

# DRAFT



HEREFORDSHIRE  
COUNCIL

## Gender Equality Scheme 2007-2010



If you would like help to understand this document, or would like it in another format or language, please call the Corporate Diversity Team on 01432 267307 or e-mail [diversity@herefordshire.gov.uk](mailto:diversity@herefordshire.gov.uk).

A summary and easy-read version of this document is also available.

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## 1) Introduction

Herefordshire Council, in its role as a community leader, is committed to challenging and eradicating all forms of prejudice and discrimination in the county. This scheme and action plan sets out how the authority will challenge sex discrimination and promote equality of opportunity between men and women.

Men and women in Herefordshire, including Transsexual men and women, can also experience prejudice and discrimination based on their age, ethnicity, religion/belief, sexuality, marital/civil partnership status or disability.

Herefordshire Council's Corporate Diversity Team (CDT) is responsible for producing the Gender Equality Scheme (GES) and action plan. This has been produced with the help and support of the research team, legal team and HR.

## 2) Why Have a Gender Equality Scheme?

Gender discrimination in employment is still widespread:

- There is a 17% pay gap between the hourly earnings of full-time women and full-time men
- Part-time women earn 38% less than full time men, hour for hour
- Discrimination against pregnant employees is still widespread
- Pensions are designed for a traditionally male career path and parents and carers lose out as a result
- Only 18% of MPs are women
- 24% of UK MEPs are women<sup>1</sup>

Many services are designed in a gender-blind way, which means they ignore the different needs that women and men have. For example, many transport services are designed to meet commuter needs (which are typically male) and little thought is given to fares for part-time workers and more complex routes (which are seen as typically female needs).

Previous legislation relied heavily on individuals taking action to challenge discrimination, but taking legal action as an individual can be very daunting. Also, individual cases have a limited impact on systematic causes of discrimination. For example, one employee could win an equal pay case but this would not necessarily mean that the person at the next

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<sup>1</sup> Facts about Men and Women in GB (2005) Equal Opportunities Committee.

desk or the next department would not suffer unequal pay as a result. The Gender Equality Duty does not replace legal cases but is an additional tool for challenging discrimination and promoting equality.

### **3) The Legal Requirement**

In July 05 the Government produced an Equality Bill, which set out how people were to be treated equitably (on the basis of their need) and not subjected to discrimination. As part of the Equality Bill the Gender Equality Duty was established for the public sector. This new legal duty places a requirement on public bodies to be proactive and to promote gender equality. It is widely accepted that, in its role as community leader, Herefordshire Council can help promote equality of opportunity between women and men.

The legislation requires both a General Duty and Specific Duties, as set out below.

#### **a) General Duty**

The General Duty requires all public authorities (including voluntary and private organisations that carry out public functions) as employers<sup>2</sup> and as service providers<sup>3</sup> to have due regard to eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act 1975 (SDA) and discrimination that is unlawful under the Equal Pay Act 1970 (EqPA). The General Duty has three parts:

- The need to eliminate unlawful discrimination
- To eliminate harassment
- To promote equality of opportunity between women and men

#### **b) Specific Duties**

1. Publish a Gender Equality Scheme and review on a three year cycle the scheme must identify gender equality goals and produce an action plan to implement these. An annual progress report should also be produced.
2. Publish an equal pay policy which must:
  - include pay arrangements
  - outline measures to ensure fair promotion and development opportunities

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<sup>2</sup> Employment practices include, for example, part time working, flexible working and recruitment

<sup>3</sup> There is a need to understand the different service requirements of men and women

- address three specific causes of the pay gap (which are pay discrimination, caring responsibilities and occupational segregation)

### 3. Conduct gender-specific impact assessment.

The specific duty for the GES differs from the requirements in the Race Relations Act and Disability Discrimination Act in that all public authorities are required to comply, in the same way, with the same duties.

## 4) Historical Context of the Gender Equality Scheme

There has been a dramatic gender shift of people who are economically active in the labour market in the UK. In 1911 very nearly 90% of males and 30% of females over 15 were economically active. It is anticipated that by 2011, 69% of males and 57% of females over 16 will be economically active, with the female population making up 49% of the labour force.

In 1975 the Sex Discrimination Act (SDA) was introduced and for the first time, discrimination on the grounds of gender became unlawful. Change in legislation initiated legal challenges by both women and men to achieve equality as employees and as service users.

During the last 30 years the Equal Opportunities Commission has been instrumental in promoting equality for women and men. Key dates in the timeline illustrate how new legislation and groundbreaking cases have done much to improve equality for women and men in the UK. Major changes include:

- **1975 The Equal Pay Act.** Obligations on employers to pay equal wages to women and men.
- **1986 The Sex Discrimination Act (Amendment).** Equal retirement ages for men and women and lifted legal restrictions preventing women working night shift in factories.
- **1994 Trade Union Reform and Employment Rights Act** guaranteed every working woman the right to maternity leave.
- **1995** European Court forces UK government to allow men free prescriptions at 60 – the same age as women.
- **1999 Sex Discrimination (Gender Reassignment) Regulations.** Sex Discrimination Act amended to include Transsexual people.
- **1999 Employment Rights Act** passed to allow both men and women parental leave of up to 13 weeks for children under five years old.

- **2000 Part Time Workers Regulations** gave equal rights for part-time workers both male and female.
- **2004 Gender Recognition Act** provides legal recognition for Transsexual people's gender reassignment, including the right to a new birth certificate.
- **2007 Gender Equality Duty** places the responsibility on service providers to promote good gender equality policies and processes as opposed to leaving the responsibility to individuals to challenge discriminatory practice - practices that, wittingly or unwittingly, have continued 30 years after the introduction of the sex equality legalisation.

Further guidance can be found on the Equal Opportunities Commission's website [www.eoc.org.uk](http://www.eoc.org.uk).

## 5) Profile of Gender in Herefordshire

### a) General Context

Herefordshire is a predominantly rural county of 842 square miles<sup>4</sup> situated in the south-west corner of the West Midlands region bordering Wales. The city of Hereford is the major location in the county for employment, administration, health, education facilities and shopping. The five market towns of Leominster, Ross-on-Wye, Ledbury, Bromyard and Kington are the other principal centres.

### b) Population

Since the Unitary Authority was formed in 1998, Herefordshire's usual resident population has grown by 5.0%, from 170,300 people in 1998 to 178,800 in 2005. This is a slightly higher rate of growth than experienced in England and Wales as a whole (3.6%).

Herefordshire has an older age profile than both the region and England and Wales, with a noticeably higher proportion of its population in the older age groups. At 2005, people aged 65 and over constitute 20.1% of the county's population, in comparison with 16.1% nationally.

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<sup>4</sup> 218,283 hectares, 2183 square km

For those aged under 65, proportions of males and females are very similar (50.1% and 49.9% respectively) whereas for those aged 65 and over the proportion of males is much lower (43.9% compared to 56.1%) resulting in a slight imbalance in the overall population (48.8% males and 51.2% females) at 2005.

*Source: ONS mid year estimates*

Analysis of 2001 Census data shows that, at 0.80 persons per hectare, Herefordshire has the 4th lowest population density in England (relative to the other 149 top tier authorities<sup>5</sup>) being slightly higher than that for Northumberland (0.61), North Yorkshire (0.71) and Cumbria (0.72). Furthermore, Herefordshire has a higher proportion of its population living in 'very sparse' areas (0.5 or fewer residents per hectare) than any of the other authorities.

*Source: 2001 Census, ONS Crown Copyright*

### **c) Households**

Herefordshire has a slightly higher proportion of lone pensioner households, 15% compared to the West Midlands and England (both 14%).

Comparatively Herefordshire has a slightly lower proportion of other single person households (13%) compared to regionally (15%) and nationally (16%).

Herefordshire also has a slightly lower proportion (5%) of lone parent households with dependent children than the West Midlands (7%) and England (6%).

*Source: 2001 Census, ONS Crown Copyright*

### **d) Economic Activity**

In Herefordshire the economic activity rate for those of working age (ie. proportion in employment or actively seeking work) for males is 85% whilst that for females is 78%. For the region as a whole, the rate for males is similar (83%) but for females it is lower (71%).

Self-employment rates are relatively high in Herefordshire, 21% for males of working age and 11% for females (compared to 12% and 4% respectively in the region).

*Annual Population Survey 2005, ONS*

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<sup>5</sup> Top tier authorities are those authorities that are responsible for services that must be provided at the county council level, ie. county councils, unitary authorities, metropolitan districts or city councils and London boroughs.

Herefordshire's unemployment rates are relatively low; 1.6% in January 2007 compared to 3.4% for the West Midlands region and 2.6% for England. 71% of unemployment claimants in Herefordshire were male, with the unemployment rate amongst males being 2.1% compared to 1.0% for females.

*Source: Monthly Unemployment Claimant Counts, ONS*

### **e) Earnings**

In 2006, average (median) gross weekly earnings for full-time employees who work in Herefordshire were £390.60, compared to £415.50 for the West Midlands region and £453.30 for England.

The ratio of average gross weekly earnings for females to those of males for full-time employees working in Herefordshire was 0.72 (ie. women earn 28% less than men). This gender gap is greater than that experienced by neighbouring authorities or elsewhere in the region, with the exception of Coventry (0.68) and Solihull (0.72). However, it should be noted that gender pay gaps may well in part be due to the types of work that males and females tend to do and the different level of pay associated with that industry.

*Source: ASHE 2006, ONS*

### **f) Qualifications**

There is little difference between levels of qualification held by males and females of working age in Herefordshire and these are similar to elsewhere: 27% of males and 25% of females are qualified to Level 4 and above (compared to 23% for both in the region); 13% of males and 15% of females have no qualifications (compared to 17% and 19% respectively in the region).

*Annual Population Survey 2005, ONS*

## **6) Diversity Profile of Herefordshire Council**

### **a) The Equality Standard**

The Equality Standard for Local Government has been developed by the Employers Organisation to help local authorities achieve and maintain, through continuous improvement, the highest standard of equality in employment and service delivery. This Standard is a tool used to monitor the progress of Herefordshire Council as it strives to achieve level five, the highest level. Embedding the highest standards of equality and diversity throughout the council and community is a legal and moral commitment. The Gender Equality Scheme is a part of this process.



## **b) Council Policies**

The GES, along with the Disability Equality Scheme (DES) and Race Equality Scheme (RES), inform the Council's Comprehensive Equality Policy.

## **c) Procurement and Contracting with Suppliers**

Complying with the requirements of the Comprehensive Equality Policy and other equality schemes is a prerequisite for any organisation wishing to tender for contracts with Herefordshire Council.

## **d) Equality Impact Assessments (EIAs)**

An EIA is an analysis of a Council service or policy. Its purpose is to ensure that every service and policy for, or delivered to, the general community is appropriate and accessible and does not, however unwittingly, disadvantage or discriminate against any group.

By law, we are required to assess all services and policies for possible racial discrimination. However the Council has broadened the scope of its assessments to include disability, gender, age, sexual orientation, religion and belief, geographical location and income. In this way, gender-specific priorities are identified.

EIAs do help to identify any possible areas where discrimination or disadvantage occur or may occur. This in turn will lead to actions that work to prevent and address this. The actions are added to each individual Service Plan, and monitored by the Head of Service.

## **e) Consultation**

The Council considers community consultation crucial for effective and equitable service delivery. As such, a single officer coordinates all community consultation conducted by Herefordshire Council.

Comprehensive community consultation has not been carried out for the purpose of developing this GES. Instead, it has been informed by a number of existing research projects and consultation feedback, which includes:

- Minority Ethnic People's Experience in Herefordshire 04
- Disability Equality Scheme 06-09
- Race Equality Scheme 05-08
- Employee Opinion Survey 06
- Older People's Strategy 06 (Draft Document)

- Supporting the health of young people in Herefordshire 06
- LGBT Employee Group
- Equality Impact Assessments
- Herefordshire Branch of Unison
- Statistics from Register Offices
- Pay and Workforce Development Strategy

In addition, a number of groups were offered the opportunity to input directly into the scheme and action plan. These were:

- Herefordshire CAR (Communities Against Racism) Group
- Rainbow Forum (local Lesbian, Gay, Bisexual, Transgender support group)
- Travellers Health Project
- Herefordshire Women's Aid

Any gender-specific issues from these sources have been made explicit in the action plan and will be reviewed on an annual basis.

#### **f) Proposed Council Values**

The Council values, in development, are “service with integrity, equity and empathy”.

#### **g) The Corporate Diversity Team**

The Corporate Diversity Team was established in June 2005 to drive forward all issues of diversity, including disability. They work closely with colleagues from all services areas across the authority, including Human Resources and the Legal team.

Part of their remit is to address complaints or concerns on issues relating to both Council business and in the community. They support employees and members of the public who feel they have been treated unfairly, discriminated against, harassed or bullied. They also work proactively within the organisation and in the community to initiate and support projects which will improve the quality of people's lives or raise awareness of important issues.

#### **h) Employee Groups**

At present Herefordshire Council has three employee support groups, Race Equality, Disability and Lesbian, Gay, Bi-Sexual Transgender (LGBT). The groups are self-defining and all attendees are voluntary. Line managers are requested to support reasonable requests from their employees to attend these meetings. There is a commitment to support

gender-specific employee groups on the same lines. However, there will always need to be some negotiation if an employee wishes to attend more than one group.

### **i) Employee Profile**

Herefordshire Council employee numbers can be broken down as follows:

- 4,351 (77.56%) are female, 1,259 (22.44%) are male.
- 2,619 (46.68%) are full-time, 2,991 (53.32%) are part-time.
- 1,618 (61.78%) of the full-time employees are female, and 1,001 (38.22%) are male.
- 2,733 (91.37%) of the part-time employees are female, and 258 (8.63%) are male.

The Council monitors a range of Corporate Health Best Value Performance Indicators including the percentage of the top 5% of wage earners. Monitoring shows that there is a disproportionate percentage of those in the top 5% compared with employees in general. The Council percentage is in the medium quartile for Unitary Councils nationally. Action is needed to improve performance against this indicator.

### **j) Complaints about Gender Inequality**

- **Complaints about Council services:** There is a standard complaints procedure that is followed in the event of any complaint about Council services. This includes an appeals process.

All complaints where discrimination, prejudice or inequality are perceived are forwarded to the Corporate Diversity Team for investigation or input. Each complaint is designated to an individual officer who will contact all necessary parties and investigate. Customers' individual needs are taken into account at all times. They will seek to resolve the issue to the customer's satisfaction, and to make changes to Council services, policies or procedures, if appropriate, to ensure that problems do not arise again.

Complaints are therefore welcomed as a mechanism for identifying any gender inequalities.

- **Complaints about discrimination in the community, private sector or other organisations:** Herefordshire Council is keen to emphasise its community leadership role by championing the cause

of gender equality. The Corporate Diversity Team supports and advises anyone who feels they have been discriminated against or treated unfairly. However they cannot provide legal advice. Many complaints have been quickly and simply resolved by the informal involvement of a Council employee.

In cases where gender discrimination is an issue, customers are often advised to contact the Equal Opportunities Commission. Others are directed to the Citizens' Advice Bureau.

## **7) Monitoring, Evaluation and Review**

It is vital that we monitor, evaluate and review this Scheme in order to meet our duties under the Gender Equality Duty. In addition, we need to ensure that the Scheme is effectively implemented in order to achieve the targets in the Council's Improvement Plan and to achieve the Local Authority Equality Standard.

The Corporate Diversity Team will continuously monitor the Scheme and its Action Plan. Performance against the action plan will be regularly reviewed at meetings of the Diversity Group, and reported into Council every six months. All actions in the Action Plan have a named officer or department in order to make this process easier to monitor.

We are required by law to review the document annually, and to fully review and develop it every three years. Both the annual reviews and updated schemes are public documents and will be available in hard copy, alternative formats as required, and on the internet.

## **8) Definitions**

- The term "sex" is used to describe biological differences between men and women.
- The term "gender" refers to the wider social roles and relationships which structure the lives of men and women.
- "Trans" is used to describe Transsexual/Transgender men or women.

## 9) Gender Equality Scheme Action Plan 2007-2010

Need & How Identified	Task	Responsibility	Target Date
<b>Gender Equality Scheme Review</b>			
Legal requirement to review the GES action plan	To conduct an annual review of the GES action plan, revise and update where appropriate	Corporate Diversity Team (CDT)	March 2008
Legal requirement to revise the GES	Review and revise the GES on a three year cycle.2010 produce a revised GES	CDT	April 2010
<b>Employment and Training</b>			
Members and managers to be aware of the GES and requirements of the action plan	To provide briefing sessions at the appropriate forums	CDT	March 08
New Employees	Diversity presentation delivered at central induction to include information on the GES	CDT	On-going
To mainstream equality and diversity, including GES, into managerial roles and responsibilities	A system is available that enables equality and diversity objectives to be identified	Human Resources	Further roll-out in 360° management competencies by July 2008

<b>Need &amp; How Identified</b>	<b>Task</b>	<b>Responsibility</b>	<b>Target Date</b>
To reduce the under-representation of females in senior management posts within the Council	Establish appropriate career progression and support mechanisms as part of the Pay and Workforce Development Strategy	Human Resources	Review annually as part of BPVI 11a
To ensure appropriate opportunity for work/life balance for all employees	Review working practices and policies to identify the possibilities for flexible working	Human Resources input as part of the Flexible Working Project Board	June 2007
	Application of family friendly policies	Human Resources	Ongoing
<b>Service Delivery and Customer Care</b>			
EIA Continue to assess for adverse impact of service delivery with regard to gender equality	EIA conducted on new and reviews conducted on existing policies to assess for adverse impact	Service lead on EIA	March 08
CAR group consultation Single point for complaints of gender discrimination	Develop and raise awareness of a protocol for reporting gender discrimination	CDT, complaints officers and equality/diversity partners	Dec 07
National indicators Women have a higher perception of danger and vulnerability	Understand what measures need to be undertaken to help women and men feel safer	Partnership organisations and the CDT	April 08

Need & How Identified	Task	Responsibility	Target Date
<b>Policy Development</b>			
To implement appropriate monitoring of the impact of employment policies in relation to gender	Ensure that policies do not unfairly discriminate and to promote good practice	Human Resources	Ongoing
<b>Pay &amp; Progression (Internal and External)</b>			
To undertake an equal pay review to identify whether inequalities exist in pay	Implement appropriate remedial actions	Human Resources	August 2007
	Ensure fairness in the development of Pay. Reward and Recognition as part of the Pay and Workforce Development Strategy	Human Resources	2008-10
Seek to improve data capture to better understand access to work barriers	To enable forward action planning	Human Resources	On-going
<b>Employees</b>			
Employee consultation Eliminate harassment by continual development of anti-bullying policies	Raise awareness of confidential support and advice helping Employees to challenge bullying and harassment	CDT	December 07

<b>Need &amp; How Identified</b>	<b>Task</b>	<b>Responsibility</b>	<b>Target Date</b>
Ensure employees and managers are aware of their responsibilities on sexual harassment, how to report and deal with to minimise distress for the individual	Review and implement the Bullying and Harassment policy and procedure ensuring that the elements relevant to sexual harassment are fully considered	Human Resources	October 07
Employee consultation Corporate commitment to develop gender specific Employee Groups	Work with Employees to develop gender specific Employee support groups	CDT	September 07
To become an Investor in People across all parts of the Council	Confirm a timescale for corporate assessment as an Investor in People	Human Resources (Learning and Development)	October 07
<b>Herefordshire Council's Commitment as Community Leader</b>			
Traveller Health Project Consultation. Gender bias resulting in reduced access to education for women/young women	To promote equality of opportunity into further and higher education challenging gender bias	CDT to work in partnership with Traveller support group, Traveller Health group and Traveller liaison officer	May 08
Herefordshire Rainbow Forum For many reasons some Transgender people are not able to take advantage of the new law allowing the issue of a new birth certificate to reflect gender reassignment	A variation of acceptable forms of identification, therefore facilitating the right to privacy	CDT and partner organisations	March 08



Need & How Identified	Task	Responsibility	Target Date
Herefordshire Women's Aid Women-only services which are flexible and responsive to individual needs	Increasing a woman centred service by women for women	Herefordshire Women's Aid, CDT and partner organisations	March 09