

Jobcentre Plus equality legislative requirements review

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Introduction and background

Like all public sector organisations, the Department for Work and Pensions (DWP) and Jobcentre Plus are obliged to eliminate discrimination and promote equality within their workforce, amongst their customers and the wider stakeholders with whom they interact. Revised equality duties which will cover seven equality strands will come into force in 2011. However, at present the duties cover race, gender and disability.

Jobcentre Plus commissioned the Institute for Employment Studies to undertake research to identify diversity and equality issues within key job roles. The research aimed to establish whether staff understood and were adequately supported in meeting equality legislative requirements. A qualitative methodology was chosen to enable an in-depth exploration of staff understanding of the equality duties, of the training and support staff had received about the equality duties and to capture their experiences of working with customers, employers, other partners and colleagues in upholding this legislation. The qualitative results presented in this study are illustrative of understanding and views of the staff interviewed for this research and they should not be generalised.

In total, 97 Jobcentre Plus staff were interviewed using a combination of face-to-face and telephone interviewing. This included staff from a range of directorate and operational roles, a mixture of staff working with customers, employers, partners and those with internal roles, such as finance.

Staff awareness and understanding of equality and diversity legislation

Most interviewees viewed equality and diversity legislation as important and something that they perceived Jobcentre Plus was committed to and they generally recognised a collective responsibility for implementing it. Several staff could name some elements of the equality duties, whereas others talked more broadly about the facets of equality and diversity and focused on flexible working, for example. Interviewees were not typically able to make the distinction between the strands covered by the duties and other aspects. Seemingly related to this understanding many staff appeared to make sense of diversity in the context of individuality and applied the principles of the duties, such as equality of opportunity, to everybody and not just particular groups.

Many staff were unsure of the concept of treating people differently to achieve equal opportunity and some discussed how the legislation meant they had to treat everyone the same. However, in practice it was evident that staff make changes and amendments to meet customer needs.

Interviewees were confident that they would meet the legislative requirements of the equality duties by following the organisation's processes and procedures. Where staff noticed gaps in their knowledge or were uncertain how to implement equality and diversity legislation in practice, then they frequently used the guidance as a source of reference.

Training and support about equality and diversity legislation and practice

Tutor-led training and workshops were felt by interviewees to work well as they promoted discussion and enabled staff to share good practice with colleagues from other offices and job roles. Discussions with colleagues were also seen as an important source of information, and could help with interpreting what the written guidance meant in practice. Diversity champions, where they exist, were also seen as an effective source of information and advice.

Diversity events were felt to be good for team-building and general awareness-raising but less effective at developing understanding of equality and diversity legislation or practice.

The outputs from staff diversity network groups were felt to be useful where interviewees had seen these, but other staff had neither heard of these groups nor seen their outputs.

Younger members of staff were more likely to be positive about e-learning than older staff. The effectiveness of e-learning was felt to be limited by a lack of structured interaction and opportunity for discussion with colleagues. This interaction was felt to be particularly valuable to aid understanding about complex issues such as equality and diversity legislation and implementation.

It was reported to be difficult to find time to participate in training, to read Jobcentre Plus internal guidance and to read updates on the intranet, as staff were working in a target driven environment. Operational staff were particularly likely to report this as a constraint.

Very few staff had plans to do any learning and development in the future about equality and diversity legislation or practice. Interviewees who demonstrated an understanding of the concept of treating people differently and had a good grasp of the groups covered by the equality duties were more likely to want training in the future than those interviewees who were unable to articulate the equality duties and the groups covered by it.

Implementing equality and diversity policies

Some directorate staff were clear about what the equality duties meant for their job role and them individually, whereas others were less so, particularly those whose job roles were internally focused. Operational staff tended to give more examples than directorate staff about how equality and diversity fitted into their role, although this seemed also to be influenced by whether they were working in a rural or urban office. Staff in rural offices tended to discuss how their customer base was not diverse, although this seemed to be a reflection on the ethnic diversity of the area rather than other diversity aspects.

Staff working in the contact centre taking employer vacancies were confident in doing so. They were confident in working with employers, challenging them if necessary, to ensure that the vacancies on the Jobcentre plus system complied with equality and diversity legislation.

Partners of Jobcentre Plus were generally seen as being on board with the equality and diversity agenda and supportive and easy to work with in upholding the public sector duties.

Interviewees recalled several sources of support they had used to help them to implement equality and diversity in practice. The nature and source of support used depended on the issue. Interviewees had used colleagues and line managers, occupational health providers and staff in human resources as sources of support.

Collecting and monitoring diversity data

Many staff were able to describe in broad terms why Jobcentre Plus collects customer diversity information. However, the reasons given by operational staff tended to focus on the use of these data in an operational sense, for example for customers to access job support services. Directorate staff were more likely than operational staff to discuss the use of these data in relation to outcomes, for example to see who Jobcentre Plus supported and their relative use of services, and which groups of customers were more or less likely to achieve job outcomes.

Given that the understanding of many operational staff about the purpose of collecting customer data focused on service delivery, many said they would be reluctant to ask customers about other aspects of diversity, such as sexual orientation, that they could not readily relate to service provision.

Most of the staff we interviewed said they had uploaded their diversity data onto the Jobcentre Plus system. However, some staff who used these data to carry out Equality Impact Assessments (EIAs) reported there were gaps in the data and that this could make them challenging to carry out.

Staff tended to understand why staff diversity data are collected, and explain, for example, that they were used to examine the extent to which Jobcentre Plus staff reflected their customers and to monitor promotion and representation of specific groups, such as women, at senior grades.

Conclusions and recommendations

Some job roles, such as those working with customers, partners or employers are more likely to raise equality and diversity issues. However, all staff may need to draw on the equality duties when they work with colleagues and if they have management responsibilities.

Interviewees displayed a high level of confidence in Jobcentre Plus' guidance and processes and felt that by following and implementing these that the duties would be met. There tended to be less clarity among interviewees about what the duties meant for their own job role, and particularly how best to deal with some of the grey areas that might arise in putting the legislation into practice. For example, the extent to which services could be tailored and adjusted to meet customer needs.

Many staff did not articulate the concept of treating people differently when asked about the coverage of equality and diversity legislation. There was some uncertainty about whether treating people differently was appropriate, and if so in what circumstances. On a day-to-day basis it was clear from the examples staff gave of how they worked in practice that they take into account equality and diversity when working with customers, employers and partners. However, they do not necessarily connect this practice to any legal responsibility or the public sector duties.

To try to increase staff awareness and understanding of equality and diversity legislation and practice Jobcentre Plus could consider whether it is feasible to:

- expand the network of diversity champions, particularly in rural areas, and explore the possibilities for virtual groups;
- develop material, such as case-studies, that are focused on aspects of job roles, such as working with customers, or working with colleagues and alongside these develop questions to facilitate and structure discussion;

- further investigate perceptions of diversity being based on visible aspects.

To try to increase the level and content of support for staff implementing the equality and diversity legislation Jobcentre Plus could consider whether it is feasible to:

- when the business climate allows, consider increasing the frequency of team meetings to give a regular forum for staff to discuss equality and diversity legislation and good practice;
- make e-learning about equality and diversity legislation more interactive, for example by completing it in a group setting with a moderator, or requiring follow-up with line managers;
- increase the coverage of Staff Diversity Network Groups (SDNGs) in rural areas and increase the information flows from SDNG and to the rest of the organisation;
- create 'virtual diversity champions' accessed via the Internet, as an immediate source of support for staff queries about equality and diversity legislation and practice, including case-study examples;

- extend participation in equality and diversity training and support to all staff, including those that perceive equality and diversity not as a development area.

To try to improve the implementation of equality and diversity Jobcentre Plus could:

- continue to ensure that all written guidance is up-to-date and easy to interpret.

To try to improve the monitoring and collection of diversity data and staff understanding of its purpose Jobcentre Plus could consider whether it is feasible to:

- use the assurance check to explain and demonstrate to staff the practical application of both staff and customer diversity data;
- use an EIA to demonstrate to staff how the data are used in practice.

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You can download the full report free from: <http://research.dwp.gov.uk/asd/asd5/rrs-index.asp>

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