disabled employees holding higher paid management and senior positions within the council than employees with no disabilities.
- 3.19 It is important to note that not all employees choose to share their disability status or describe themselves as disabled when they have a long-term health condition or disability. This report is based on 81% of the workforce on the snapshot date who have told us their status and excludes employees who have declined to share details.
- 3.20 Equal pay means that people in the same employment performing equal work must receive the same salary and have equal contractual terms, as set out in the Equality Act 2010. An employer can be equal pay compliant and still have a gender, ethnicity or disability pay gap. Details of current [staff pay scales can be found on the council website](#).
- 3.21 Actions to reduce pay gaps are identified and monitored through the FIAP as outlined in section 3.14 above.

4. Analysis and consideration of alternative options

- 4.1 The progress outlined above is on previously Member agreed work under the FIAP and petitions accepted by committees, as well as commitments in the anti-racist and accessible city strategies.

5. Community engagement and consultation

- 5.1 The council's Corporate Equality Delivery Group meets every two months and oversees progress of the FIAP. Membership of this group includes our employee networks, trade unions and other stakeholders. Representatives from the staff networks also join working groups on a range of FIAP

6. Financial implications

- 6.1 There are no direct financial implications arising from the recommendations of this report. Current and planned actions for 2024-25 to address employment outcomes for diverse staff groups have been accommodated within approved budgets. Any actions that result in changes with a consequent financial or policy impact outside of the Budget and Policy Framework approved by full Council would need to be brought to Cabinet for approval.

Finance officer consulted: Nigel Manvell Date consulted: 08/11/24

7. Legal implications

- 7.1 The Council as a public authority is under a legal duty to ensure compliance with the Public Sector Equality Duty which is covered below. In accordance with section 78 of the Equality Act 2010, the Council is required to publish gender pay gap reports. The Council is under no statutory duty to publish ethnicity or disability pay gap reports, however these additional reports are a useful tool to assist the Council in monitoring its overall compliance with equalities duties.

Name of lawyer consulted: Carol Haynes Date consulted (11/11/24):

8. Equalities implications

- 8.1 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.

- 8.2 The co-created Fair & Inclusive Action Plan has clearly defined actions delivered and monitored in collaboration with key stakeholders. It 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.

Name of equalities officer consulted: Emma McDermott Date consulted (11/11/2024):

9. Sustainability implications

9.1 None identified.

10. Other Implications

10.1 None identified.

11. Conclusion

- 11.1 The council continues to diversify its workforce and to see positive impacts of a focussed approach and targeted actions. The council's challenge is to ensure this focus on inclusive practice is applied consistently across the organisation to deliver further change at pace.
- 11.2 The council must be more connected and develop cross-organisational leadership to deliver it's fair and inclusive aims, evaluating the impact of our actions and decision-making on current and emerging priorities to enable our workforce to deliver inclusive and accessible services.
- 11.3 We will continue to use a range of data to support us in identifying disproportionate impacts for our diverse staff groups, including exploration of intersectional and socio-economic background data. The council remains committed to collaborating across the organisation and with our trade unions, staff networks, communities and other key stakeholders to achieve our commitment to being a fair and inclusive place to work. This approach should minimise risks to the successful delivery of the fair and inclusive programme and ensure that finite resources are allocated efficiently and effectively.

Supporting Documentation

1. Appendices

- 1. [Workforce Equalities Report 2023-24](#)
- 2. Gender Pay Gap Report 2024
- 3. Ethnicity Pay Gap Report 2024
- 4. Disability Pay Gap Report 2024
- 5. 2023 staff survey Fair & Inclusive Index

