



Llywodraeth Cymru
Welsh Government

PUBLICATION

Welsh Government Board meeting: Agenda item 4 paper

'Update on Equality, Diversity and Inclusion' from the Board meeting held on 29 July 2022.

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Details

Title of paper

Update on Equality, Diversity and Inclusion

Purpose of paper

To update the Board on progress with the 2022 Delivery Plan.

Action required by the Board

The Board is asked for its reflections on the update provided and a steer on where they feel we should be focusing to add most value in the rest of the year and the year ahead. asked to consider how it will inform – and hold to account – Welsh Government’s approach to embedding anti-racism in the operation of Welsh Government

Officials presenting the paper

- Natalie Pearson
- Jo Glenn

Paper prepared by / cleared by

- Jo Glenn, HR Strategy, OD & Engagement
- Natalie Pearson, HR Strategy, OD & Engagement
- Andrew Jeffreys, Board Equality, Diversity & Inclusion Champion

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TUS engagement/viewpoint

TUS has been consulted on the Strategy and Delivery Plan and the three unions are members of the Diversity & Inclusion Steering Group.

Date submitted to Secretariat

21 July 2022

Background

1.1 A copy of the 2022 Delivery Plan is at annex 1. During the first part of the year the following has been delivered:

- The apprenticeships programme recruitment included a particular focus on underrepresented groups, through engagement and paid-for advertising. Early indications are that 11% of candidates who have been offered an apprenticeship are Black, Asian or Minority Ethnic but only 5% are disabled. The diversity would be slightly increased if candidates on the reserve list are also appointed.
- Procedures for monitoring recruitment opportunities and their promotion are being strengthened, particularly in promoting outreach.
- SCS recruitment panels all have a representative from an underrepresented group on them
- Disability, ethnicity and gender pay gap figures for 2022-23 have been calculated (see annex 2) and these will be published in the annual pay policy statement together with revised calculations / methodology and benchmarking with other organisations.
- 47 Welsh Government staff have joined the cross Government Catapult

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scheme (which is aimed at staff from lower socio-economic backgrounds) to be a mentor or mentee. A series of blogs from staff about their socio-economic background is underway.

- The recruitment adjustment (RA) process has seen significant growth in the number of requests being made, particularly during the Gateway process (see paragraph 2.3)
- Functionality for name free recruitment is embedded within Cais (the new recruitment system to be introduced later this year).
- A second event on Visible Difference was held in February and a 'Let's Listen' event was held by the Tinnitus, Deaf and Hard of Hearing group to raise awareness of living with Tinnitus. A range of diversity dates have been marked with intranet articles and blogs.
- The trans policy and the non-binary guidance are being reviewed. An intranet article on the use of personal pronouns received over 1000 views.
- The Welsh Government has signed a Menopause Workplace Pledge and is working with the Women Together network to launch this at World Menopause Day in October.
- SCS champions with lived experience have been appointed to be members of the Diversity & Inclusion Steering Group and support Disability Awareness and Support (DAAS), Mind Matters, Minority Ethnic Staff Network (MESN), PRISM (LGBT+ network) and Women Together.

1.2 Race Equality

To coincide with the UN Day for the Elimination of Racial Discrimination, the Permanent Secretary chaired a Let's Talk Race event at which Professor Ogbonna spoke about anti-racism and was joined by a panel including Gwilym Hughes and his community mentor Jan Birch, Sue Tranka (chief nursing officer), Stephen Layne (SCS MESN champion) and Ben Henriques (MESN co-chair). The event was well attended.

1.3 The Ant-racist Wales Action Plan contains a number of commitments on

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leadership including a goal that the Welsh Government workforce includes a proportion of ethnic minority staff equal to that present in the Welsh population as a whole (currently around 6%) at all levels. Some specific actions have not yet got underway due to a lack of staff resources in the Equality in the Workplace Team including going out to tender for a consultant to lead an audit of HR policies and processes and developing an anti-racism intranet hub. However the Conversations about Anti-racism training course has been developed with the help of a stakeholder group and has been piloted and finalised. Other courses which relate to this including Micro-aggressions, Safe Space Conversations, Calling It Out (Challenging Discriminatory Behaviour) and Inclusive Workplaces are being piloted and finalised with a view to going live from September.

1.4 Shadow Board

A light touch 6 month review was undertaken. Members were asked to provide information on their diversity data and this provided confirmation of the diversity of the Shadow Board. A self-assessment questionnaire was sent out and findings are attached at annex 3. Andrew Jeffreys, Natalie Pearson and the co-chairs met to discuss these and noted that:

The system of having reserves was working well to cover leave absence.

It was difficult to provide assurance and act in the critical friend role, particularly knowing what to focus on when reviewing lengthy Board papers. However Shadow Board views are being effectively represented at the Board and are forming an important part of the discussion.

Enabling Shadow Board members to attend a Board meeting as an observer would increase their understanding.

It would be useful to monitor how the mutual mentoring had worked and it would

be beneficial to encourage different 'matches'. Both Shadow Board and Board members had been asked for feedback but only 5 Shadow Board and 3 Board members had replied which makes it difficult to assess.

The co-chairs had set up a tracker to monitor their interventions and their success at Board on behalf of members.

1.5 Diversity and Inclusion Steering Group

The group met in February and May with key agenda items including agreeing the 2022 Delivery Plan, research on part-time working, agreeing an engagement framework with the networks, updates on Gateway outcomes and People Survey equality analysis. The recent change to Groups means that we need to review who will represent Groups as diversity champions. In the autumn, the Permanent Secretary will look at a change to DG senior sponsor responsibilities and appoint a new Equality, Diversity & Inclusion Advisor to the Board.

1.6 London Business School has carried out research on part-time working in Welsh Government (see annex 4) and this was presented to the May meeting of DISG. Issues they identified included workloads not being adjusted to reflect reduced work hours, missing team meetings and learning and development, lack of understanding from full-time colleagues (including line-managers of part-time workers) regarding part-time work and part-time working being viewed as an impediment to career progression. The DAAS network argued that due to the low number of disabled staff who took part in the research, the findings may not resonate with part-time disabled staff who, for example, may not want a route back to full-time working. They are doing additional work with members and early findings have shown that there are distinct issues for staff who work part-time for reasons related to their impairments. Their report and next steps will be discussed at the September DISG.

1.7 The Diversity in Recruitment Team is currently taking forward a scheme with

the Windsor Fellowship to offer paid fifty-week placements for 6 graduates from Black, Asian and Minority Ethnic backgrounds to help delivery on our commitment of a placements scheme to increase the diversity of the workforce. The cost to sponsor 6 Windsor Fellows on the Windsor Fellowship Leadership Programme to provide fifty weeks paid work placement is a total cost of £36000 (approximately £6k per candidate) plus salary costs. The Board is asked to note this approach of an increase in targeted placements schemes to help achieve our diversity recruitment targets.

2. Issues for consideration

2.1 Analysis of progress on our recruitment targets shows that in 2021 the first year covered by the Workforce Equality, Diversity & Inclusion Strategy, 5.6% of all staff appointed through external recruitment were disabled, with a small decrease from 6.0% in 2020. This was below the target of 20%. In 2021, 5% of all staff appointed through external recruitment were from a Black, Asian or Minority Ethnic background, with no change from 2020. This was below the target of 20%. In 2021, the proportion of women appointed to the SCS through external recruitment increased to 56.3%, taking it above the 50% target. We expected that it would take time to embed a focus on the need for outreach to ensure we meet our 2026 targets on recruiting disabled and ethnic minority staff but these figures are disappointing and the Board is asked to consider what more we can do and to consider resourcing considerations (see para 3.1). It is also timely to note that the UK government is intending to introduce 'external by default' for all recruitment from April 2022. We're already exploring what that means for SCS recruitment but we are working through opportunities and considerations for us at grades below SCS and it could be a positive tool on diversity.

2.2 Analysis of progress on our promotion targets shows that in 2021, 5.8% of all staff that were promoted were disabled, compared to 3.6% in 2020 (see

paragraph 2.3 below on the impact of RAs). This was the same as the WG population share target of 5.8% in 2021. 4% of all staff promoted were from an ethnic minority background, with no change from 2020. This was above the WG population share target of 2.7% and just below the economically active population share of 4.7%. In 2021, the proportion of women promoted to the Senior Civil Service increased from 28.6% to 71.4%. This was above both the 50% target. The Board is asked to note that outcomes for ethnic minority staff at gateways continues to be a concern and this will have been considered by Exco as part of its consideration of the internal resourcing strategy on 21 July. An overview of the changes ExCo have already endorsed will be provided at the Board meeting. The Diversity in the Workplace team will shortly be going out to tender for an ethnic minority organisation to do some analysis and interviews with candidates to explore why these outcomes are happening.

2.3 The Diversity in Recruitment team has liaised with over 100 candidates this year to date, broken down as approximately: Gateways: 88 candidates (whether for current round or a future one), TPA: 6, Lateral Move 1, Externally 10. The previous Gateway round shows that the overall pass rates (G6 - EO) for applicants requesting an RA were higher than for disabled applicants who did not request a RA, not disabled applicants, and the average for all applicants. Results are not yet available for the current Gateway round. The statistics demonstrate the need to deliver on the commitment to roll-out the RA process beyond Gateways, particularly with the use of 'passports' (which set out agreed RAs) suitable for all forms of recruitment.

2.4 Feedback on the RA process has been positive, including comments from candidates and a successful Let's Talk Live session on the adjustment process. Further work is needed to ensure the process is robust, fully understood and implemented by panel members, and candidates are aware of the process and their eligibility, to lower the significant number of 'last-minute' requests currently being responded to. Ongoing engagement with relevant equality networks has broadly resulted in positive feedback.

2.5 The Board is asked to consider whether the continued growth of the RA process – to cover all external recruitment, temporary promotion assignments (TPAs) and lateral moves – should continue to be prioritised even if this results in other aspects of the commitments in the Delivery Plan for the Diversity in Recruitment Team being delayed?

2.6 The Board is asked to note that the main focus in 2022 to implement the social model of disability has been the introduction of a new training course delivered by Taye Training following development which involved DAAS, Tinnitus & Hard of Hearing and Neurodivergence networks as well as other networks and unions. The RA support at gateways is also a key part of our commitment and we are committed to alternative options for assessment as a reasonable adjustment, to ensure fairness in our recruitment methodology. Embedding and Understanding the Social Model of Disability is one of the workstreams of the Disability Rights Taskforce and this will look at how the social model can be embedded in policies and strategies and develop specific actions for the Disability Rights Action Plan. The Board is asked to consider what more we could do to embed the social model of disability in the workplace, including how we ensure that senior leaders personally attend and encourage their staff to attend training.

2.7 There has been a growth in the number of informal networks in Welsh Government with small numbers coming together for potential networks around cancer, British Sign Language and visible difference. A Vegan network (linking to the fact that Ethical Veganism is a Belief) is under discussion. The ASD network has expanded into a Neurodivergence Network with a senior champion and other SCS supporters and the Adoption & Fostering network has a senior champion. With hybrid working being embraced by staff, we may well see more networks forming as a way for staff to feel connected to each other. This may lead to calls to expand DISG which has already grown with the introduction of Mind Matters as a member and the new diversity champions for Disability Awareness and Support (DAAS), MESN, Mind Matters, PRISM and Women Together. The Board is asked to consider how to manage the number of

interested stakeholders most effectively going forwards. This will feed into a discussion at DISG in September.

3. Resource implications

3.1 There are resource implications in terms of delivering the work in the Workforce Equality, Diversity and Inclusion Strategy, Delivery Plan and the Anti-racist Wales Action Plan. The Equality in the Workplace Team is small and has had the SEO absent on three months sick leave and the Grade 7 absent for 7 weeks to help with Ukraine related work and both members of the team, being in HR, are actively involved in chairing interview panels for Gateways and external recruitment. The Diversity in Recruitment Team's available resource has been significantly impacted by the growth of the Recruitment Adjustments process (see paragraph 2.3.) which means there has been less focus on other aspects of the Delivery Plan, including the Job-share brokerage system and placements programme.

Financial Implications

3.2 There are financial implications in terms of the delivery of the Workforce Equality, Diversity & Inclusion Strategy including benchmarking exercises, learning and development and tailored development courses for people with protected characteristics. These will be absorbed by HR Strategy, OD & Engagement division strategies. The Diversity in Recruitment team is additional and has had to be absorbed within existing WG DRC budgets. Additional resources have also been sought to deliver the Anti-racist Wales Action Plan's work on leadership and representation.

Implications for staff

3.3 If we successfully deliver the Strategy, the outcomes and experiences for staff who are currently under represented in the organisation will be transformed. Staff in the 'majority' groups will have a greater understanding of inclusion which will benefit everyone. Trade Unions have members of the Diversity and Inclusion Steering Group and contribute to discussions on the implementation of the Strategy and development of the next Delivery Plan.

4. Risks

4.1 The main risk to highlight in this paper concern the delivery of commitments in the Anti-racist Wales Action Plan, commitments in the Workforce EDI Delivery Plan, lack of progress in relation to representation of disabled people, limited progress in raising awareness of the social model and applying it in our practices; and the risk that there are not fair outcomes for Black, Asian and Minority Ethnic Staff as a result of the Gateway process.

5. Communication

5.1 No additional communications on the Delivery Plan are planned until early 2023 when an update will be published on the intranet. There are regular communications to mark diversity dates and events.

6. General compliance issues

6.1 The Strategy and Delivery Plan will operationalise obligations in particular under the Equality Act 2010 but also in respect of our obligations to have due regard for equality of opportunity (Section 77 of the Government of Wales Act 2006).

7. Recommendation

7.1 The Board is asked for its reflections on the update provided and a steer on where they feel we should be focusing to add most value in the rest of the year and the year ahead.

Publication

This paper should be published together with annex 1 (Delivery Plan update) but excluding annex 2 (pay gaps), annex 3 (Shadow Board review), annex 4 (research into part-time working) as these contain information which is official sensitive.

Annex 1: Workforce Equality, Diversity and Inclusion Delivery Plan 2022

The 2022 Delivery Plan sets out how we will meet the themes of the Workforce Equality, Diversity and Inclusion Strategy during the year.

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The Delivery Plan includes our commitments in the Race Equality Action Plan. The Employer's Equality Report sets out how we meet the Welsh specific duties under the Equality Act 2010. We have committed to using benchmarks, strategies, reports and charters to ensure that equality, diversity and inclusion are mainstreamed. In 2022 we will use the Stonewall Workplace Equality Index to assess how inclusive we are for LGBT+ staff.

The Delivery Plan will be monitored by the Diversity and Inclusion Steering Group and we will provide an update on progress in early 2023.

Theme 1

Increasing diversity by addressing in particular the underrepresentation of disabled people and people from Black, Asian and minority ethnic communities at all levels of the organisation and the underrepresentation of women in senior roles.

Action 1

To enable us to recruit more disabled people and Black, Asian and Minority Ethnic people we will

- Take forward an outreach and engagement plan to ensure that a greater number of ethnic minority people and disabled people are recruited to Welsh Government.
- Publish internally an updated outreach toolkit setting out the expectations and standards for HR professionals and recruiting managers to ensure diversity in recruitment.
- Monitor all recruitment opportunities to ensure that they are offered, advertised and promoted fairly and consistently, across protected characteristics, part time and job-share workers, and that they fairly

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represent Welsh language requirements for the role.

- Monitor the diversity of applicants to recruitment programmes and individual job adverts in order to measure progress against our targets.

Owner: Jamie Westcombe

Action 2

We will ensure recruitment panels are diverse and wherever possible include someone from an ethnic minority background or someone who is a disabled person, starting with our most senior roles.

Owner: Peta Davies, Darina Davies

Action 3

We will design our apprenticeship and new middle management talent schemes to attract applicants who are disabled people and/or from ethnic minority communities which will help us meet our targets for recruitment.

Owner: Nina Durant, Darina Davies, Jamie Westcombe

Action 4

We will implement a placements and pathways plan which will include targeted schemes to enable under-represented groups to undertake placements and help us develop a pipeline of future employees.

Owner: & Jamie Westcombe, Darina Davies, Nina Durant

Action 5

We will continue to undertake regular equal pay audits and publish our gender pay gap annually. We will also publish disability and ethnicity pays gaps for the first time in 2022-23 and annually thereafter alongside the gender pay gap.

Owner: Liz Richards

Action 6

We will improve our exit processes so that when colleagues from under-represented groups leave us we understand the reasons why and can address them. We will investigate how leavers' data can be produced so that it meets the needs of both Exco and DISG.

Owner: Gareth Owen, Jo Glenn, Sharon Cross

Action 7

We will embed consideration of the Socio-economic Duty into our recruitment strategy and practices, to increase the number of people from lower socio-economic backgrounds employed at and progressing within the Welsh Government, including promoting the cross-Civil Service Catapult mentoring scheme.

Owner: Jamie Westcombe, Peta Davies, Darina Davies

Theme 2

Identifying and removing barriers

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Action 8

We will continue to embed social model thinking in our HR policies beginning with a review of the Workplace Adjustments policy and guidance in co-production with networks and peer-to-peer support groups.

Owner: Gareth Owen, Jo Glenn

Action 9

Working with DAAS and Mind Matters, we will take forward recommendations to improve the Recruitment Adjustment process, including the widespread introduction of 'RA passports' for candidates to keep throughout their time at Welsh Government. We will extend the recruitment adjustment procedures to lateral moves, Temporary Promotion Assignments (TPAs) and for external recruitment.

Owner: Jamie Westcombe

Action 10

We will continue to streamline and strengthen the process for provision of workplace adjustments for new starters – with the aim of ensuring that all reasonable workplace adjustments are put in place for new colleagues from day 1 of becoming a Welsh Government employee. We will review the Workplace Passport.

Owner: Gina Older (new starters), Jo Glenn (workplace passport)

Action 11

To ensure fairness for people from under-represented groups who are going through the Gateway process we will:

- Review how the Gateway appeals/moderation process is working for under-represented groups.
- Review the arrangements for matching people to posts, to ensure fairness and put any changes in place for the second cycle of Gateways in 2022.
- Review what Gateway data is collected and what additionally is needed, and what is to be published to ensure there is understanding and transparency about the Gateway outcomes
- Ensure that analysis is carried out which looks at the impact of the intersection of age and sex.

Owner: Jamie Westcombe, Peta Davies

Action 12

We will explore using alternative options for assessment as a reasonable adjustment, to ensure fairness in our recruitment methodology.

Owner: Jamie Westcombe, Peta Davies

Action 13

We will ensure that during the procurement and implementation the replacement for Appoint and any other HRIT systems are impact assessed and will fully support accessibility requirements and data capture / functionality identified. We will ensure that the replacement for Appoint enables us to deliver name free

recruitment and improved evidence of the diversity of our staff.

Owner: Mark Pruce

Action 14

We will engage expert consultancy support with appropriate lived experience and experience of working effectively in a government context to help us review our HR policies, procedures and practices to ensure they are explicitly anti-racist.

Owner: Jo Glenn

Action 15

We will set high expectations about anti-racism in our organisation and we will be explicit about what we expect of leaders and managers at all levels. We will work with our senior civil servants to embed anti-racism in leadership practice putting in place a suite of action including an anti racism intranet hub and discussion sessions with people with lived experience. We will include training about anti-racism, calling it out and ally-ship for all our staff as part of our core L&D programme. We will support ethnic minority staff to develop their careers at all levels by co-designing with our Minority Ethnic Staff network, a suite of learning and development opportunities to include leadership, mentoring and sponsorship.

Owner: Jo Glenn, Nina Durant

Action 16

We will publicise specific dates in the diversity calendar including an event in

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Tinnitus Awareness Week 7-13 February to raise awareness of the impact of tinnitus in the workplace, we will hold a further event to raise awareness of visible difference following the signing of the Pledge to be Seen in 2021 and an event to raise awareness of our Victim Support Hate Crime Charter Trustmark.

Owner: Jo Glenn

Theme 3

Supporting staff from all backgrounds to reach their potential, creating equality of opportunity for all.

Action 17

We will equip the SCS with the skills and confidence to champion Inclusive Leadership including anti-racist leadership and the social model of disability and enable them to role model behaviours that support equality, diversity and inclusion in both their leadership and policy/ operational delivery. We will help them to improve the quality of their diversity objectives, aligning them to the commitments laid out in this plan and strategic equality objectives within their remits.

Owner: Nina Durant, Yvonne Pawlin

Action 18

We will work with networks and trade unions to encourage staff to be role models and advocates by sharing their stories and experiences. This will include a refresh in 2022 of senior sponsors, diversity champions and the introduction of new network diversity champions.

Owner: Jo Glenn

Action 19

We will equip our staff with the skills they need to become inclusive leaders and team members through the procurement and introduction of new equality and diversity training and the promotion of mentoring and coaching opportunities.

Owner: Jo Glenn

Action 20

We will continue to support staff through the learning phase of SmartWorking and beyond. We will revise our existing advice, guidance, support and resources as needed. We will continue to remind leaders of our expectations on them during the pandemic and beyond. We will regularly engage staff to understand the impact of the pandemic on those with diverse backgrounds or needs and use this to inform our guidance and support.

Owner: Gareth Owen

Action 21

We will support staff on parental or adoption leave by

- Promoting ishare connect as a way of keeping in touch with the organisation without using your work laptop
- Promoting the shared leave policy
- Revising our policy and guidance on adoption leave.

Owner: Jo Glenn

Action 22

We will assess the findings of the London Business School research into part-time work and, working with the unions and networks, agree actions to take to tackle the inequities of experience and outcome experienced by part-time workers.

Owner: Jo Glenn

Action 23

We will implement a job-share brokerage system, to increase job-share opportunities for existing staff and new recruits.

Owner: Jamie Westcombe

Action 24

We will assess progress on LGBT+ inclusion by undertaking the Stonewall Index
We will revise our transitioning policy and raise awareness of using personal pronouns to enable greater inclusion of trans and non-binary staff.

Owner: Jo Glenn

Action 25

We will review the mental health allies service and aim to implement any improvements to the service that are identified including recruiting a second cohort if required.

Owner: Gina Older

Action 26

We will launch a new round of the Reverse Mentoring programme for SCS staff – enabling SCS members to have an increased understanding of the barriers that underrepresented groups face. We will continue to explore other more informal ways of sharing lived experience.

Owner: Jo Glenn

Action 27

We will consult with the unions and engage with diversity networks enabling us to:

- Work closely with trade unions and use unions' experience in supporting their members against discrimination.
- Support staff diversity networks and peer to peer support groups, providing a forum for chairs to raise concerns, meeting regularly and having access to diversity champions. We will review time allocation and support for the networks' corporate roles.
- Ensure that equality impact assessments (EIAs) are consistently carried out for substantial HR policies, practices, developments and initiatives by engaging with staff affected by potential changes.

Owner: Jo Glenn

Action 28

We will encourage wider reporting of diversity data across all grades, including the SCS.

Owner: Jo Glenn

Action 29

We will raise awareness of how to challenge unacceptable behaviour including bullying and sexual harassment. We will launch and then monitor the take-up of the new cohort of Respect Mentors and review our approach to sexual harassment to ensure there is support for anyone experiencing bullying, harassment or a toxic work environment.

Owner: Jo Glenn, Gina Older

Action 30

Working with the Women Together network, we will continue delivery of our Women into Leadership courses, revise the menopause guidance and support the network on its annual work programme including becoming an Endometriosis Friendly Employer and the work on age and gender.

Owner: Nina Durant, Gareth Owen, Jo Glenn

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