

Leicester  
City Council

CABINET

15<sup>th</sup> February 2010

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Black Workers Group Report 2009  
Progress on Improving BME Workforce Representation

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## Report of the Chief Executive

### 1 Purpose of Report

- 1.1 In 2008, Leicester City Council established a firm commitment to improving BME workforce representation with the support of Black Workers Groups.
- 1.2 The joint Black Workers Group Report 2008 was welcomed and endorsed by Cabinet in October, 2008, acknowledging the need for both longer and short term actions to improve the representation of BME staff at all levels and in this respect approved a series of 'quick wins'.
- 1.3 This report presents the
- Current picture of BME representation at the Council and compares this to the prevailing BME profile of Leicester
  - The recruitment outcomes for BME applicants and rate of career progression for Black Workers
  - Progress made by the Council on the series of 'quick wins' endorsed by Cabinet in October 2008 <sup>1</sup> and in this respect makes further recommendations.
  - Reports on the key findings of the Annual BME Staff Survey 2009. Provides evidence of the benefits of engaging staff groups, to begin to identify, tackle and improve workforce representation and career progression. Therein supporting the Council in its aim to have a workforce that reflects the communities it serves<sup>2</sup>.
  - It recommends the development of a different approach to workforce representation in order to realise the aspirations for Leicester<sup>3</sup> and those for the Council<sup>2</sup>.

### 2 Recommendations

- 2.1 Strategic Management Board and Cabinet are asked to:

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<sup>1</sup> BWG Workforce Representation Report 2008

<sup>2</sup> One Council Strategy

<sup>3</sup> One Leicester Vision

- 2.2 Note the prevailing BME staff profile of the Council and the current BME population profile of Leicester.
- 2.3 Note the perceptions of Black Workers identified through the BWG Staff Survey, 2009.
- 2.4 Acknowledge the need for us to stretch our ambitions for a representative workforce if we are to close the gap between the BME population of Leicester and the BME workforce profile.
- 2.5 Acknowledge the progress made to date on the 'Quick Wins' approved by Cabinet in 2008 and in this respect provide continued support to BWGs to progress the revised and strengthened actions referred to in Appendices 1 & 2.
- 2.6 Task the ODI/PMA Group with investigating the adverse outcomes for BME staff and applicants; using the EIA process to establish the reasons for the adverse outcomes when compared with other groups with an action plan to address the findings.
- 2.7 Task the ODI/IPM Group to work with Black Worker Groups to consider options for mainstreaming employment equality into the Council's key performance management systems so that employment equality objectives sit with the core Council business.
- 2.8 Task the ODI/IPM Group to work with the joint Black Workers Groups to progress the recommendations set out in Appendices 1 & 2.
- 2.9 Approve BWG representation on the IPM Group.
- 2.10 Acknowledge that BME school based staff were not included in the 2009 BME staff survey, conducted by the BWG, due to the timing of the survey this year falling outside of school term time.
- 2.11 Support school head teachers to facilitate the inclusion of BME school based staff in all future BME staff surveys, commencing with an extension to the 2009 survey, to provide a fuller corporate picture of the BME workforce perceptions. The results of these to be reported to Cabinet in the next six monthly progress report.

### **3 Background**

#### **LCC's Black Workers Groups**

- 3.1 With the support of the Chief Executive, the Black Workers Groups (from the former Adult & Housing and Children & Young Peoples and Regeneration & Culture) conducted a survey of Black Workers in 2008 to identify issues that affect their employment and career progression within LCC. The findings of the survey, along with Council data held on ethnicity were presented to Cabinet in 2008.
- 3.2 The data evidenced that under-representation of Black Workers exists at all levels within the Council's workforce. The findings showed that the most representative areas were the bottom 3 tiers and the least representative being the top 3 tiers. The report also detailed staff perceptions of how they were treated within the Council, including details of real experiences.

- 3.3 In October 2008 Cabinet approved a number of 'quick wins' and longer term actions, put forward by Black Workers in order to make progress towards addressing under-representation of BME staff across the Council. It was agreed that progress would be reported to Cabinet every 6 months.
- 3.4 Cabinet also approved an annual survey of Black Workers to measure progress and perceptions.
- 3.5 In May 2009 Cabinet received its first 6 monthly progress report and approved the Reach Higher Programme, which led to the appointment of 8 black Voluntary Directors (one for each of the Council's Priority Boards). The programme was recommended in the October 2008 report to address the under-representation of BME staff at the senior management level. The programme will provide the delegates with the opportunity to fully participate in the functioning of the Priority Boards with mentoring and support from the Priority Board leads. The 8 will also benefit from a tailored programme of learning developed jointly by the BWGs, the Workforce Representation Working Group and City Learning.

#### **4 Context for BME Workforce Representation at Leicester City Council**

- 4.1 The Black Workers Groups welcome the Council's commitment to workforce representation and acknowledge the firm footing that has been established on this since 2008. The newly established Strategic Management Team has demonstrated its commitment to this agenda and we look forward to this being embedded more widely across the Council.
- 4.2 We believe BME workforce representation should be at the core to delivering fair and equitable services. This view is supported in many ways by the Public Sector Race Equality Duty to promote race equality.

#### **Equality Framework for Local Government**

- 4.3 The Black Workers Groups would encourage the Council to use the wider definition of equality in the new Equality Framework for Local Government<sup>4</sup>, which was originally set out in 'The Equalities Review,'<sup>5</sup> based on the idea of equal life chances. It states that:
- 4.4 "An equal society protects and promotes equal, real freedom and opportunity to live in the way people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals, and removes the barriers that limit what people can do and be."<sup>5</sup>
- 4.5 The definition is more aspiring than the formal legal definitions of equality. It is about what we can do to create a fairer society and recognises that:
- equality is an issue for us all
  - we don't all start from the same place

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<sup>4</sup> Equality Framework for Local Government 2009

<sup>5</sup> Cabinet Office (February 2007) 'Fairness and Freedom: The Final Report of the Equalities Review,' available from: [www.archive.cabinetoffice.gov.uk/equalitiesreview](http://www.archive.cabinetoffice.gov.uk/equalitiesreview)

- to create a fairer society we need to recognise different needs.
- 4.6 The benefit to the Council of adopting this definition is that it has been taken from the way inequality and vulnerability is defined by the Audit Commission and other inspectorates for the purposes of the CAA.
- 4.7 ‘Effective local public services target effort where improvement is most needed to tackle inequalities within and between communities. This may include focusing on the particular needs of people who are disadvantaged or discriminated against through age, disability, race, gender or transgender, religion or belief and sexual orientation. It may also include efforts to reduce child poverty or other inequalities within communities. We will consider how well local partners know and understand the nature and extent of inequality and disadvantage within their communities and how effectively they are working to reduce or eliminate discrimination.’<sup>6</sup>
- 4.8 A modern and diverse workforce is identified as one of five performance areas within the Equality Framework.<sup>4</sup> It states that:
- 4.9 The ability to deliver responsive, personalised services will depend in a large part on the composition, skills, understanding and commitment of the workforce. The Framework requires us to ensure:
- relevant equality objectives are built into workforce strategies
  - an understanding of the local labour market and the barriers equality groups face informs the setting of equality employment objectives
  - all major employment policies are equality assessed
  - plans are in place to improve representation at senior levels of women and BAME officers
  - training and development programmes address equality issues
  - there is effective action to address equal pay
  - there is a workplace culture in which staff are treated with dignity and respect.

### **The CAA, One Leicester and One Council**

- 4.10 The Comprehensive Area Assessment is intended to ensure Councils make every effort to get things right the first time. Councils’ will be measured on:
- Resources allocated in the right areas
  - Efficiency
  - Effectively
- 4.11 Equality will be measured as an underpinning theme across all areas. I.e. ‘tackling inequality; meeting the needs of vulnerable people’.
- 4.12 The Black Workers Groups welcome the ‘One Leicester’ vision and ‘One Council’ strategy, in particular, the commitment and priority given to:

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<sup>6</sup> Audit Commission (February 2009) ‘Comprehensive Area Assessment, Framework document’, available from: [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

- Driving out inequalities<sup>3</sup>
- Inclusion
- Meeting the diverse needs of our communities
- The principle of equal services for equal need based on a clear understanding of communities.<sup>2</sup>

4.13 In addition to continuing to support the Council in addressing its key challenge of tackling workforce under-representation, the Black Workers Groups would also like to extend this support to helping the Council in

- Its efforts to tackle the causes of inequality
- Providing opportunities
- To promote cohesion, cross faith and community dialogue.<sup>2</sup>

### **Leicester's BME Profile**

4.14 The report 'The Diversity of Leicester: a Demographic Profile'<sup>7</sup> estimates Leicester's BME population is around 40% and that Leicester is forecast to be Britain's first 'majority minority ethnic' city by 2012.

4.15 Current estimates of the LEA maintained school pupil population<sup>8</sup> shows a majority BME population, with 60% of pupils identifying as being from a BME community and 40% from White communities (this includes White Other and Eastern European migrant communities).

4.16 Leicester has a young population with 45% of residents being under the age of 29yrs and with the birth rate amongst BME communities being higher in comparison to white communities, it is expected that the young population is set to continue to rise particularly in BME communities.

4.17 It is also known that BME children in particular those from Somali, Bangladeshi, Black Caribbean and Pakistani communities are more likely to be unemployed than their white counterparts after leaving the education system.<sup>8</sup>

4.18 Given that the children and young people in Leicester's schools, colleges and universities are the workforce of the future, it is critical that barriers and organisational constraints to their recruitment and selection are addressed. The Council is the largest employer in Leicester, and if we fail to address the barriers now, then we will see many of these children and young people either unemployed, leaving the city to find work elsewhere, potentially living in poverty in the city and requiring a high level of support from public services.

4.19 'Leicester is a poor city.....it is the 20<sup>th</sup> poorest city in England 2008 (2005 it was ranked 35<sup>th</sup> Poorest city in England (IMD<sup>6</sup>) with some areas falling within the most deprived 5% of all areas in England.<sup>7</sup> Leicester appears to be getting poorer/more deprived (in 2009 70% of LEA 5-16 year olds are from a deprived background, an increase of **20%** from the last figure of 50% (2007)<sup>8</sup>

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<sup>7</sup> The Diversity of Leicester: a Demographic Profile

<sup>8</sup> LEA maintained schools census data spring 2009

4.20 Schools urgently need to work closely with the local authority on ensuring they not only strive to represent their local communities within their own workforce, but also to ensure that children of all racial and social backgrounds are achieving key milestones and attaining alongside their peers locally and nationally. Otherwise, Leicester City Council's aims of a cohesive community is at risk as one or more communities may feel they are not treated fairly, equally and with the same degree of respect.

## **5 BME Workforce Representation**

### **BME Profile**

- 5.1 As the largest employer in Leicester (16,500 as of 31/03/09<sup>9</sup>) and lead partner for the achievement of the One Leicester priorities, the Council has a duty to actively promote to its partners and contracted suppliers the benefits of having a representative workforce at all levels.
- 5.2 Leicester is predicted to become the first ethnic minority majority city in the United Kingdom. Other cities will be looking to Leicester, to learn how we are working towards managing diversity, equitably.
- 5.3 The Council now has more robust data on the BME profile of its non-schools workforce. A data capture exercise undertaken by the Workforce Representation Working Group and the Employment Service Centre in 2009, resulted in a significant reduction in the number of employee's whose ethnicity was unknown from 5.2% in 2008 (non-schools workforce) to 3.2% in 2009<sup>9</sup>. The Council's current overall BME workforce profile is 23.06% (as at 31 March, 2009<sup>9</sup>), which reflects an increase of 0.02% since 2008.
- 5.4 However, the picture for the schools workforce still remains unclear until the Schools Workforce Census exercise is completed in October 2010. Pilots of the Schools Workforce Census have been conducted during 2009, data of which should be made available and incorporated into the BWG Report to cabinet in May.

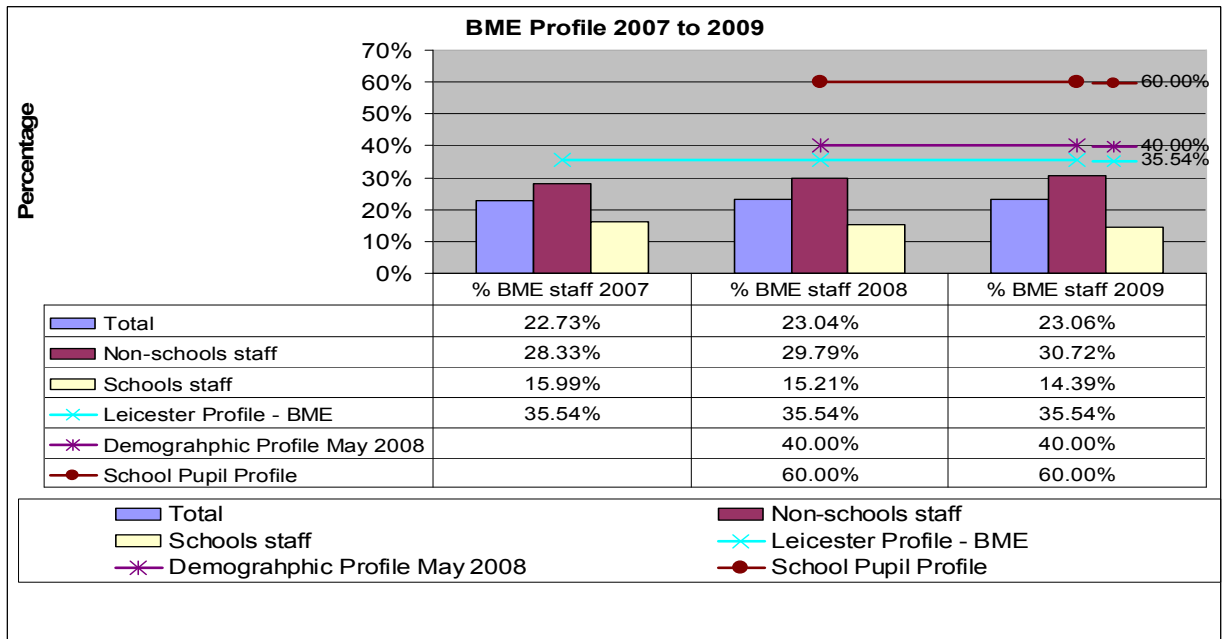
### **The Gap in Representation**

- 5.5 The BME population of Leicester is estimated to have increased by around 5% from 35.54% in 2001<sup>10</sup> to 40% in 2008<sup>7</sup> (with a pupil population already at 60%), Chart 1 illustrates that the Council has seen an increase of 0.33% in its BME workforce between 2007 and 2009.
- 5.6 If this trend continues, the gap between the BME population of Leicester and the Council's BME workforce will widen. Now that the Council has a firm foothold on addressing workforce representation it needs to stretch its ambitions and take a more challenging approach to see a reduction in the gap, particularly, given the predicted increase in the BME population to 50% by 2012.
- 5.7 **Chart 1: LCC BME Profile 2007 to 2009 compared with Leicester's BME Profile**

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<sup>9</sup> The Council's Employment Profile 29 September, 2009

<sup>10</sup> Census 2001



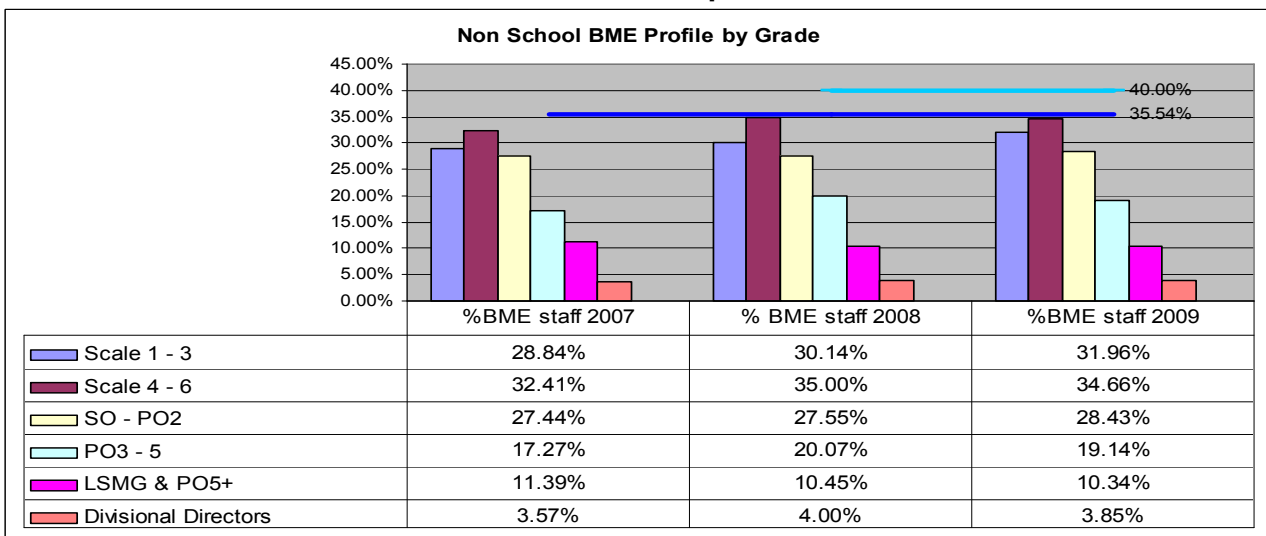
5.8 Chart 2 shows that Leicester’s BME population is under-represented at all levels within the Council’s workforce, with representation levels falling at the top 3 tiers between March 2008 and March 2009:

- PO3 – PO5 from 20.07% in 2008 to 19.14% in 2009
- LSMG/PO5+ from 10.45% to 10.34%
- Divisional Directors from 4% to 3.85%

5.9 The Council’s support for the first phase of the Reach Higher Programme is a positive step towards helping to redress this imbalance and it is recommended that further phases are now implemented in addition to other approaches. See Appendix 1.

5.10 It is acknowledged that these initiatives will not deliver immediate results but are a step in the right direction.

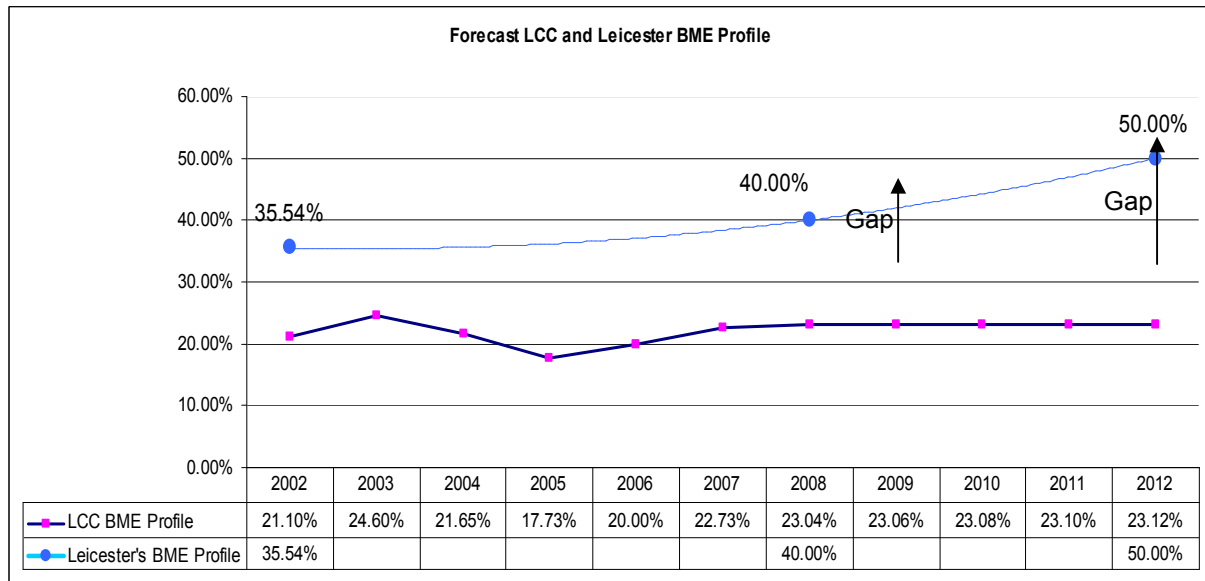
**5.11 Chart 2: Non-schools BME staff Profile compared with Leicester’s BME Profile**



5.12 Chart 3 forecasts the BME workforce into 2012 using the current rate of annual progress. The trend shows that the gap between the rate of progress and the BME profile of Leicester is likely to widen.

5.13 The Council is, therefore, recommended to embed a mainstreamed and ambitious approach to workforce representation across the Council and this is considered in the recommendations above.

**5.14 Chart 3: Forecast LCC BME staff compared with Leicester's BME forecast**



5.15 The Black Workers Groups would like to suggest that the Council considers closing the gap by setting challenging targets, which are aligned to performance management and its approach to workforce planning. A targeted approach has been successfully adopted by the Police, the Fire and Rescue Service and Government Departments.

5.16 Chart 4 provides two examples to targets for the Council to consider:

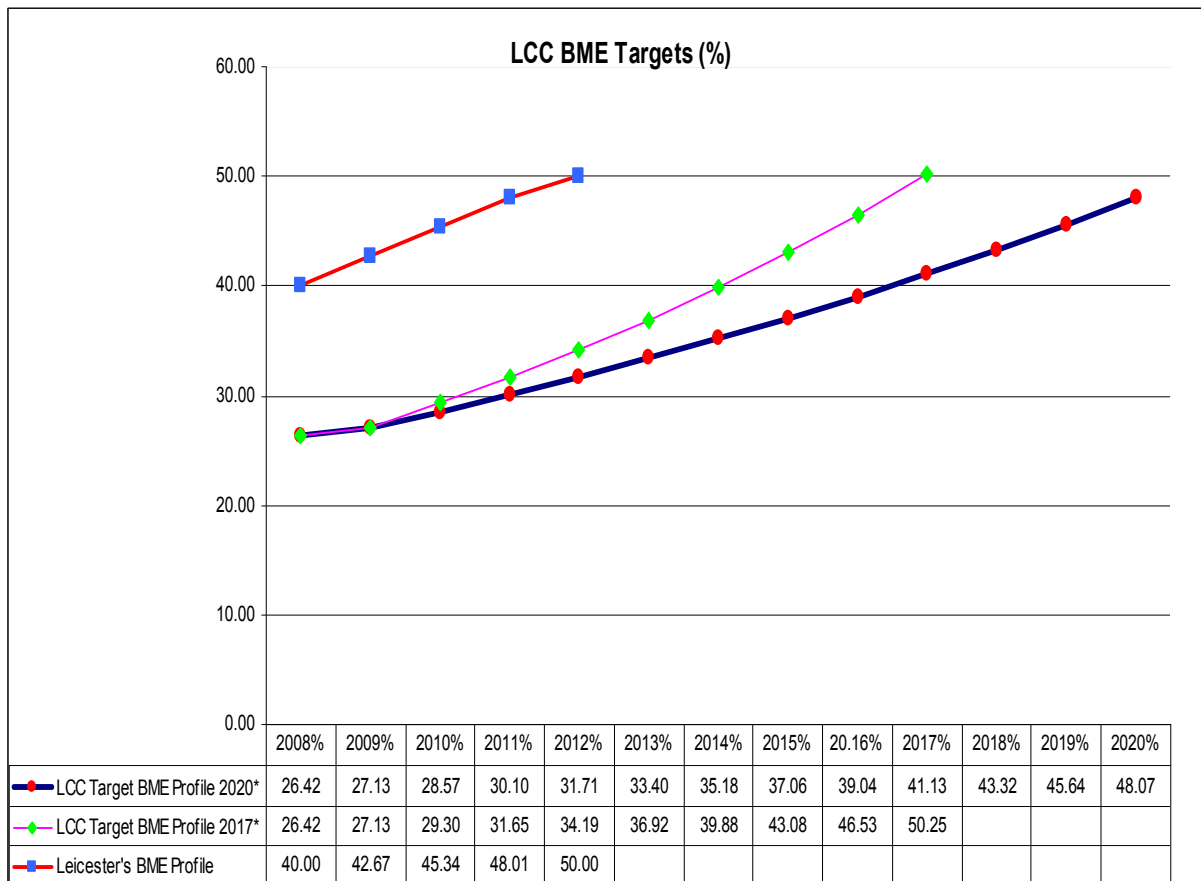
5.17 Example 1: to achieve BME representation by 2017 (in line with the annual BME population forecast), the Council needs to increase its rate of BME representation on annual basis as proposed (see the purple line).

5.18 Example 2: to achieve BME representation by 2020 (in line with the annual BME population forecast), the Council needs to increase its rate of BME representation as proposed (see the Blue line).

5.19 It is recommended that the ODI/PMA Group give further consideration to this as the targets set will need to consider the timescales by when the Council wants to achieve representation, the real barriers to achieving representation, for example, turnover, economic climate, suitable applicants and the resources available for positive action.

**5.20 Chart 4: Targets for LCC BME Representation**





### Recruitment, Development Opportunities and Promotion of BME Staff

- 5.21 The Employment Profile Report 2009<sup>9</sup>, shows that the rate of applications received from BME communities has fallen by 7.35% between 2007 and 2009. Although what is positive is that the success rate of BME applicants interviewed has increased by 7.9% and appointments too have increased by 2.73%. (See Chart 5a below).
- 5.22 This trend is however, below that for applicants as a whole, where the percentage of applicants being interviewed increased by 8.8% and those appointed increased by 3.44%.
- 5.23 There has been a positive increase in the rate of secondment opportunities offered to staff across the Council. There has, however, been a significant fall in the rate of acting up opportunities for staff, which fell from 89 in 2007/08 to 55 in 2008/09.
- 5.24 Given that these opportunities are a positive action measure that may lead to promotion, it is recommended that the Council continues to increase the number of secondments and acting up opportunities being offered to staff.
- 5.25 The main issues that require investigation and action in respect of recruitment, development and promotion are:
- The fall in the rate of applications from BME people
  - The adverse recruitment outcomes for BME applicants



## **6 BME Survey 2009 Key Findings**

- 6.1 A survey of BME employees (not including school based staff) in the former departments was conducted by the Council's Black Workers Groups in August 2009. To allow for comparisons to be made with the previous survey (2008) we asked the same questions with some additions pertaining to recruitment and selection, acting up and secondments and training and development. The pay categories were extended to ensure the inclusion of all staff across all pay bands.
- 6.2 The survey did not include schools based staff due to a delay encountered in the cascading of the survey, which meant the survey was conducted during the schools' summer holiday period. (See case study 4 for more detail).
- 6.3 Given this, it is recommended that the 2009 BME survey is extended to include BME staff in schools. It is important that the relevance of the survey is communicated effectively by schools to their BME staff.
- 6.4 Most employees were contacted via email using their GroupWise account and those not identified as having an email address were sent questionnaires by post to their home addresses by the Employment Service Centre. Subsequently many employees informed their respective BWGs that they had not received the survey (by email or post). This highlights a wider issue for the Council that requires investigation to ensure effective communication with all staff. (See case study 4 for more detail).
- 6.5 **An analysis of respondents**
- 6.6 416 BME employees responded to this year's survey, compared with 250 in 2008.
- There was a 66% increase in respondents in 2009.
  - Respondents were from all Divisions
  - The largest response was from BME employees in Asset Management
  - The lowest response rate was from Community Care Services.
  - There was an increase in respondents earning more than £15,000
  - There was a fall in respondents earning less than £15,000
- 6.7 **A summary of key barriers by respondent's salaries and departments**
- 6.8 The main barriers were considered by division and salary
- Those earning between £25,000 and £39,999 identified with more barriers to workforce representation than other salary bands.
  - Those earning less than £10,000 were most concerned about barriers to training and development.
  - Career progression was of most concern to those earning between £10,000 and £19,999, £25,000 to £29,999 and those earning over £40,000.
  - Managerial culture was perceived as a significant barrier by those earning £20,000 to £24,999 and £30,000 to £39,999.

- The Council was perceived to be institutionally racist by respondents across all salary bands.
- 70% of respondents earning between £30,000 and £34,999 65% of respondents on salary bands £35,000 to £39,999 felt the Council was institutionally racist.
- Staff in the former Chief Executives and Adults and Housing departments being more likely to perceive barriers compared with staff in the other departments;
- Managerial culture, career progression and recruitment and selection were perceived as the most significant barriers across all departments.

## 6.9 Future of BWGS

6.10 Question 6 in the survey asked respondents for their views on whether the three current BWGs should merge to form a single BWG.

- 77% of respondents supported a merger.

6.11 In response to this finding, the BWGs will begin to consult its members on how this should be shaped in the future. This will include consideration of concerns from respondents about individual support, the continued representation of views of staff at a team level and the practical implications of staff attendance at one BWG.

## 6.12 Respondents experience and perceptions of recruitment and selection

Question 7 asked respondents if there were issues for black people in the way that the Council recruits and retains staff and Questions 8, 9, 10 asked respondents about their personal experiences of recruitment and selection.

- 56% of respondents felt there were issues
- The main reason given is a perceived glass ceiling for progression to management levels.
- 41.63% of respondents had applied for a post in 2008/9.
- 87.79% of these were successful in being shortlisted.
- 40% of those shortlisted were subsequently appointed.
- 40% of respondents who asked for feedback and who were not shortlisted did not agree with the feedback they had received.
- 43.81% respondents who asked for feedback after interview did not agree with the feedback they had received.

## 6.13 Respondents experience and perceptions of training, development and career progression

6.14 Respondents were asked if there were issues for black staff in the way LCC provides training and development and career progression and were asked about their personal experiences of training and development. The main issues highlighted :

- 42.3% of respondents had issues with training and development.
- 19% of respondents did not have an annual appraisal even though this is Council policy.
- A similar number indicating there was no learning and development review and training needs identified.

- 24% of respondents had training refused whilst 72.3% attended some form of training in the last year.
- 61% of respondents' felt there were issues career progression
- 58.89% of respondents were interested in applying for a secondment opportunity in the last year
- Only 9% actually applied and of those only 21.88% were encouraged to apply.
- Of those applying 43% successfully secured an opportunity.
- 62% of those that were unsuccessful did not agree with the feedback on their performance.

### 6.15 Respondents experience of Supervision

6.16 The survey suggests an inconsistency in the approaches to supervision across the Council with around 15% of respondents stating they had never had supervision and 25% of respondents not knowing about supervision. However, this may not be unique to BME employees but given that supervision is a key requirement of Investors in People, this inconsistency requires investigation.

### 6.17 Respondents experience and perceptions of LCC Culture

6.18 Respondents were asked to give their perceptions about LCC culture:

- 60% felt there were issues with the Managerial culture that was a barrier to achieving a representative workforce
- Only 15.87% had felt any positive changes in culture since the last survey in 2008
- 40% of respondents thought the Council was still institutionally racist
- 30.77% stated that they did not know if the Council was institutionally racist
- 45.14% of respondents felt there were issues with colleagues.

### 6.19 Three key priorities for BME workforce representation

6.20 Respondents were asked to prioritise 3 key areas requiring action in order to achieve a representative workforce

### 6.21 Table 1: Key priorities to improve workforce representation

2009	2008
BME representation at senior levels (25%)	Developing BME senior managers
Review of recruitment and selection (11%)	Helping BME staff to progress within their areas of work
Review of training and development (7%)	Getting more people from BME communities in Leicester to work for the Council

6.22 Comments which typify the notable trends in the responses provided by Black employees:

- 'Training and development amongst senior staff...Some senior officers would benefit from being mentored by BME employees...'
- 'Establish which service areas do not have a representative workforce and...report back...on what they have in there service plans which looks to address representation'

- 'Change the culture of the organisation to prioritise workforce representation consistently across the Council.'

## **7 Quick 'wins' Longer Term actions – to take to begin to improve BME workforce representation**

7.1 Appendices 1 & 2 provide an update on the progression of actions agreed by cabinet in October 2008. We have used a traffic light system to detail progress of quick wins:

- Red = No progression
- Amber = Progressing
- Green = Implemented

7.2 The following quick win has been implemented:

- The Voluntary Director Scheme (Reach Higher Phase 1 – see LCC FACE magazine, October 2009 edition), this has also featured as good practice in the IDEA
- A data capture exercise was undertaken in early 2009 which reduced the number of unknowns for non school based staff from 5.2% in 2008 (non-schools workforce) to 3.2% in 2009<sup>9</sup>
- The BWGs are represented on the workforce representation working group
- The Former Resources & Chief Executives Departments have launched their BWG
- Regular meetings have been established with the BWGs, Councillor Patel & Sheila Lock
- The BME Workshops have been developed jointly with the BWGs and City Learning and are awaiting roll out in March 2010
- Divisions in areas of the Council are proactively progressing workforce representation
- A performance management framework for workforce representation has being developed and is being consulted on

7.3 Many of the quick wins are progressing, however there are several quick wins were there have been no progress .

7.4 To ensure all actions are progressed through to implementation a different approach is needed. Recommendations have therefore been made on each quick win to ensure progress is achieved, an update on these will again be provided to cabinet in May 2010.

## **8 Legal implications**

8.1 Race discrimination is unlawful in the majority of situations however there are some exceptions, such as positive action. Positive action is where an employer, in relation to particular work at an establishment, can encourage people of only a particular racial group to apply for jobs and offer training only to people of a particular racial group. This is permitted where the proportion of people of that group currently doing the work is small in comparison with either the number of people employed by the employer or among the population in the area the employer normally recruits.

8.2 The City Council must only implement initiatives which are lawful, therefore Legal Services must be fully engaged in the detailing of the proposals in this report.

## **9 Report Authors / Officer to contact:**

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Black Workers' Group Former Chief Executive and Resources: Shilpa Arya

Black Workers' Group Former Regeneration and Culture: Jos Johnson, Simon Ighofose

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)