



DERBY CITY COUNCIL

MINORITY ETHNIC COMMUNITIES ADVISORY COMMITTEE 15 JUNE 2006

Report of the Corporate Director of Corporate and Adult Social Services and Deputy Chief Executive

Equalities Complaints Monitoring

RECOMMENDATION

- 1.1 To note the report.
- 1.2 To note that all equalities monitoring relating to employees will be reported together in one report to Committee annually starting in September 2007.

SUPPORTING INFORMATION

- 2.1 The report deals with complaints made by employees against each other from 1 April 2005 to 31 March 2006.
- 2.2 Appendix 2 summarises the total number of complaints lodged and investigated since 2000, including those mentioned in this report.
- 2.3 Complaints from tenants about racial harassment are presented separately to this Committee by Derby Homes.
- 2.4 A separate report regarding Service User complaints will be submitted to Committee.
- 2.5 We have received 15 complaints that have resulted in a formal investigation. Of the eight that have been completed, six were not upheld and two were partly upheld. Of the six not upheld, two are currently appealing against the outcome of the report.
- 2.6 There was one investigation from the last period 1 January – 31 March 2005 which was not continued with the agreement of the employee.
- 2.7 There are seven investigations that have not been completed. The outcome will be reported in the general equalities monitoring report to Committee.

For more information contact: Val McLaughlan 25 5584 e-mail val.mclaughlan@derby.gov.uk
Background papers: None
List of appendices: Appendix 1 – Implications
Appendix 2 – Complaint Statistics

IMPLICATIONS

Financial

1. None

Legal

- 2.1 We have a specific duty to record and monitor these incidents by racial groups under the Race Relations Amendment Act 2000.
- 2.2 Inclusion of disabled people in these statistics complies with our specific duty under the Disability Discrimination Act 2005, which becomes live in December 2006.
- 2.3 All employees are protected by the Sex Discrimination Act 1975 and the Gender Recognition Act 2004 and can make a claim of sex discrimination under these Acts to an Employment Tribunal.
- 2.4 Employees are also protected at work from harassment and discrimination because of their sexuality or religion or belief under the Employment Equality Regulations 2003.

Personnel

3. Each formal investigation requires the appointment of an investigator by departments. Investigations can be lengthy and time consuming and the process has to be managed by the investigator together with existing work loads.

Equalities impact

4. Investigations of complaints of bullying, harassment, discrimination and unfair treatment is essential as this forms an integral part of the Council's Equality and Diversity Policy and Fairness at Work Complaints Procedure.

Corporate priorities

5. Thorough investigation of complaints promotes the value of being open, transparent and honest in everything we do.

COMPLAINT STATISTICS

1. Number of complaints received:

	Employees	Customer	Total
2000	8	7	15
2001	0	0	0
2002	6	1	7
2003	9	2	11
2004	14	2	16
2004/5	4	-	4

2 Analysis of employee complaints 1 April 2005 – 31 March 2006

Racial Group of complainant	Harassment/Bullying							Gender M/F	Disability Y/N	Not upheld	Upheld	Partly Upheld	Not completed
	Racial	Sexual	Disability	Age	Sexuality	HIV/AIDS	Other						
White							X	F	N			X	
White							X	F	N	X			
Pakistani	X							F	N	X			
White							X	F	N	X			
Indian	X						X	F	N	*X			
Indian	X				X		X	M	Y				X
White							X	F	N				X
White							X	F	N				X
White							X	F	N			X	
White							X	F	N	*X			
Dual Heritage				X			X	F	Y				X
Pakistani							X	M	N				X
White							X		Y	X			
White							X	F	Y				X
White			X				X	F	Y				X

* Appealed against outcome of report