UNIVERSITY OF WESTMINSTER⌗

Staff Equality, Diversity & Inclusion Annual Report 2010-11

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APPENDICES:

Section 1: Introduction and Executive Summary

1.1 Purpose of Report
The purpose of the annual report is to:
- Summarise the monitoring and benchmarking of the University's effectiveness in delivering the equality, diversity and inclusion agenda, in relation to the staffing population at Westminster.
- Highlight any issues which need to be considered by the University and make recommendations to address them.
- Satisfy compliance requirements.

Accurate equality profiles enable higher education institutions to take steps to address diversity and equality issues in the structure of the workforce to ensure they are preventing discrimination and to provide appropriate support services to staff.

1.2 Executive Summary
1. The profile of our staff was, once again, relatively stable, with relatively low voluntary turnover in comparison with the Sector. In the current economic climate this might be expected due to the more limited career opportunities available elsewhere in the Sector. However, without this 'churn' of staff leaving the University it is important to note that the introduction of change programmes across the University may prove to be more difficult due to entrenched views.
2. The University's BME profile continues to reflect our highly diverse staff and student communities and is more than double the HE sector average. The University's diversity profile is one of its strengths and is integral to our values. It is a significant achievement to be able to maintain the profile.
3. Further efforts on data cleansing has yielded additional diversity information included in this report. This is important as this gives us continued confidence in the figures reported.
4. The legislative picture in 2011 focussed some HR activity on strategies in response to the removal of the default retirement age. We have removed the DRA at 65 years but retained it at 75 years. Retaining a DRA, will allow us to consider all implications of a possible phase out of the Default Retirement Age (DRA) and to ensure that staff understand their choices in respect of this issue.
5. Our age profile shows decreasing numbers of staff in the younger age category, which is a concern in terms of succession planning, and a future challenge to be able to attract and compete for young academics from a smaller population pool, into a career in academia, in an aging Higher Education Sector. HR will be reviewing the way in which its employer brand is communicated to potential and new staff in all its recruitment and induction activities, this will be a key activity related to workforce planning.
6. Report recommendations include; improving our profile by improving our published 'Stonewall' accreditation position in their league tables and actively supporting the newly-launched LGTB network; creating a single Equality Policy for the University; supporting the School of Life Sciences and ECS in achieving an Athena Swann Bronze Award for the University, and developing a workforce plan for the University to embed workforce monitoring in planning processes.
7. As reported in the EDI 2009/10 report, HR has again in 2010/11 played a major role in supporting the University Financial Challenge. In addition to offering advice and guidance on structural and job design, steps were taken to ensure that the underpinning processes for the reductions were as fair, systematic and inclusive as possible. The resulting Equality Impact Assessments confirmed that, in general, there was little adverse effect on protected characteristics in the staff profile.
8. In the implementation of the HR restructure, EDI work was embedded across all HR professional roles. A significant amount of work has been undertaken which is reported in this document.

Section 2: Recommendations for 2011/12

Recommendation	Timeline
Maintain Profile	
1) <u>Data Collection / Review and Report</u> - Collect information that relates to EDI, including data on sexual orientation and religion and belief and monitor / report on an on-going basis. 2) Capture all information relating to informal casework and carry out regular impact assessments	Report in line with KPI reports
3) <u>Policy and processes</u> - Continue to embed Equality, Diversity and Inclusion into all relevant policies, functions and processes and: • Review all relevant policies and associated regulations and create a single Equality Policy • Ensure that we provide appropriate routes for young people to join our workforce. • Undertake random sampling of 16 to 24 age group who apply for roles and are successfully shortlisted to ask what attracted them and review shortlisting processes to see if they adversely affect the number of possible successful appointees from this age group. • Monitor potential discrimination against older staff and take steps to eliminate this where it exists. • Make a decision as to whether to seek assessment against the Disability Two Ticks standard.	By end July 2012
Improve Profile	
4) <u>Guidance</u> - Continue to develop manager guidance on all relevant processes and procedures for the Management Handbook to support the implementation of the new Equality Policy. (See Appendix 7 'Employee Lifecycle')	In progress
5) <u>Training / Development raise</u> awareness - Build on current equality and diversity training and awareness raising provision in the areas of disability awareness and cultural awareness/race equality training. Specifically; (a) Review Diversity Booklet, and enhance training. (b) Improve 'Stonewall' accreditation position by actively supporting LGTB network. (c) Support the School of Life Sciences and ECS application for the Athena Swann Bronze Award for the University (Women in Science & Engineering)	In progress By Aug 2012 Next submission Sept 2012 Awaiting timeframe from Deans
Goals	
6) <u>Workforce Plan</u> - develop:- (a) Corporate Services Workforce Plan by the time of the annual CS Residential and (b) University Workforce - Information to be collected from all Schools.	(a) By 16th November 2011 (b) By end May 2012
7) Conduct Equal Pay Audit 2012	By end August 2012

Section 3: Progress against 2009/10 Recommendations

Action	Progress/Status
1. Monitoring BME applications in appointing processes.	Analysis of 2010 /11 BME appointments showed that the percentage of BME applicants who were successful has risen from 49.70% to 53.96%. It is difficult to provide evidenced based reasons for this improvement, which could be related to a skill set

	difference at interview, rather than any improved equality practice.
2. Data cleansing and collection.	An all staff data capture exercise, which included the categories of religion and belief and sexual orientation was undertaken with increased response rates.
3. Embedding Equality, Diversity and Inclusion.	HR Managers / Adviser have started to capture more fully information relating to informal casework, with the intention of carrying out regular impact assessments. The University's Access Agreement in respect of our commitment to widening participation and diversity has been approved by OFFA. The first Stonewell submission was made and the LGTB network was launched in September 2011. We reviewed our processes against the Disability Two Ticks award and discussed the pros and cons of the standard with other Universities, many of whom have declined to proceed.
4. Equality Impact Assessments	We have carried out equality impact assessments on the groups affected by the financial challenge, including for all 'protected characteristics' in the Equality Act.
5. Workforce planning and Student and staff profiles	The Court of Governors and HR Committee decided that this did not add value and therefore we did not progress this recommendation.
6. CSR Committee.	The CSR Committee is in the process of reviewing the new LIFE audit process to see how the workplace sub-group agenda will work.
7. Review of Diversity Policies and Schemes	We have updated the Maternity, Paternity and Adoption Leave and Pay Policy to reflect the changes that came into effect with respect to Additional Paternity Leave.
8.Sector guidance for HEIs on public sector duty	HR reviewed and revised our existing impact assessment processes to ensure that they are fit for purpose and cover the new protected characteristics, in line with the Equality and Human Rights Commission guidance on good practice on assessing the effect of policies and practices and ECU recommendations.
9.Procurement and contracts for services	HR has worked with the central Procurement team to ensure that where relevant and proportionate, equality-related award criteria continues to be included for every contract that we tender.
10. Re-tendering of occupational health contract	Completed February 2011 and consideration given for issues in respect of disability equality and support for disabled staff.
11. Pre-employment health screening procedures	Disability equality and pre-employment health screening elements of the new Equality Act are now embedded into the University's pre-employment health screening procedures and offer letters to new staff.
12. Management Guidance	Developed manager guidance on all relevant processes and procedures for the new Management Toolkit launched Nov 2010 to support the implementation of the new Equality Policy.(See Appendix 6 'Employee Lifecycle')

13. Developing a more supportive approach to retirement and the removal of the default retirement age	The first successful applicants have now been awarded the title of 'Emeritus Fellow' (for retired expert staff) following UEB approval. Recommendations have been approved by UEB on how the University responds to the phasing out of the Default Retirement age. We have maintained a retirement age of 75 for the time being. HR ran regular briefings on the changes in this legislation and the implications/options for staff to consider and guidance is available for staff and managers.
14. University's Disability and Gender Equality Schemes.	The Navigator Career Development programme for men was run successfully for the first time in June 2011 with 19 participants. It will run annually. HR has developed guidance on disability related sick leave to comply with the University's Disability Equality Scheme and best practice on guidance on disability equality. We have reviewed the University's policies against the Disability Two Ticks standard. This is the Annual progress report to be published in October / November, as required by law:- (a) Gender (b) Disability (c) Race
15. Training for Equality and Diversity	Extensive discussions on enhancements to the Diversity and Equality training have taken place and activity is planned to review our on-line diversity programme when the new Staff development Adviser starts (November). The focus of this will be embedding behavioural changes to sustain the equality and diversity agenda.

Section 4: Summary Reports on Staff Diversity Profiles

Following the 2009/10 data cleansing, HR carried out a further data capture exercise to collect information on other protected characteristics. The purpose of the exercise was two fold, checking accuracy and completeness of data as well as collecting data for the first time on the two new protected characteristics of religion and belief and sexual orientation. This resulted in a response rate of 21.52% (reflecting 424 individuals), the highest response rate to date. The following reports are broadly 'by exception'. The narrative includes links to activities mentioned in other sections of the report, where relevant and appropriate, or where the information in the Appendices does not show the data. **Appendices 1-5** have been grouped by all protected characteristics.

a. Disability – Appendix 1 refers
- Disability disclosure has increased to 4.6%, slightly ahead of the increase in the sector average overall of 0.4% and remains higher than the sector average of 3.3% disclosure, as reported by DLA Piper and the Equality Challenge Unit, as has consistently been the case over the last three reporting years.
- The number of new starters declaring a disability has continued to increase (by 0.69%). Informal feedback on the use of the dedicated website supporting disabled staff has been positive (as launched in 09/10) and the University continues disability awareness training however there is no specific evidence of a causal link.

- There are similar variations between academic and professional units when compared against internal and Sector benchmarks, all academic Schools disclosure rates have increased apart from Law that remains stable at a comparatively high disclosure rate of 6.8%.

b. Ethnicity – Appendix 2 refers
- The University's overall BME has remained stable with a BME staff population of 21.9%, which compared very favourably with the HE Sector average of 10.6%.
- This position is not reflected in the ethnicity profile of staff in the more senior levels posts in the University, the BME staff population for these posts is 4.8%.
- Following the recent reductions of staff in academic Schools, staff Impact Assessments have not highlighted any disproportionate impact on BME staff and this remains stable across academic Staff, at 16.3%.
- Although the BME staff profile remains stable, there was a decrease in BME starters from 27.19% in 09/10 to 23.12% in 10/11, although the number of BME applicants has increased from 40.98% (09/10) to 44.87% (10/11).

c. Gender – Appendix 3 refers
- The gender balance remains stable across most staff groups, in contrast to the HE Average that has seen a decline of the percentage of female staff by 8.8%
- The overall gender split is 52.1% female staff compared with the HE average of 46%.
- 46.3% of academic staff and 59.8% of professional support staff are female.
- The gender split at senior grades has increased to 52.1%. This increase can be attributed to staff in Levels 1 to 5 and Professors.
- Academic Heads of Department are the only group amongst senior staff where the percentage of female staff has declined over the past three years from 36.8% to 29%, further analysis has shown this to be due to a number of factors including; resignations, voluntary severance and a reduction in FTE for HoDs, as a consequence of the re-structure of ECS.
- Within the context of recruitment and selection, there is a higher ratio of female new starters since 08/09, currently 60.75%, an increase of 7.68% from 09/10 to 10/11, as compared to male new starters currently at 39.25%.

d. Staff turnover – Appendix 4 refers
(*NB.* (1) 'Voluntary turnover'- t*hese figures **do not** include voluntary severances, end of fixed term contracts, retirements, redundancies, death in service, failed probations, dismissals etc*
(2) 'All Leavers' - includes voluntary and compulsory redundancies and the ending of fixed term contracts*)*.

The overall staff FTE has decreased by 70 FTE posts as a result of responding to the University's financial challenge. The headline figures that follow are all relative to this overall reduction, i.e. that the apparent increase in numbers of leavers remains relatively low and stable, but against the reduction of FTE appears as an increase. It is important to note that a relatively low turnover for most staff groups provides less scope for changes in the makeup of the University's workforce year on year.
- Voluntary turnover for the University has increased from 4.4% to 6.4%, this percentage increase includes those who left as a result of the restructure last year and any end of fixed term contracts, this is still below the sector average of 6.5%.
- The sector average has decreased again for this third reporting year but less so (by 0.2%) and this could reflect staff responses to the current economic climate.
- There is a 2% increase within Corporate Services and 1.9% increase across all academic Schools.
- Once again, the average figure masks the variations in turnover figures between the two main groups – Academic Staff (5.1%) and Professional Support (8.1%).
- The lowest turnover figure for academic Schools within the reported period was1.9% in ECS followed by 2% in SSHL.

- The highest turnover figures are in the smallest academic Schools e.g. Law (and WeX).
- Turnover in MAD increased from 0% to 4.3% in 10/11. Turnover is spread evenly across all departments in the School.
- The female:male ratio has reduced from 09/10 to 10/11 e.g. the ratio of female to male voluntary leavers in 09/10 was 2.04:1 and in 10/11 was 1.27:1.
- When comparing Voluntary Leavers to 'All Leavers' (which includes voluntary and compulsory redundancies and the ending of fixed term contracts) this figure has increased from 10.2% to 16.9%, reflecting the University's response to its financial challenge and restructuring across Corporate Services staff groups and activities in the School of SSHL (rationalisation of Language provision) and ECS (reduction in FTE). The Equality Impact Assessments of both Schools reflected no adverse effect on our diversity profile in terms of numbers of leavers across the categories of ethnicity, gender, disability or age. Although it should be noted that with age the 25-34 group is a relatively smaller pool of academic staff. Attracting younger academic staff may be a key priority in future recruitment if vacancies arise.

e. Age – Appendix 5 refers
- The profile has not changed significantly since the last report which again, is not surprising given the overall picture of a stable workforce profile.
- 50.5% of all staff are aged 45 and over. The % of staff aged 60 and over decreased slightly in 2010/11 from 11% (09/10) to 10.5% (10/11).
- Staff aged 65 and over are 0.7% of the workforce, less than the sector average of 1.7%. This figure will increase over time in line with the removal of the default retirement age at 65.
- The overall profile reflects the same profile as last year. We continue to show 2-4% higher than the Sector average in the mature groups, and less than half of the average in the younger age groups.
- 64.2% of academic staff are aged over 45 years and 30.9% are aged 55 and over. There is a clear case for ensuring that these staff are supported and retained, succession planning is proactive and their particular needs are accommodated.
- 35.87% of professional support staff are over 45 and 13.4% are aged 55 and over, which continues to reflect that the professional support group has a younger staff profile generally.
- Corporate Services staff age profile by grade reflects its largest decrease in the NG6 to NG8 group by 3.3% which would relate to the impact of restructuring at these grades.
- Within the context of recruitment there has been an increase of 5.1% new starters in the 25-34 age category since 09/10 and a small decrease in the already small proportion of staff in the 16-24 age category.
- Some of the factors that could help to explain why staff remain at the University was explored by The International Graduate Insight Group Ltd, who published a report in January 2011 "Understanding Career Motivation in Higher Education". Some of the reports key findings include; 29% of Westminster staff showed an intention to remain at the institution for ten years or more and 22% intended to stay at Westminster indefinitely. Autonomy and work/life balance were valued with 32% reporting sufficient opportunities to work on their own initiative and 44% also expressed a strong personal commitment to their role at the institution, 30% reported an aspiration to move to another job within the institution and around a quarter of the staff have no plans to move.

f. Religion and Belief and Sexual Orientation – Appendix 6 refers
- HR Committee previously requested information of these categories of our staff profile and this chart displays the new data collected in March 2011. This data has been provided in advance of the legislative requirement to monitor this aspect of our staff profile, which came into effect from 10 September 2011.
- The categories to include for each of the new fields were researched prior to the Data Capture with the Sexual Orientation categories recommended by Stonewall and the Religion and Belief by the recent census.

- The overall respondent rate was **21.52%** which equates to **424** individuals. This exceeded expectations and was a welcome increase on the previous data capture when approximately 250 individuals responded. The information is a snapshot of the data we now have on these two new protected characteristics.
- We looked at how other Universities present this data and most do not provide it at the moment, if they do, they provide numbers and percentages of the total number of staff at the University with the Protected Characteristic.
- We consider that it is far too early to comment on this information and acknowledge that a number of staff consider this information, in particular, is sensitive, personal data.
- A further data capture exercise is planned for November/December 2011. This will be adapted to include UKBA requirements relating to the update of permanent addresses on a regular basis, and we hope to improve "unknown" categories in all information.

4.2 Benchmarking Summary 2010-11
The table summarises the benchmark position of the University against Sector information collected and collated annually by DLA Piper.

Protected Characteristic	UoW %	Benchmark %	Change in year
Disability	4.4	3.3	Disclosure higher than Sector average.
Ethnicity	21.9	10.6	No significant change, more than double Sector average
Gender	52.1	46.0	No significant change, higher than Sector average
Turnover	6.4	6.5	About the same as the Sector average. Turnover has increased by 2.1% since the last report.
Age	21.8 (55-64)	19.3 (55-64)	Higher than sector average.

4.3 Workforce Planning and Staff Profiling
- Student profile information is not included in this year's report. HR has an expectation that the diversity of University staff ought to reflect the diversity of the student population and there may be some activity required in the future around this area.
- HR is working on a detailed workforce plan for Corporate Services and a key priority is to extend this for all Schools to build a University plan for 2012/13. It is a major challenge for 2011/12. Once achieved however, monitoring and reviewing the plan against objectives and performance management progress will allows us to manage staffing resources more effectively, ensuring that we have the right people with the right skills in the right roles at the right time. We follow best practice guidance with regard to undertaking any kind of departmental/service review.
- It is also crucial that we move away from using the staffing bill to balance out shortfalls in income and work towards a better balance of indicators and a more medium term view of the shape and size of the workforce as a whole.
- Critically, population demographics are a key external driver. Some subject areas still find it difficult to attract academic staff from one gender or another. In addition, a further factor for the future will be the impact of student tuition fees and whether this has any detrimental impact on course choice/popularity going forward.
- Work on embedding the University's values into a behavioural competency framework to support a more positive approach to performance management and improve our overall capability through staff investment, is complete. All development and training is being reviewed to ensure that EDI issues are integrated into all aspects of management leadership roles and guidance.

Section 5: Legislative Issues and Casework

5.1 Formal case work

A review of formal casework activity for the period 1st May 2010 to 30th April 2011 has shown that in the majority of all formal casework reported (disciplinary, grievance and Employment Tribunal cases) 61.8% of cases were brought by female staff (possibly reflecting the higher number of female staff at the University) and 32.4% by BME staff. No significant or disproportionate impact, in terms of disability or age, within the context of the University's overall staffing population, was found. The small number of formal cases (34) makes it difficult to make statistically significant comparisons and we run the risk of identifying individuals if we report in detail. Therefore, in order to comply with Data Protection principles in the way that information is presented, and protect the confidentiality, and therefore the credibility, of this exercise, we have included this point in the narrative rather than showing numbers.

Type of case/year	2008/09	2009/10	20010/11
Disciplinary	4	10	12
Grievance	12	10	16
*Employment Tribunal	2	4	6

The figures show an increase in grievance cases over last year and a slight increase to the number of Employment Tribunals. We anticipate further increases, particularly with the introduction of performance management processes, and additional staff reviews. We will continue to monitor closely and undertake the necessary Impact Assessments. One ET Claim was rejected as no case was found to instigate ET proceedings, three claims were settled out of court, subject to Compromise Agreements, and two were settled out of court by COT3 Agreement (Acas and Employer agreement).

CIPD reported (18th July 2011) that almost four in ten employment tribunal appeals are made by public sector staff, far more than would be expected from its proportional size in the UK workforce. Public service workers accounted for 37 per cent of all appeals to EAT, despite the Sector employing just 22 per cent of people nationally. Within the context of the University, continuing to develop strong positive relationships with our Trades Unions is of great importance. The Grievance and Disciplinary policies and procedures will be kept under review to ensure that Human Resources Managers and Advisors can cope with volume increases, given some of the timescales built into the timelines for response. To help facilitate the effective management of casework, HR will review and recommend new timescales as required, within the next six months.

5.2 Informal case work

Following a period of recording and reviewing informal case work, in addition to formal processes, we can confirm that the amount of time spent on informal cases represents a high percentage of each HR Manager/Advisors workload. A variety of interventions are used to mitigate the number of issues that progress to formal case work, including discussion, dialogue and mediation, usually with the support of trade union representatives, as appropriate. We do not capture this information formally in our current monitoring processes although we record it for workload allocation and monitoring purposes. The most frequent issues arising from informal casework are:

- Lack of early intervention by line managers in disciplinary/performance cases.
- Correcting erroneous perceptions/interpretations of policies and procedures by managers and staff.
- Lack of confidence/capability in 'having a difficult conversation' (there is widespread apprehension about getting it wrong and risking an internal grievance or Employment Tribunal, even for senior managers).

In response to the changes to dispute resolution mechanisms, we are enhancing our existing skills set and have planned some formal training in types of mediation and mediation processes, to build upon the existing skills of all HR staff where this is a primary requirement for them to effectively carry out their daily activities. This is due to take place before December 2011.

5.3 The Equality Act 2010 and other Equality Legislation
The University was well placed to meet the requirements of the new legislation that came into force in October 2010. With regards to the public sector equality duty which came into effect on 10 September 2011, the guidance has been reviewed and no further action was required. The University will monitor the impact of age legislation and the removal of the default retirement age at 65, specifically in relation to succession planning.

Section 6: Other activities/issues in relation to delivery of the Equality agenda

1. Once again in 2011 HR played a major supporting role in the University Financial Challenge by ensuring that the underpinning processes were as fair, systematic and inclusive as possible. Equality impact assessments were carried out on the University's Redundancy Policy and Procedure and redundancy selection criteria to ensure that they were fair and defensible. Assessments were also undertaken on business cases for the affected areas the Schools, primarily to assess the impact on any of the equality grounds, but also to identify any other strategies to mitigate the impact of redundancies. Impact assessments on the reduced structures have also been completed showing no adverse impact on the Diversity profile.

2. In addition to the Springboard personal and career development programme for women, HRD launched 'The Navigator Programme', a career and personal development programme open to all men employed by the University. Preparatory work for the programme included investing in having two course leaders trained with appropriate accreditation so that the University could offer the course. Its aim is to help men realistically assess their situation, decide on next steps for their personal, work and career development, gain a positive attitude and skills to take further steps and accept responsibility for their own development. The first course was over-subscribed and the evaluation was very positive. There is already a waiting list for the 2012 programme. HRD will also be running MOSAIC, a personal and career planning programme for mixed gender groups specifically designed for staff working in Higher Education.

3. The HR restructure was approved for implementation on September 28 by a Corporate Services restructuring panel. A profile of the HR department (August 2011) showed that 50% of its staff are aged between 25 and 34 years of age, 31.8% of staff are from a BME background, which is significantly above the sector average, and 70.5% are female, which reflects this largely female dominated profession.

4. The HE Sector 'Environment and Social Responsibility' (ESR) benchmarking initiative *Universities that Count*, showed Westminster as leading in Equality, Diversity and Inclusion over both HE institutions and private sector organisations in 2010. A replacement ESR tool has been developed and will be launched on 1st November 2011, re-branded as Learning in Future Environments (LiFE). The '*LiFE Index*' is the new online performance improvement system specifically for colleges and universities that will enable institutions to record, manage, monitor, benchmark and improve the University's performance in social responsibility and sustainability. The role with responsibility for Corporate Social Responsibility transferred to HR from the Estates and Facilities department into the Leadership and Organisational Development team, as part of the review and restructure and the role holder will continue to lead Business Continuity Planning.