

## Report to Cabinet



Date of Meeting	24 <sup>th</sup> October 2017
Portfolio	Councillor Allen Brett Cabinet Member for Corporate and Resources
Report Author	Louise Griffiths
Public/Private Document	Public

### Proposed Local Positive Recruitment Criteria Policy

#### Executive Summary

1. The report provides Members of Cabinet with details of the Council's proposed Local Positive Recruitment Policy, which is an amendment to the Council's Recruitment and Selection Policy, for consideration and approval.

#### Recommendation

2. That the Rochdale Residency Criteria Statement (detailed in appendix 1) be applied to entry posts i.e. lower graded jobs at Grades 1 to 3.

#### Reason for Recommendation

3. To provide Cabinet with details of the Council's proposed Local Positive Recruitment Policy for consideration and approval.

#### Key Points for Consideration

4. The Council's Corporate Plan for 2016 – 2019 includes a commitment to improving the lives of local people. This is embraced in the three priorities of People, Place and Prosperity. The Council's vision is to build the prosperity of the Borough and the people who live here.

Employment is the best route out of poverty, enabling independence, creating wealth and increasing aspirations. As part of a strategy to promote the Borough's image and reputation the Council wants to enable more residents to access local employment opportunities in the Borough.

The Local Positive Recruitment Policy which is now being proposed will ensure that the Council is at the heart of leading the promotion of local employment in the Borough.

It is proposed that the Rochdale Residency Criteria (detailed in appendix 1) be applied to entry level posts to the Local Authority i.e. jobs at Grades 1 to 3. It

is also suggested that the operation of the Policy be reviewed in 6 months to assess how successful it has been and to consider whether any additional actions are needed to further support the delivery of this policy objective.

It is also suggested that the Council consider the most appropriate means of promoting the Policy. Applying for a job at the Council should be as simple and clear as possible, including maximising the available local advertising media. We recognise that the Council's procedures for applying for jobs at the Council can be daunting for those who are not used to working in the public sector or who may have been out of the jobs market for some time. The Council will work in partnership with Employment Links to promote the policy and provide support to potential applicants who are currently unemployed in terms of the recruitment process.

We will involve agencies such as Jobcentre Plus and other organisations already engaged with job seekers to inform people about the Council's Policy. In addition, as part of the Council's strategy of investment in local businesses, it is intended that the roles will be advertised in local media. It is also suggested that these vacancies are publicised in local libraries, community centres, schools and local retail outlets.

We will also utilise the Council's existing links with the Stronger Families project, the Working Well project, the Place Based project and partner agencies such as Housing Associations including RBH, Riverside, Regenda, the Lighthouse Project, Groundwork, Petrus, etc.

Any change to the current Policy would also need to be considered in the context of the Government's agenda around apprentices and the Council's desire to attract high quality candidates in a competitive Greater Manchester labour market.

With regard to schools, as the Council is not the Employer for all staff in schools and the fact that recruitment decisions lie with the Headteacher/Governing Board it is therefore suggested that we seek to influence decisions by encouraging schools to adopt a similar policy.

This Policy will enable the Council to ensure that the composition of the workforce is representative of the community. In particular the Council will focus on those protected characteristic group where there is under-representation. The Council will continue to maintain its commitment to disabled applicants and people from the armed forces.

Finally, it is noted that the Council's current Recruitment and Selection Policy was last reviewed in 2006. We will be reviewing it this year notwithstanding this report to ensure we capture best practice and ensure that the Policy meets the needs of the Council as both a business and employer of choice.

### **Alternatives Considered**

The Council could decide not to implement the policy however this would potentially impact on its ability to meet its commitment to improve the

prosperity of the residents of the Borough.

### **Costs and Budget Summary**

5. There are financial implications arising from the implementation of this Policy are expected such as:
- Holding and Hosting Recruitment/Skills Events;
  - Reduction in potential income from Greater Manchester Jobs and increase in advertising costs from the use of local media;
- these will be assessed more fully and discussed with the Portfolio Holder. A further report may need to come to Cabinet if the costs are more than material although we will aim to manage them through approved budgets.

### **Risk and Policy Implications**

6. The Council needs to ensure that the Policy does not either directly or indirectly discriminate against any group where a protected characteristic is defined in equalities legislation; therefore the Council has undertaken an Equalities impact Assessment and sought legal advice in order to identify any risks and potential strategies to mitigate.

The legal advice indicates that the local positive recruitment criteria policy is not directly discriminatory nor does it obviously contradict any employment law provisions. However the Council should monitor the application of the policy to ensure that it does not have a disproportionate impact on a group with a protected characteristic (age, sex, disability, race, religion, sexual orientation).

The Provision, Criteria or Practice (“PCP”) is measured by reference to the equality impact assessment and whether or not the statistics demonstrate disproportionate impact.

From a comparison perspective the appropriate pools would be Rochdale residents (group benefits) as against non-Rochdale residents (disadvantaged group). Also, it is advised that the application of the policy is monitored to ensure that particular protected groups are not disadvantaged and the use of monitoring forms is advised.

In any event, we are advised that a PCP is capable of being objectively justified i.e. a proportionate means of achieving a legitimate aim so we would in all likelihood be able to satisfy the “legitimate aim” requirement. Also provided it could be shown that the policy was necessary and there are not obviously alternatives that would have a less discriminatory impact then the proportionality requirement would also be met.

The Equality Impact Assessment (Attached as Appendix 2) provides details of the boroughs communities (based on the 2010 census) and the composition of the Councils workforce. The Council would need to monitor the impact of the policy on a regular basis in order to ensure that it does not result in any direct or indirect discrimination, based on applying the criteria. It

is also vital that the Council meets its legal obligations to employees who are at risk of redundancy; only if there are no “at risk” candidates can vacancies be advertised both internally and externally.

<b>Consultation</b>
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7. The Council’s proposed Local Positive Recruitment Criteria Policy has been subject to formal consultation with Trade Unions (Letter from Trade Unions dated 22<sup>nd</sup> September 2017 attached as Appendix 3). The Corporate Overview and Scrutiny will be consulted at the meeting of the Committee on 17<sup>th</sup> October 2017.

<b>Background Papers</b>	<b>Place of Inspection</b>
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| 8. Councils current Recruitment and Selection Policy and Procedure. | HR Service, Floor 2, Number One Riverside, Rochdale. |
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<b>For Further Information Contact:</b>	Louise Griffiths, Tel: 01706926250, louise.griffiths@rochdale.gov.uk
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**Rochdale Residency Criteria**

Jobs at Grades 1-3 only open to applicants who are permanently resident in the Borough of Rochdale. The residency requirement only applies to these jobs; anyone can apply for all other Council jobs. If a particular job proves hard to fill, however, despite careful local marketing, then it may be re-advertised without the residency requirement.

The Council has this policy because the rate of unemployment amongst Rochdale residents is high we also know that there are many people in the Borough with the skills needed for these jobs. The Council takes its responsibilities to the communities of the Borough very seriously and is working hard to help ensure the people it serves, particularly the most disadvantaged, are benefiting from employment opportunities in the Borough and this policy is one aspect of the action being taken.

A Rochdale resident is someone who lives within the municipal boundaries of the Borough of Rochdale. That is someone whose Local Authority is Rochdale Borough Council. Post codes can be very misleading. The easiest test (if you are not familiar with the geographical boundaries) is that if your household pays Council Tax to Rochdale Borough Council, then you are a resident within the boundaries of the Borough of Rochdale. If your household pays Council Tax to any other neighbouring Authority, then you are not a resident within the municipal boundaries of the Borough of Rochdale.

## EIA - Proposed Local Positive Recruitment Criteria Policy

<p><b>1. What is the name of the proposal and its current status?</b></p> <p>The Equality Impact Assessment assesses the proposed Local Positive Recruitment Criteria Policy, which is for the purposes of formal consultations with Trade Unions.</p>
<p><b>2. Which Service is responsible for this proposal?</b></p> <p>This proposal is to be presented to Members of the Corporate Overview &amp; Scrutiny Committee and Cabinet by the Head of Workforce &amp; OD.</p>
<p><b>3. Does this proposal impact on other services or other service savings proposals and if so, have you discussed this proposal with the Service Directors from those other services?</b></p> <p>This proposal will impact on all Grade 1 – 3 posts across the organisation (excluding schools), the proposal has been subject to consideration by the Leadership Team.</p>
<p><b>4. Please state the name of the officer leading the EIA</b></p> <p>Louise Griffiths, Senior HR Consultant</p>
<p><b>5. Who has been involved in undertaking this assessment e.g. list the stakeholder groups which have been involved?</b></p> <p>The proposal including the EIA will be subject to consultation with Trade Unions</p>
<p><b>6. What is the scope of this assessment?</b></p> <ul style="list-style-type: none"> <li>• what is included in this assessment</li> <li>• does this proposal link to any other proposals (i.e. previous or current). If so, please state</li> </ul> <p>The assessment will be confined to the Council's Grade 1 – 3 posts.</p> <p>The issues being considered are:</p> <ul style="list-style-type: none"> <li>• If applying this proposal to those posts in scope of the revision to the Councils Recruitment and Selection Policy would potentially be discriminatory under the protections arising from the Equality Act 2010.</li> <li>• If the proposal has a discriminatory effect, to what extent this would be.</li> <li>• If the proposal can be justified.</li> </ul> <p>This proposal links to the Councils commitment to improve the lives of local people. This is embraced in the three priorities of People, Place and Prosperity. The Council's vision is to build the prosperity of the Borough and the people who live here.</p>
<p><b>7 a). What does the function currently do?</b></p> <p><b>b). Describe the needs which this service meets?</b></p> <p>The proposed Local Positive Recruitment Criteria Policy will result in a revision to the Council's Recruitment and Selection Procedure and aims to increase the number of employees at lower grades who are Rochdale residents.</p>
<p><b>8. What proposed changes do you wish to make?</b></p> <p>The proposal is seeking Member approval to commence formal consultations with Trade Unions on the proposed Local Positive Recruitment Criteria Policy. A further report will be submitted to Members outlining the outcome of consultations and detailing the implementation timescale and arrangements.</p>
<p><b>9. Who are the key stakeholders who may be affected by the proposed changes?</b></p> <p>Residents of the Borough.</p>

## 10. What impact will this proposal have on all the protected groups

An initial equality impact assessment has been undertaken on the proposals as they affect employees in scope of the review. The assessment does not identify any significant equalities issues in relation to the proposal or its implementation.

Detailed in the table below is the spread of people from protected characteristic groups in both the current posts graded 1 – 3 and the borough as a whole (based upon the 2011 census).

A summary of the issues identified is outlined below;

### Gender

The EIA identifies that there is a much higher proportion of men in the Borough than those employed by the Council. This could be possibly due to the fact that posts generally at Grade 1-3 have predominately attracted and been filled by female applicants in the past. As part of this policy, the Council will look at encouraging and promoting vacancies to male applications by using positive measures to achieve more diversity in its workforce.

### Age

The Council recognises that it has an aging workforce, and therefore it is important to have strategies in place to promote and encourage young adults into a working career at the Council, whilst also retaining and encouraging older people in the Borough to remain in work. The Council aims with this policy to advertise apprenticeships more widely to young adults to enable them to secure a career working for the Council. The EIA identifies that there are a lot more residents in the Borough at 65+ than those working for the Council, and although the Council will work closely with other agencies to advertise and promote roles to older people, it must be acknowledged that many people at that age have chosen to end their working career and no longer wish to work.

### Ethnicity

The EIA shows that there is more of a proportionate mix of ethnic minority staff within Schools (15.2%) than those working direct for the Council (9.9%). This may be partly due to the fact that Schools advertise many of their vacancies at the School where parents/members of the community are able to view and apply for roles. Therefore, the Council aims to apply a similar approach by working closer with communities and Council staff who work with communities, to advertise and promote vacancies.

### Disabled

The Council promotes and encourages staff with a disability to apply to apply for its vacancies. Recognising that there is a much larger proportion of the Borough identified as disabled, compared to the Council's workforce, the Council will aim to work more closely with agencies to promote and advertise vacancies. This would include informing potential applicants of the support that would be available to them at the Council. The Council will continue to guarantee an interview to candidates who have a disability and meet the person specification criteria.

### **Race Equality**

See Section 10 above.

### **Disabled People**

See Section 10 above.

### **Carers**

There is no evidence to suggest that this group would be adversely affected.

<b>Gender</b>
See Section 10 above.
<b>Older and Younger People</b>
See Section 10 above.
<b>People who are Socio-Economically Disadvantaged</b>
This proposed policy should have a positive benefit and links to the Councils commitment to improve the lives of local people.
<b>Religion or Belief</b>
This information is not held to be able to assess if this group would be adversely affected.
<b>Sexual Orientation</b>
This information is not held to be able to assess if this group would be adversely affected.
<b>Gender Reassignment</b>
This information is not held to be able to assess if this group would be adversely affected.
<b>Pregnant Women or Those on Maternity Leave or Those who have given Birth in the Previous 26 weeks</b>
This information is not held to be able to assess if this group would be adversely affected.
<b>Marriage or Civil Partnership</b>
This information is not held to be able to assess if this group would be adversely affected.

**11. Conclusions and Recommendations**

**What are the main conclusions from this analysis?**

The main conclusion from this analysis is that any potential discrimination of a protected group as a consequence of the implementation of the proposal is not significant. In terms of the protected group identified, the risk of challenge is limited and robust evidence is available to defend any claim.

**What are your recommendations?**

To ensure that robust arrangements are in place to monitor the effectiveness of the Policy.

**What measures (a) have you or (b) do you propose to put in place to mitigate any adverse impacts?**

It should be noted that the proposed policy will be subject to review and should any potential issues arise they will be assessed and reported.

**What evidence do you have which demonstrates that these measures will be effective?**

**12. Please provide details of who you have consulted on the proposals and the methods which you used to consult. State your consultation and inclusion methodology.**

***The Consultation and Inclusion Methodology Used***

Trade Unions.

**13. Produce an action plan detailing the mitigation measures that you propose to put in place to address any adverse impacts.**

As above

**14. Equality impact analysis sign off by the Equality Impact Assessment Board for the Committee Meeting**

Name	Position	Date

**Posts affected by the proposed Local Positive Recruitment Criteria**

Protected Groups		Rochdale Borough residents (from 2011 census)		In Scope of Proposed Changes (Council Staff at Grades 1 - 3) Employee Baseline		In Scope of Proposed Changes (Schools Staff at Grades 1 - 3) Employee Baseline	
Group	Category	No.	%	No.	%	No.	%
Gender	Male	103,600	48.9%	177	23.5%	105	5.2%
	Female	108,099	51.1%	577	76.5%	1917	94.8%
Age	0-14*	41,827	19.8%	0	0.0%	0	0.0%
	15-29	42,541	20.1%	53	7.0%	256	12.7%
	30-44	42,914	20.3%	166	22.0%	705	34.9%
	45-64	53,601	25.3%	488	64.7%	1011	50.0%
	65+	30,816	14.6%	47	6.2%	50	2.5%
Ethnicity	White British	172,874	81.7%	655	86.9%	1677	82.9%
	BME	38,825	18.3%	75	9.9%	308	15.2%
	Unknown	0	0.0%	24	3.2%	37	1.8%
Disabled	Yes	44,359	21.0%	23	3.1%	39	1.9%
	No/Unknown	167,340	79.0%	731	96.9%	1983	98.1%
		<b>211,699</b>		<b>754</b>		<b>2022</b>	

**Data source as at 01.02.2017 from Trent HR IT System**

\* For the purposes of fullness, this data has been included, however it is not relevant to this analysis therefore these figures need to be considered in the context that they provide an insight into the composition of the borough compared to the makeup of the Council.



**ROCHDALE LOCAL GOVERNMENT**

*Branch Secretary:* Maureen Howarth  
*Assistant Secretaries:* Jonathan Harding  
Christine Davies

*Our Ref:* MH/CS/80  
*Your Ref:*

22<sup>nd</sup> September 2017

Louise Griffiths  
Senior HR Consultant  
Rochdale MBC  
Number One Riverside  
Smith Street  
Rochdale  
OL11 1XU

Dear Louise

Re: Proposed Local Positive Recruitment Policy – Grade 1 – Grade 3 Posts

The Trade Unions acknowledge receipt of the briefing note and details of the proposed policy.

We have agreed to work together in the spirit of cooperation and request to be fully involved in the monitoring and review process.

Yours sincerely

**MAUREEN HOWARTH  
BRANCH SECRETARY**

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