



Report on the Diversity Profile of Ofcom Colleagues

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Section 1

Foreword

As the UK's communications regulator, part of Ofcom's responsibility is to make decisions that have a significant impact on the communications markets. We need people from diverse backgrounds to help us ensure we make sound decisions that are representative of the different perspectives within society. To achieve this, we have analysed our workforce profile to understand the makeup of our organisation and this is a summary of our key findings.

As Ofcom's Corporate Responsibility Champion, it is my role to ensure that we treat all colleagues with dignity and respect in an inclusive and fair working environment, promoting equality of opportunity for all. This report, along with Ofcom's Single Equality Scheme sets out the steps we are taking to achieve this.

Please take the time to read this report, not only to find out about the profile of our organisation, but to see how we are actively working towards an organisation that is fairer, more equal and diverse.

Christopher Woolard

Group Director, Content, International and Regulatory Development

Section 2

Executive summary

This is Ofcom's first report on the diversity profile of colleagues and fulfils part of our public sector Equality Duty under the Equality Act 2010, and our commitment under the Single Equality Scheme. Within this report we provide information relating to the nine protected characteristics set out in the Act.

We did not hold data on gender reassignment, and the data collected for the other characteristics is not complete for all colleagues. We are in the process of updating our monitoring systems to ensure that we capture more complete data, and plan to issue an update of our diversity profile in the near future. Where we do not hold data, colleagues have been placed in the 'prefer not to say or not recorded' category. For some characteristics, notably sexual orientation, we hold low amounts of data, therefore the reader should take note of the data quality information specified throughout the report.

Summary of our main findings about the protected characteristics

Age: We have colleagues in age ranges between 16 to 19 years old, and 65+ years old. The largest age group is made up of Ofcom colleagues aged between 35 and 39 years old

Disability: 2% of colleagues have declared a disability, with 7% preferring not to say or with no data recorded

Gender reassignment: We did not have the data necessary to report on this characteristic

Marriage and civil partnership: We do not collect this data for all colleagues. Data on whether a colleague is married or in a civil partnership will be collected on a case by case basis if needed

Pregnancy and maternity: 13% of colleagues took maternity leave in 2011. Of those that took maternity leave, 13% were from a Black, Asian and Minority Ethnic (BAME) background, 48% were from a White background, and 39% preferred not to say which background or data was not recorded. None were disabled

Race: 66% of colleagues are from a White background, 14% a BAME background and 20% preferred not to say or data is not recorded

Religion or belief: 24% of colleagues indicated that they do not have a religion and 52% preferred not to say or data is not recorded. At least seven religions or beliefs are represented at Ofcom, the largest group being those who are Christians

Gender: 60% of colleagues are male and 40% are female

Sexual orientation: 36% of colleagues are heterosexual / straight, 2% are lesbian, gay or bisexual, and 62% preferred not to say or data is not recorded

We will communicate this report to colleagues and use the findings to identify gaps in our current approach to diversity; benchmarking our performance with other stakeholders and corporate employers. We will continue to improve our diversity monitoring systems; capturing more complete data from colleagues and using this information to advance the promotion of equality and diversity within Ofcom.

Section 3

Introduction

This section provides an introduction to The Equality Act 2010 and our progress towards meeting its requirements.

3.1 The Equality Act 2010

The Equality Act came into force on 1 October 2010 replacing previous anti-discrimination laws with a single Act. The Act includes a new public sector Equality Duty which came into force on 5 April 2011 replacing the separate duties towards race, disability and gender equality. The Equality Duty is supported by specific duties requiring public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves equality objectives.

This report fulfils part of our public sector Equality Duty under the Equality Act 2010.

3.2 Our progress

To ensure effective governance in this area, we have the following groups in place:

- Corporate Responsibility Steering Group – a committee which oversees our corporate responsibility strategy including our Single Equality Scheme
- Diversity and Equality Working Group – a committee of Ofcom colleagues who act as advocates on diversity issues; and

We recently published our second Single Equality Scheme (SES) which describes how diversity and equality are essential to the way we operate, both as an employer and as the UK's communications regulator. The SES also sets out our objectives for the next three years, which are to:

- have a diverse mix of people at all levels of our organisation;
- consider the different needs and interests of all individuals and stakeholders when carrying out our work;
- create a culture where everyone's contribution is valued on its merits.

You can find a copy of our Single Equality Scheme document at:

http://www.ofcom.org.uk/files/2011/10/SES_2011.pdf

These actions demonstrate the ongoing effort within Ofcom to:

- eliminate discrimination, harassment and victimisation and any other conduct which is prohibited under the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

We are determined to do more than just meet our statutory obligations. We promote equal opportunities and we respect and acknowledge the diversity of individuals who work both in the organisation, and in the wider community we work with.

Section 4

Scope

This section provides information on how we have collected data on the diversity profiles of colleagues, the characteristics we have reported on, data quality and the report's structure.

This report provides an overview of our employment equality monitoring for all permanent Ofcom employees. The data used is either a snapshot of colleagues taken at 29 December 2011, or covers the period 1 January 2011 to 31 December 2011.

4.1 How we collect the data

We ask employees to complete an equality and diversity monitoring form on joining Ofcom and to review this data annually. We also ask candidates for Ofcom jobs to complete a voluntary monitoring form as part of their application process. We have recently updated the disability section of this form to allow us to gather comprehensive data on types of disability which will be reflected in future reports on our diversity profile.

4.2 Areas of reporting

The Equality Duty replaced the three previous reporting duties on race, disability and gender, bringing them together as a single duty which was extended to cover nine protected characteristics. The protected characteristics covered by the Equality Duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

See Annex 1 for definitions of these terms and our usage of them.

This report provides information on the following protected characteristics; age, disability, pregnancy and maternity, race, religion or belief, gender and sexual orientation. We are improving our reporting requirements to include data on our recruitment beyond graduates, and to include gender reassignment. We do not intend to publish data on marriage and civil partnerships.

4.3 Data quality

We are currently improving our monitoring systems to ensure we capture more complete data on all the protected characteristics. The data used to compile this report was not always complete for all colleagues and we have clearly stated any data quality issues at the start of each reporting section. We are working to encourage more colleagues to provide data through the provision of clear details of how the data will be used and why it is important to collect it. We plan to issue further updates to this report as more data is collected.

Within this report analysis of the diversity profile of colleagues has been completed for all characteristics using the full population of colleagues. Where data is not available, colleagues have been included in the 'prefer not to say or not recorded' category. This is intended to give a more accurate reflection of the diversity of Ofcom. However, readers should note the data quality information provided, especially for characteristics such as sexual orientation where we hold low levels of data.

4.4 How this report is structured

For each of the protected characteristics, this report includes information on:

- Colleague profile
- Training and development
- Performance ratings and promotions
- Maternity leave
- Grievances
- Leavers
- Recruitment

Section 5

Colleague profile

This section provides an overview of the diversity profile of Ofcom colleagues.

5.1 Overview

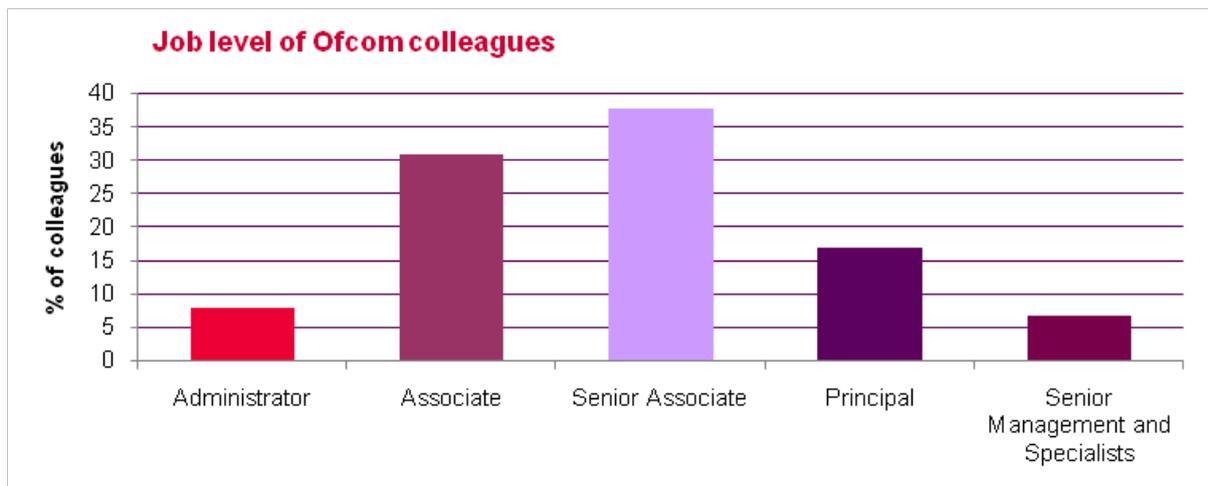
Data quality:

- Data held on the number of colleagues is complete
- Data held on colleagues job level is complete

Key facts:

- 768 colleagues were in employment at Ofcom on 29 December 2011
- 8% of colleagues were Administrators, 31% Associates, 38% Senior Associates, 17% Principals, and 7% Senior Managers and Specialists

Charts:



Base: All Ofcom colleagues as at 29 December 2011 (n=768)

5.2 Age, gender and work pattern

Data quality:

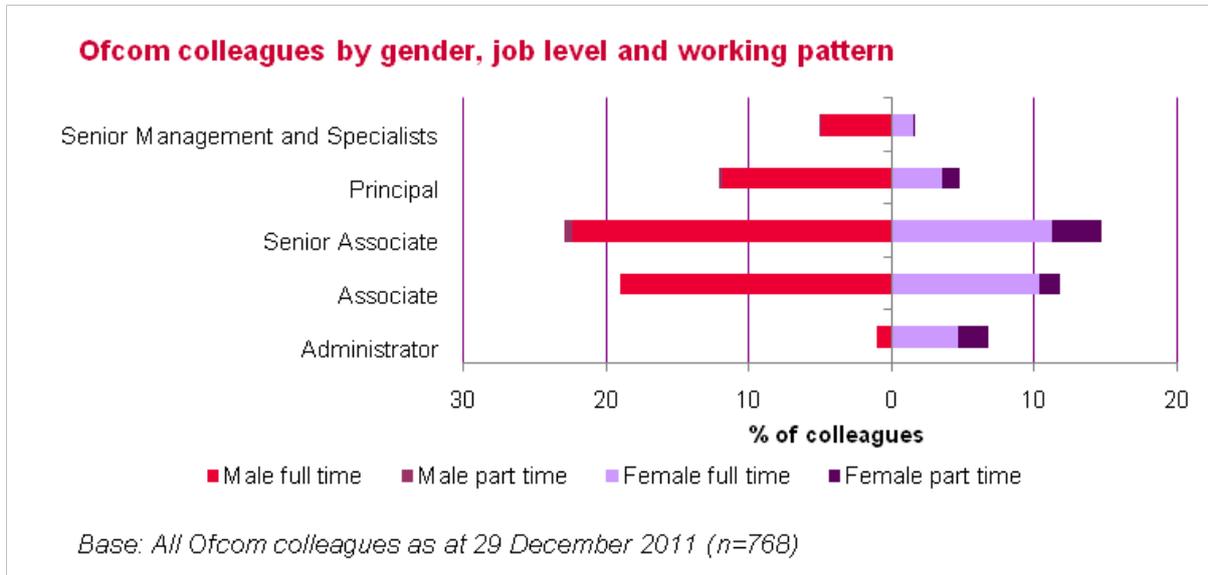
- Data on colleague age, gender and work pattern is complete

Key facts:

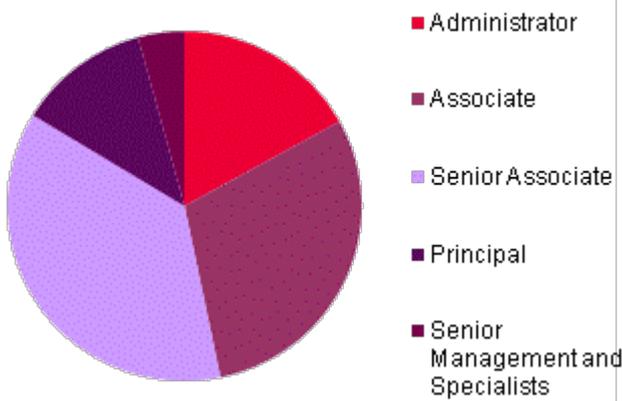
- 60% of colleagues are male and 40% are female
- 91% of colleagues are in full time employment and 9% are in part time employment

- Of those in part time employment 90% are female and 10% are male
- The largest age group of female colleagues is between ages 30 and 34 years, and male between 40 and 44 years
- Males make up the majority of each job level except at the Administrator level

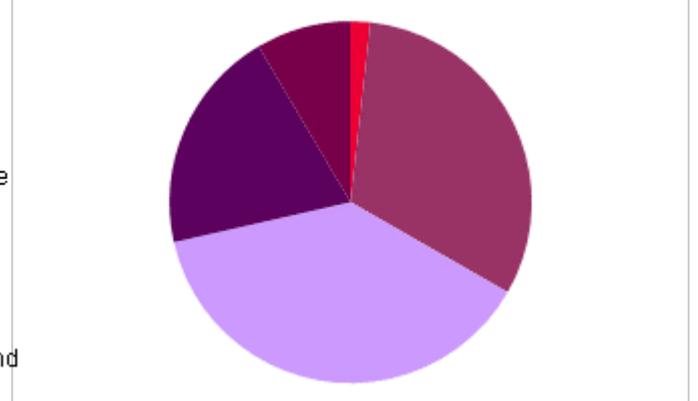
Charts:



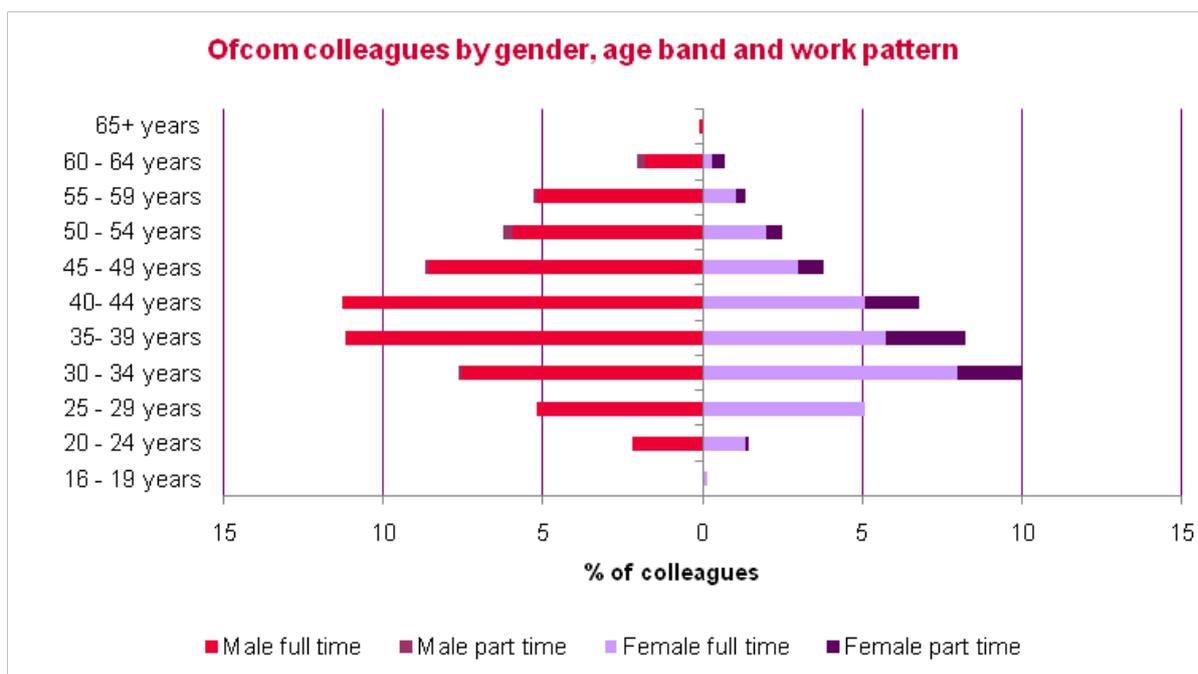
Job level of female Ofcom colleagues



Job level of male Ofcom colleagues



Base: All Ofcom colleagues as at 29 December 2011 (n=768)



Base: All Ofcom colleagues as at 29 December 2011 (n=768)

5.3 Disability

We have recently improved our disability monitoring through breaking down the category of 'disabled' into several components. The aim of this improvement is to explain to colleagues what is considered as disabled under the Equality Act (2010). As this monitoring system is cascading throughout the organisation we expect the number of colleagues reporting they have a disability will increase.

Data quality:

- Data on disability was not recorded for 7% of colleagues
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts:

- 2% of Ofcom colleagues have declared a disability
- 100% of disabled colleagues are employed on a full time basis

5.4 Gender reassignment

Ofcom does not currently collect this information. We are working to improve our monitoring systems so that we can provide data on this characteristic in future.

5.5 Marriage and civil partnership

Ofcom does not collect information on whether colleagues are married or in a civil partnership and does not intend to begin doing so. We will consider whether a colleague is

married or in a civil partnership on a case by case basis as necessary to eliminate unlawful discrimination in respect of this protected characteristic.

6.5 Race

Race and ethnicity data collected by Ofcom is classified according to the criteria used in Census 2001 and is in accordance with the Code of Practice on Ethnic Monitoring (2002). The classifications used are:

- White – British
- White Irish
- White – Other
- Black / Black British – African
- Black / Black British – Caribbean
- Black / Black British – Other
- Asian / Asian British – Indian
- Asian / Asian British – Pakistani
- Asian / Asian British – Bangladeshi
- Asian / Asian British – Other
- Chinese
- Other ethnic background;
- Mixed – White and Asian;
- Mixed – White and Black African
- Mixed – White and Black Caribbean
- Mixed – Other

When the number of respondents who chose to provide data was small we have either grouped classifications into Black, Asian and Minority Ethnic (BAME); White; prefer not to say, or used the following classifications:

- White – British, Irish or any other White background;
- Black or Black British – Caribbean, African or any other Black background;
- Asian or Asian British – Indian, Pakistani, Bangladeshi or any other Asian background;
- Chinese or other ethnic group – Chinese or any other ethnic background; and

- Mixed – White and Black Caribbean, White and Black African, White and Asian, or any other Mixed background.

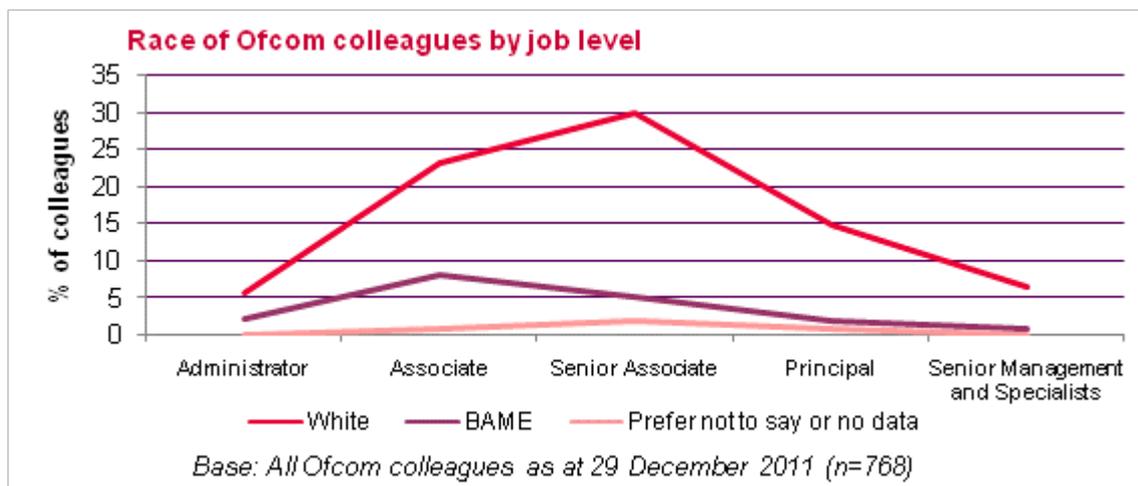
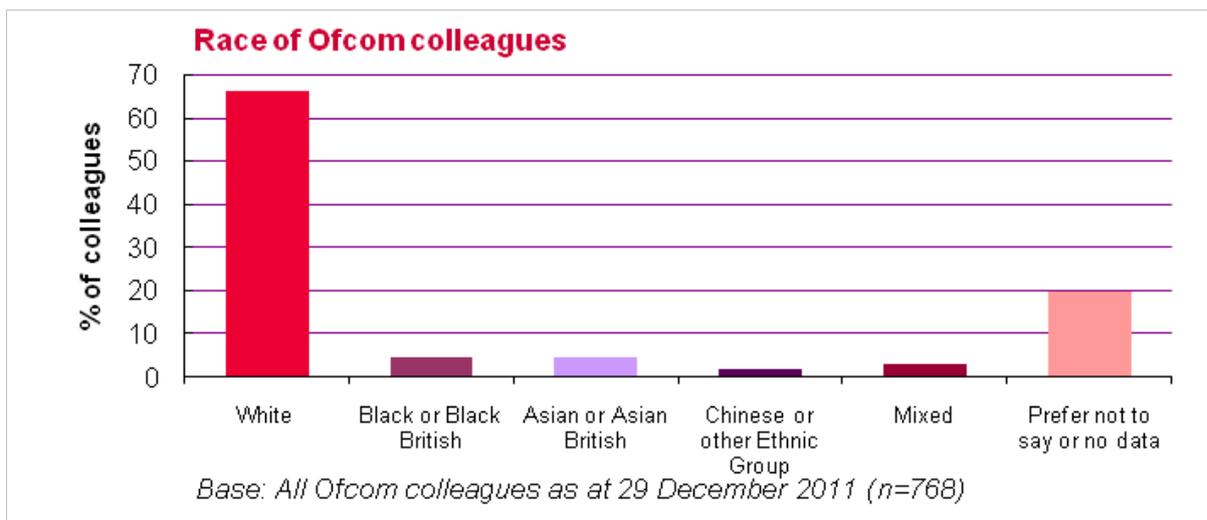
Data quality:

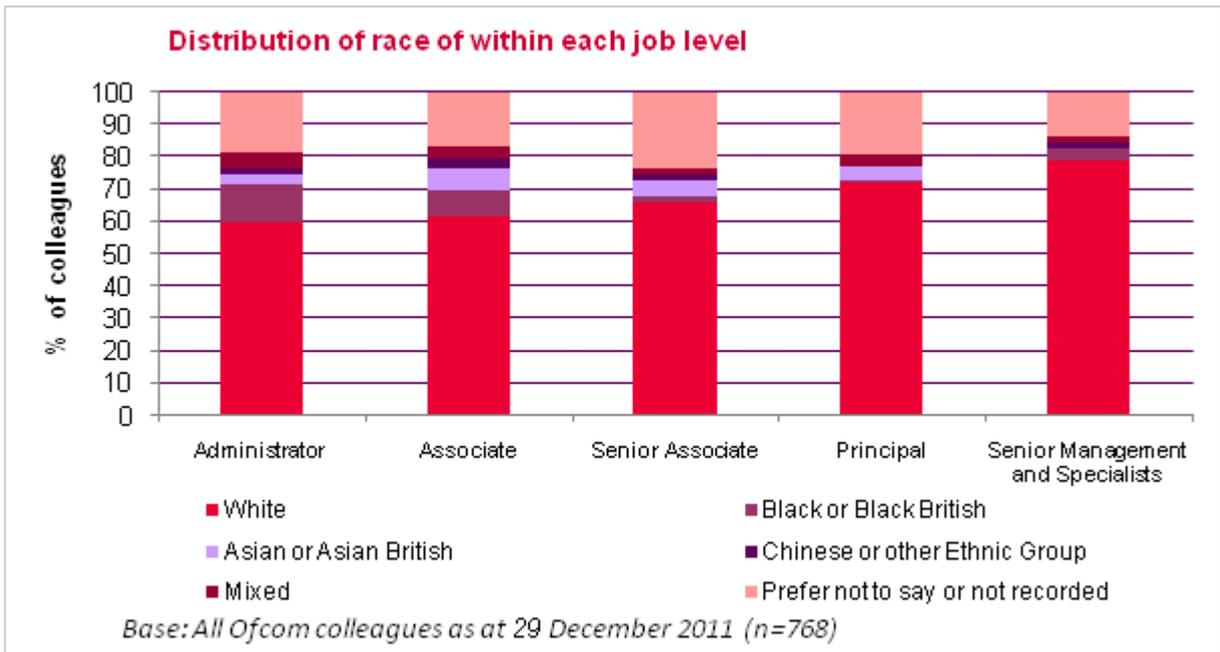
- Data on race was not recorded for 17% of colleagues
- This data has only been analysed by job level to protect the identity of individuals

Key facts:

- 66% of Ofcom colleagues are from White backgrounds, 14% are from BAME backgrounds and 20% preferred not to say or data is not recorded
- The highest frequency of colleagues from a BAME background work at Associate level
- The highest frequency of colleagues from a White background work at Senior Associate level

Charts:





5.6 Pregnancy and maternity

Data quality:

- Data on race and disability was not recorded for 32% of female colleagues who took maternity leave
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts:

- 13% of female colleagues took maternity leave which fell in calendar year 2011; this is 5% of the total Ofcom workforce
- Of those who took maternity leave, 65% were employed full time and 35% part time
- Of those who took maternity leave 13% were from a BAME background, 48% were from a White background and 39% preferred not to say or data was not recorded
- No disabled colleagues took maternity leave during this period

6.6 Religion or belief

Data quality:

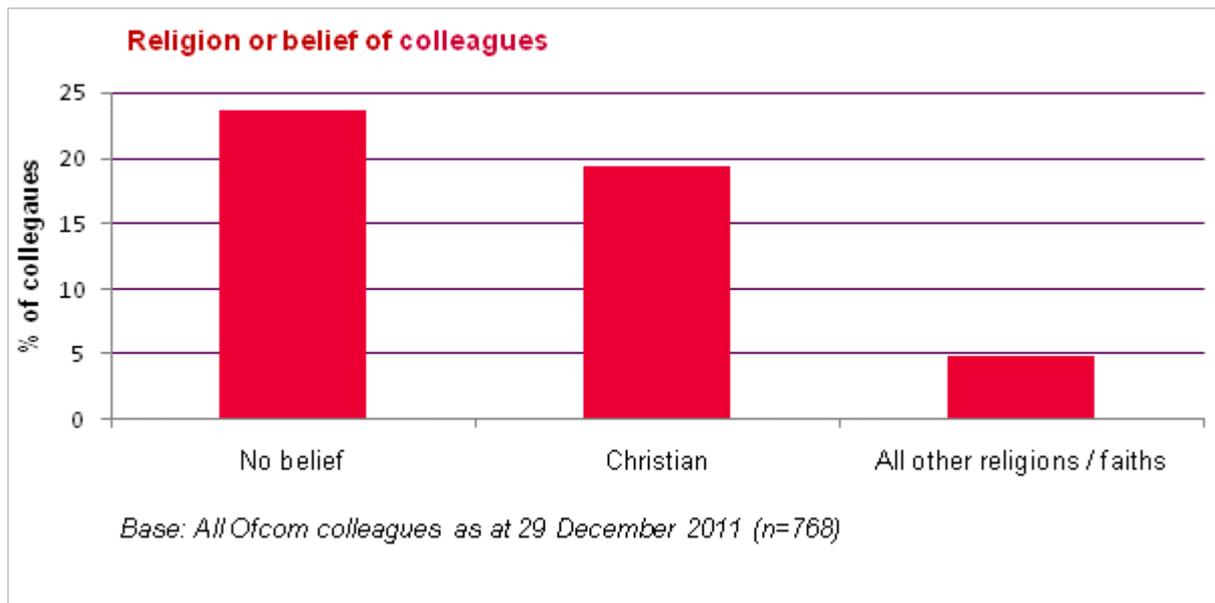
- Data on religion was not recorded for 48% of colleagues, and 4% preferred not to say what their religion was
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts:

- At least seven religions or beliefs are represented at Ofcom

Chart:

- The 'prefer not to say or not recorded' category has been removed from this chart to allow comparison between the other religions or beliefs
- To protect the identities of individuals, colleagues who recorded the religions of: Buddhist; Hindu; Jewish; Muslim; Sikh; and other religion or faith have been grouped in the 'All other religions / faiths' category



5.7 Sexual orientation

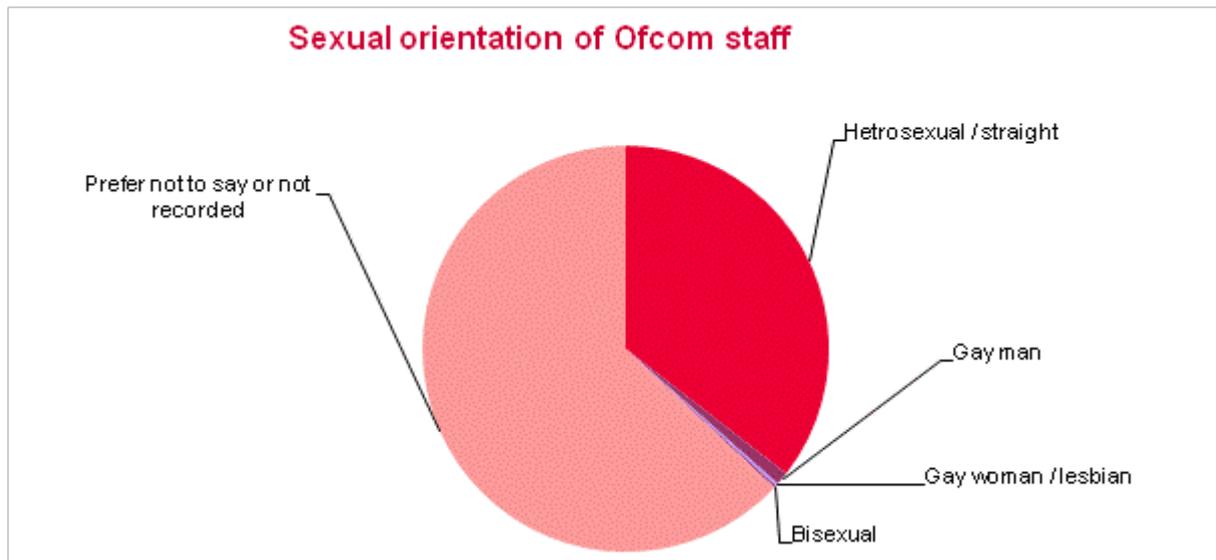
Data quality:

- Data on sexual orientation was not recorded for 48% of colleagues
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts:

A large number of colleagues preferred not to say what their sexual orientation is. This fits with research reported by the Equality and Human Rights Commission, which suggests that colleagues may feel uncomfortable about disclosing this information

Chart:



Base: All Ofcom colleagues as at 29 December 2011 (n=768)

Section 6

Training and development

This section provides information on the diversity of colleagues who have received training and development.

This data only includes colleagues who have attended specific training and development courses which are recorded on our database. Ofcom colleagues also take part in broader training and development such as mentoring, project work and secondments; these are not always recorded on our database and so are not featured in this report.

Data quality:

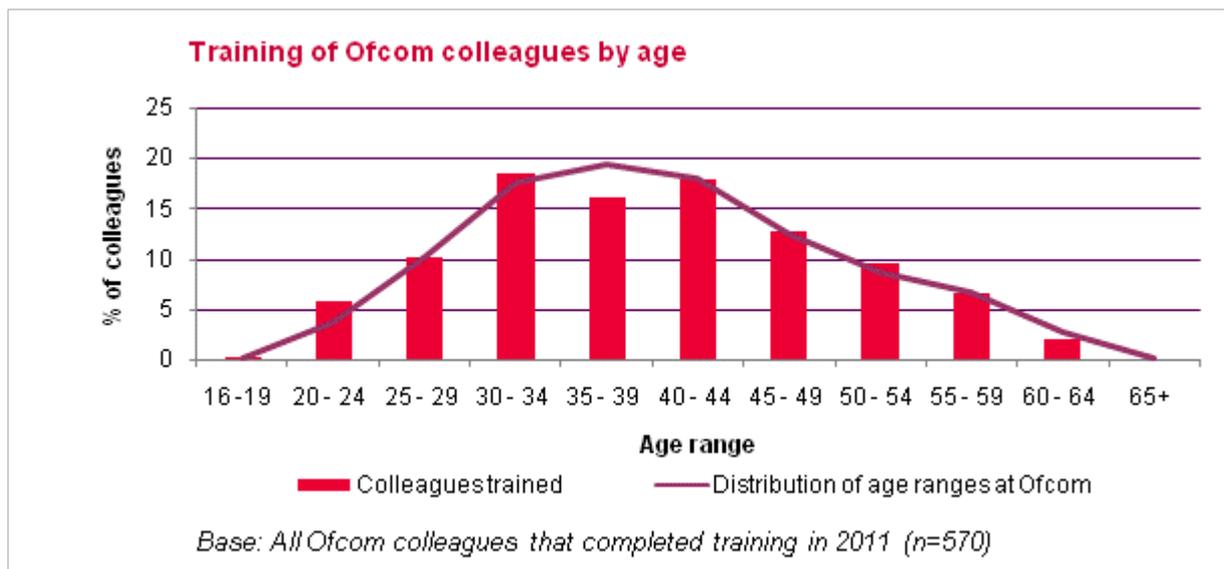
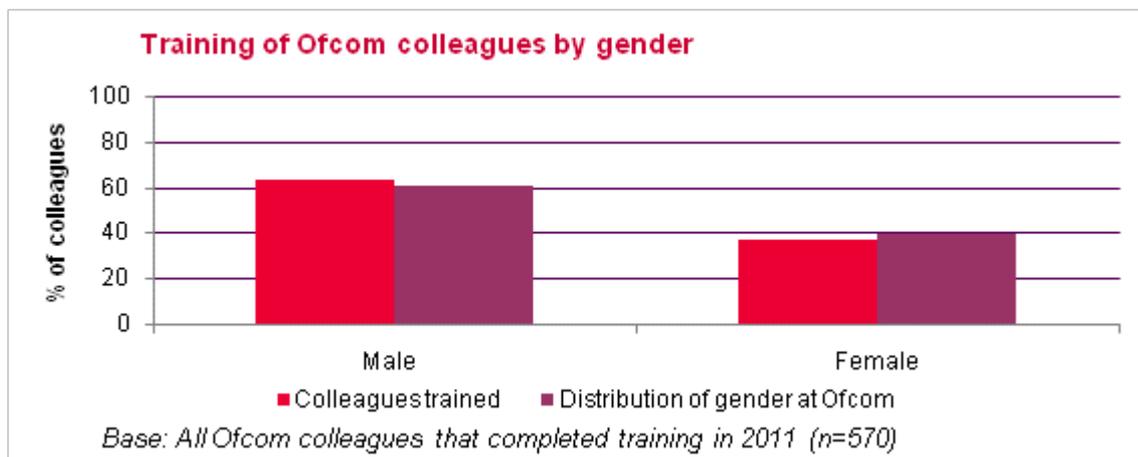
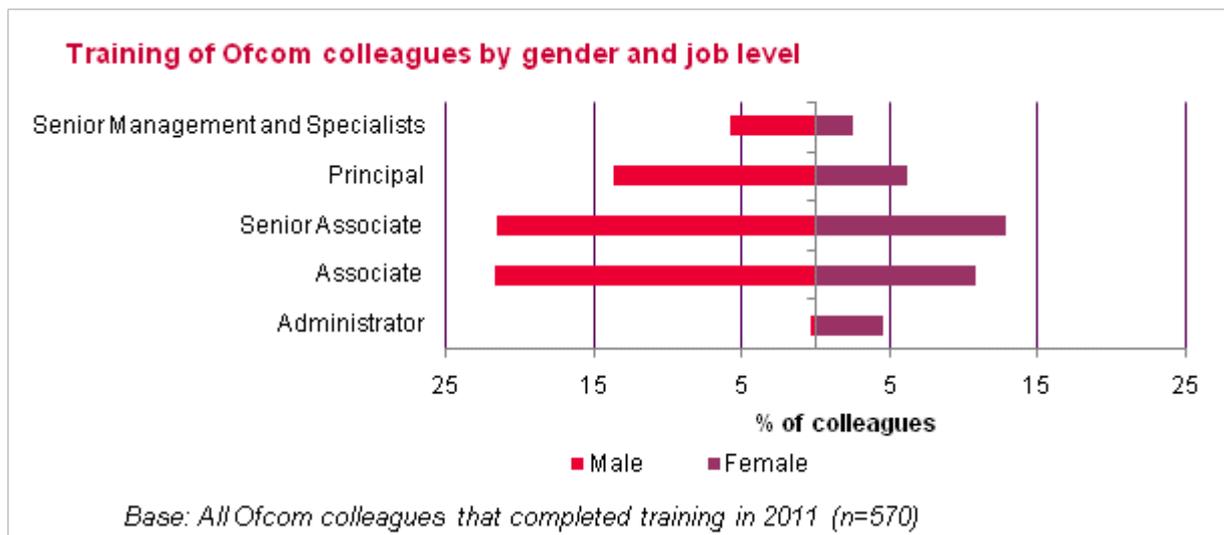
- Data on the gender, age and job level of colleagues who completed training is complete
- Data on disability was not recorded for 9% of colleagues who completed training
- Data on race was not recorded for 18% of colleagues who completed training
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts:

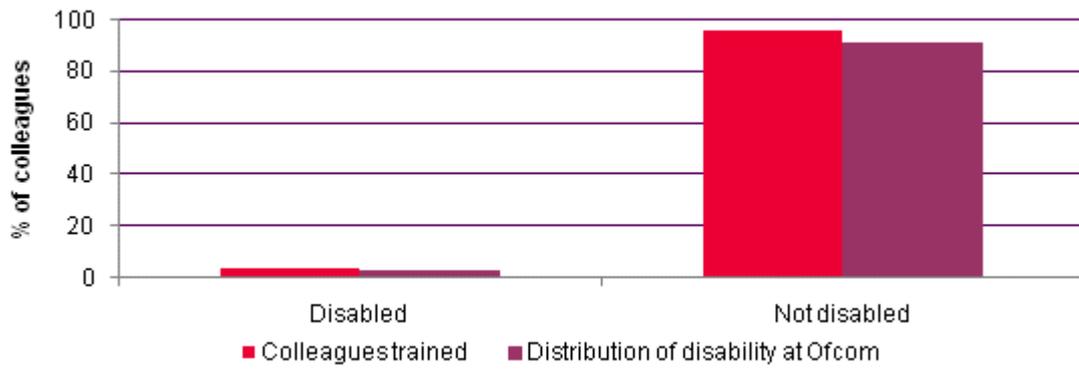
570 colleagues completed some form of learning (not including E- Learning) in 2011, this represents around 74% of staff

- 63% of colleagues that completed training were male which is slightly higher than the 60% distribution rate of men at Ofcom
- 37% of colleagues that completed training were female which is slightly lower than the 40% distribution rate of women at Ofcom
- The age ranges of colleagues that completed training largely matched the distribution rates of each age range at Ofcom. The only marked departure were colleagues in the 35 to 39 year age range who completed around 3% less training than the distribution rate for this age range
- 4% of colleagues that received training had a disability; this is 2% higher than the distribution rate of disabled colleagues at Ofcom
- The number of colleagues with White or BAME backgrounds that recorded training were largely the same as the distribution rates for these groups at Ofcom

Charts:

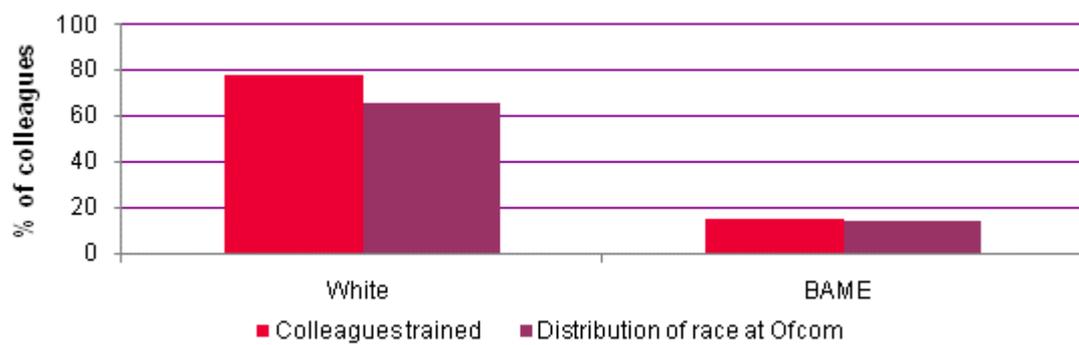


Training of Ofcom colleagues by disability



Base: All Ofcom colleagues that completed training in 2011 (n=570)

Training of Ofcom colleagues by race



Base: All Ofcom colleagues that completed training in 2011 (n=570)

Section 7

Performance and promotion

This section provides information on the diversity of colleagues, their performance ratings and promotions.

7.1 Performance ratings

Our performance year runs from 1 April to 31 March. The data was captured in April 2011 from a population of 700 colleagues who were eligible for the performance appraisal process.

Ofcom performance ratings are awarded from one to five; further explanation of what colleagues need to demonstrate for each rating is given below:

1: Has shown outstanding performance, consistently exceeding agreed expectations in both the delivery of objectives and the application of the skills/behaviours required.

2: Has shown very good performance, meeting and frequently exceeding agreed expectations in both the delivery of objectives and the application of the skills/behaviours required.

3: Has shown good performance, meeting agreed expectations for the delivery of objectives and application of the skills/behaviours required.

4: Has achieved some but not all of the agreed expectations for the delivery of key objectives and application of the skills/behaviours required.

5: Has shown unsatisfactory performance failing to deliver against key objectives &/or skills and behaviours.

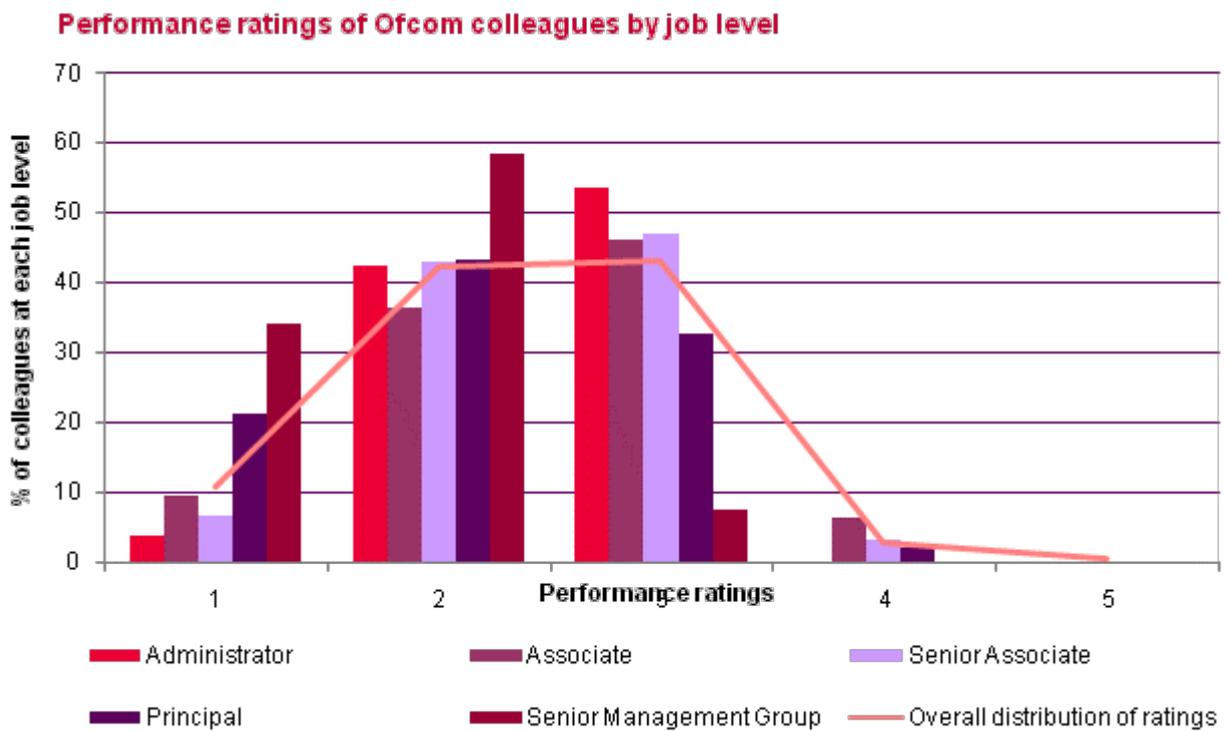
Data quality:

- Of the 700 colleagues who were eligible for the performance appraisal process, 31 were deemed too early to assess or had not yet been awarded a rating
- Data on the gender, job level and age range of colleagues who were eligible for the appraisal process is complete
- Data on disability was not recorded for 5% of colleagues who were eligible for the appraisal process
- Data on race was not recorded for 17% of colleagues who were eligible for the appraisal process
- The age ranges of 16 to 19 years and 65+ years have been removed to protect the identity of individuals
- This data has not been analysed by any other criteria to protect the identity of individuals

Key facts – performance ratings and job level:

The overall distribution of performance ratings for all colleagues largely reflects the distribution of performance ratings for each job level. The only marked departure from this is over representation of Senior Management and Specialists in categories one and two, and the overrepresentation of administrators in category three.

Chart:

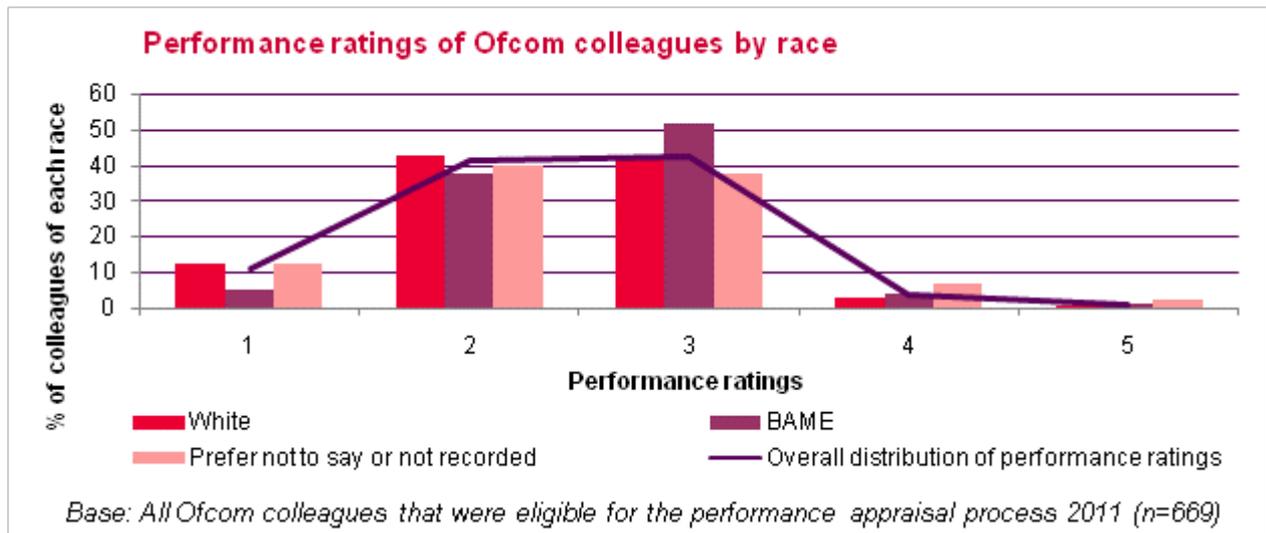


Base: All Ofcom colleagues that were eligible for the performance appraisal process 2011 (n=669)

Key facts – performance ratings and race:

When the distribution of performance ratings are analysed by race, colleagues from a BAME background are shown to be over represented in the category three rating and underrepresented in categories one and two. The distribution of performance ratings for colleagues from a White background are shown to largely match the overall distribution of performance ratings.

Chart:

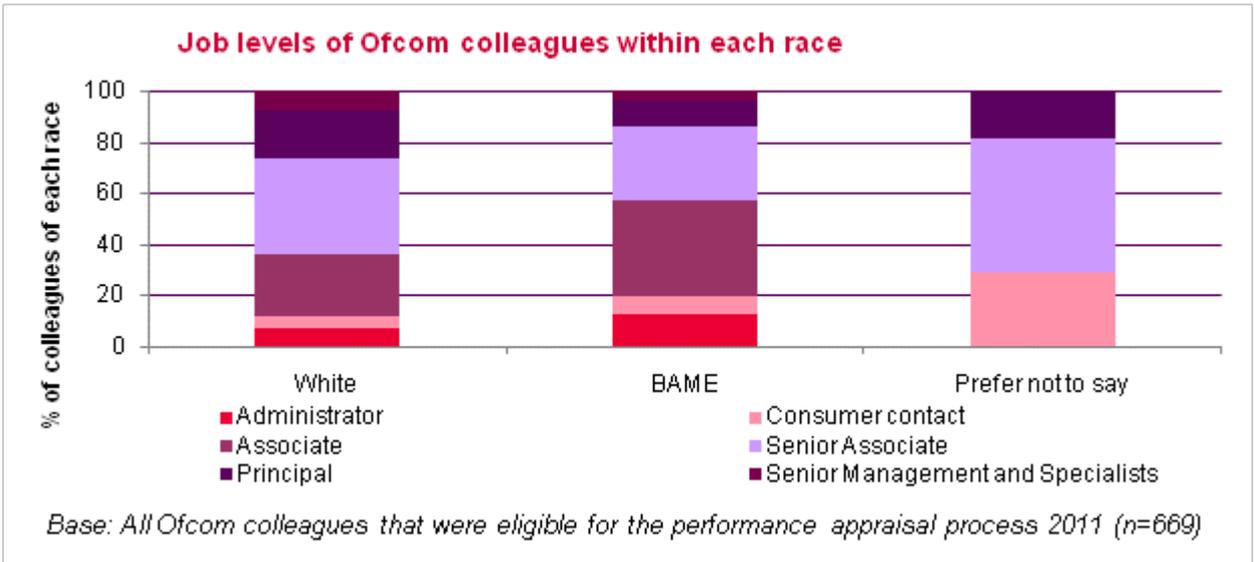


Additional analysis of race and performance ratings:

We wanted to find out why colleagues from a BAME background might appear to be less represented in performance rating categories one and two, and overrepresented in category three. Firstly, we assessed what colleagues needed to demonstrate in their work to achieve a performance rating of one, two, or three. Performance ratings one or two require a colleague to go above and beyond their usual duties for the whole of the performance year, with a rating of three reflecting that a colleague has completed the expected objectives of their role.

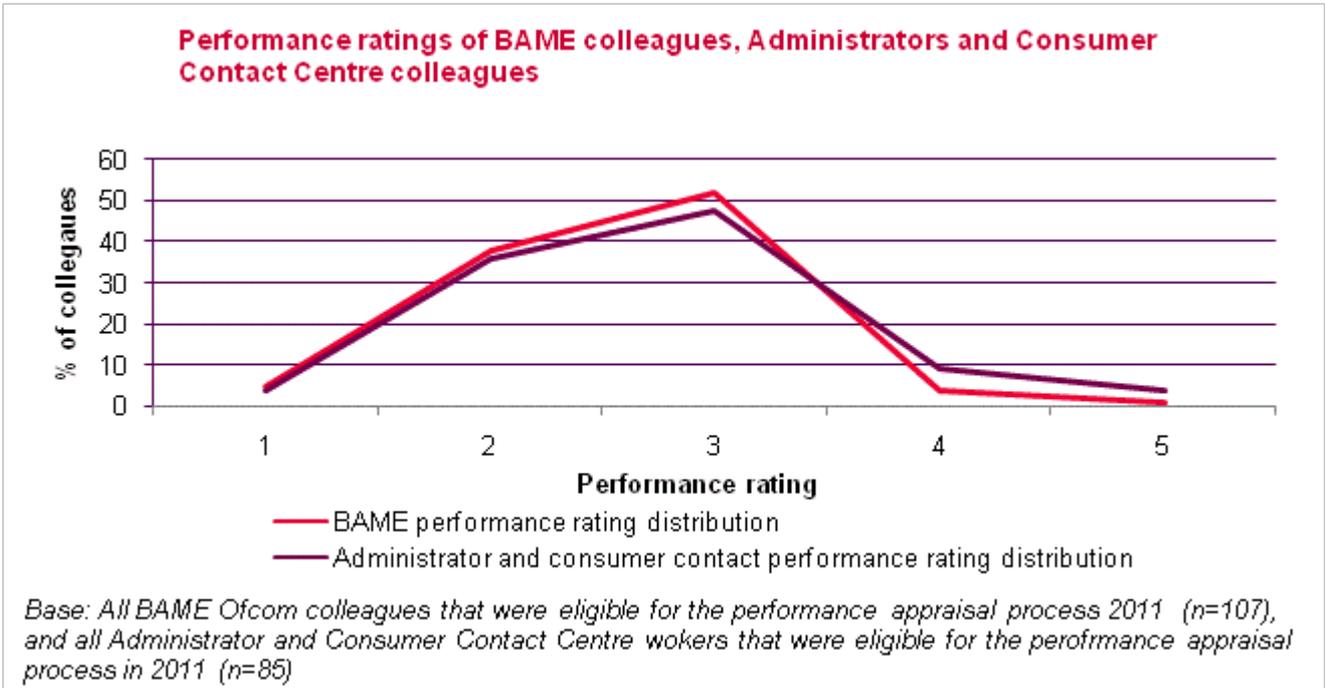
Secondly, we looked at colleague's job levels and roles. We found that certain job levels and roles provided colleagues with many opportunities to demonstrate that they should be awarded a rating of one or two; others offered less opportunity for colleagues to exceed the role's objectives.

Thirdly, we looked at the proportion of BAME colleagues working in roles or levels where we found there may be less opportunity to achieve a performance rating of one or two. This suggested that a colleague's job level may be an indicator of the performance rating they achieve.



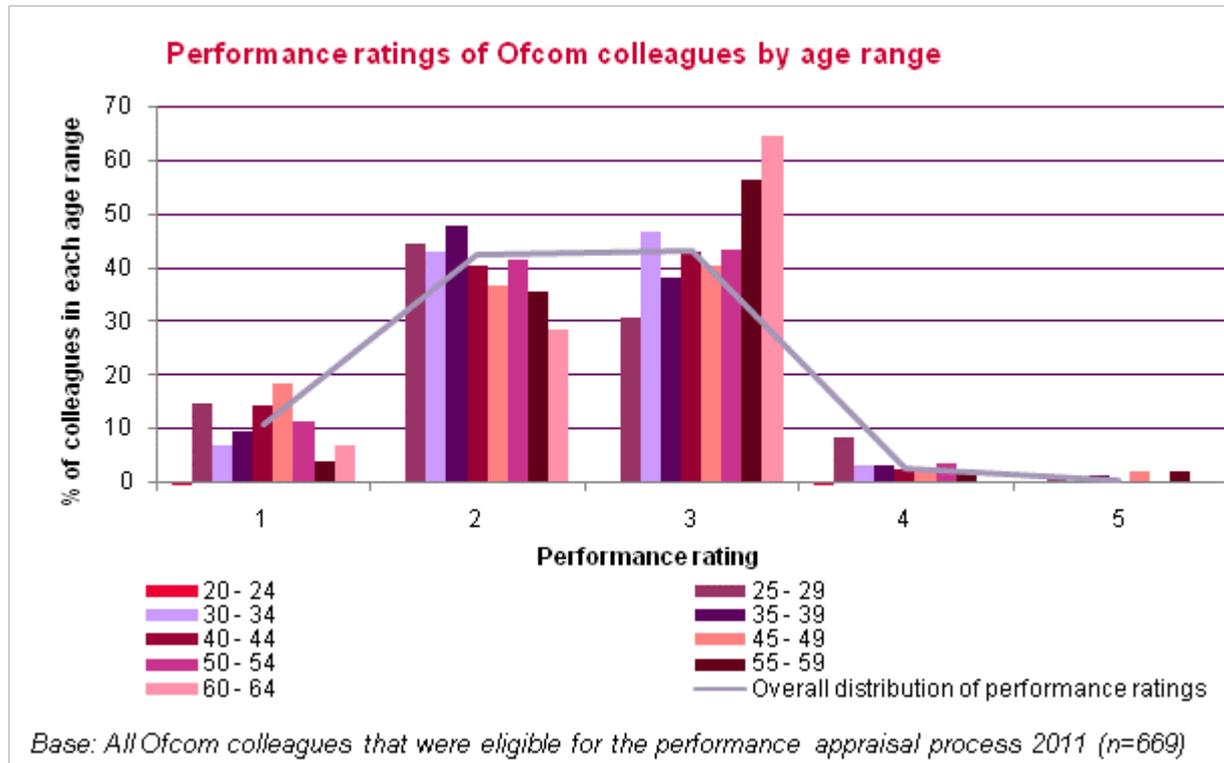
Finally, we carried out a further check on whether BAME colleague performance ratings were related to their job level or the role they carried out. The distribution of performance ratings for BAME colleagues was plotted against the distribution of performance ratings for Administrators and Consumer Contact workers.

As BAME colleagues make up a large proportion of Administrators and the Consumer Contact Team, the correlation of the distribution of BAME colleagues performance ratings with the performance ratings for these roles and job level suggests that there is a link between job level and performance ratings. This offers a good explanation for the relative representation of BAME colleagues in category three performance ratings.



Key facts – performance ratings and age:

When the distribution of performance ratings are analysed by age range, the data shows that colleagues in the 55 to 59 years and 60 to 64 years age ranges are over represented in the category three rating, and underrepresented in the category one rating.



Additional analysis of age and performance ratings:

We wanted to find out why colleagues in the age ranges 55 to 59 years and 60 to 64 years were overrepresented in the category three performance rating and underrepresented in the category one performance rating.

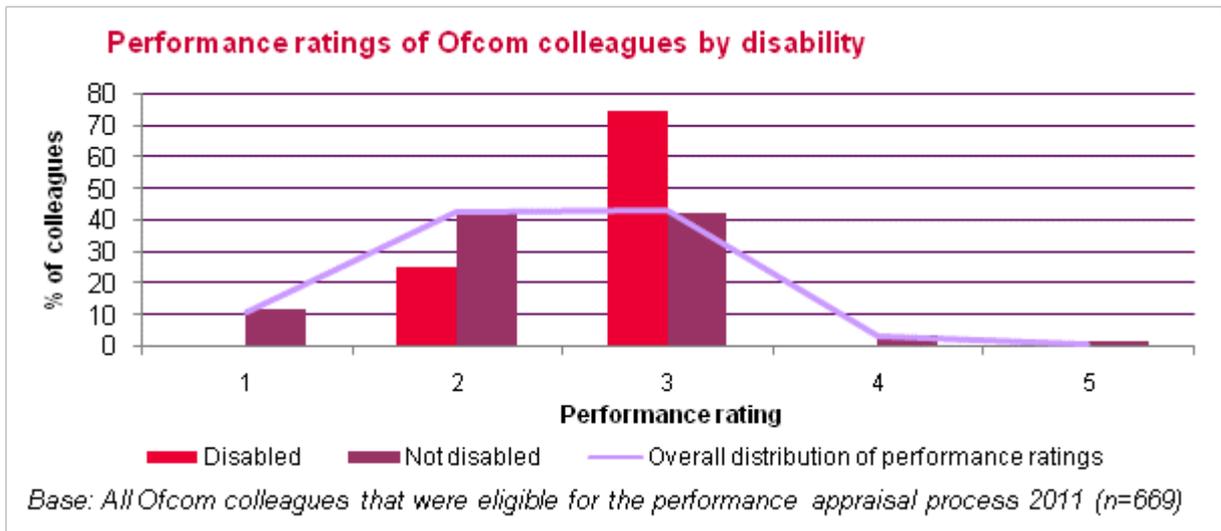
We analysed the job level and roles of colleagues in the age range of 55 to 59 years to see if a high proportion were in roles with limited opportunities to achieve a category one rating. We found the majority of colleagues in this age range were at Senior Associate level or above. The job level and role of these colleagues should therefore not constrain their ability to achieve category one ratings.

We analysed the job level and roles of colleagues in the age range 60 to 64 and found that around a third of colleagues in this age range are at Administrator level; this may account for the higher representation of this group in the category three rating. It should be noted that the size of this group is small, making meaningful statistical inferences difficult.

Key facts – performance ratings and disability:

When the distribution of performance ratings are analysed by disability, the data shows that colleagues with a disability are overrepresented in the category three rating. The size of this group is too small to make any further meaningful statistical inferences.

Chart:



Performance ratings – next steps:

We will continue to monitor the performance ratings of colleagues and keep our performance rating system under review to ensure that it does not discriminate against any groups of colleagues.

7.2 Promotions

This data covers Ofcom colleagues who were promoted through the annual in role promotions process. It does not include colleagues who were promoted through internal job applications.

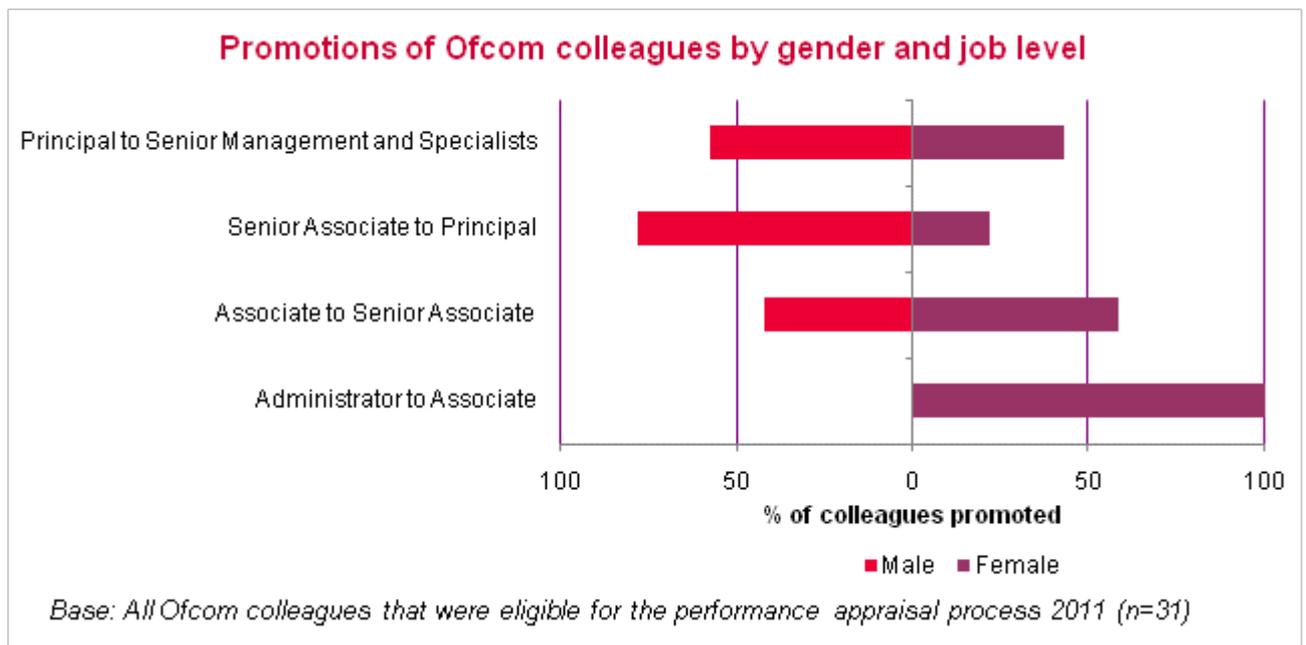
Data quality:

- Data on the gender and job level of colleagues who were promoted is complete
- This data has not been analysed against any other criteria to protect the identity of individuals

Key facts:

Just over 4% of colleagues were promoted in 2011

Chart:



Section 8

Grievances

This section provides information on grievances relating to bullying, harassment or discrimination raised by colleagues.

Data quality:

- Data on grievances only relates to the period of July to December 2011. We have updated our monitoring systems to ensure that data on grievances is fully captured in future
- This data has not been analysed against any other criteria to protect the identity of individuals

Key facts:

During 2011, one formal grievance of bullying and harassment was raised within Ofcom

Section 9

Leavers

This section provides information on the diversity profile of colleagues who left Ofcom in 2011.

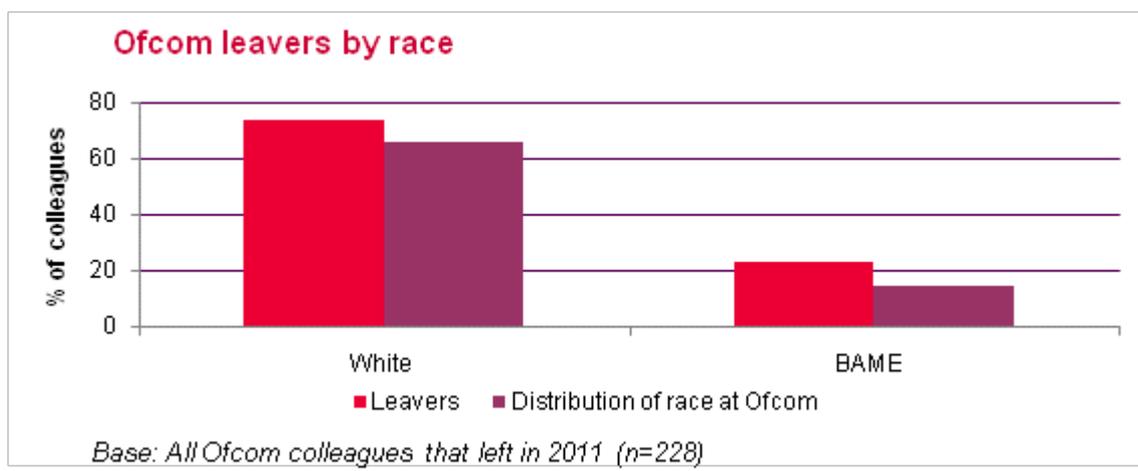
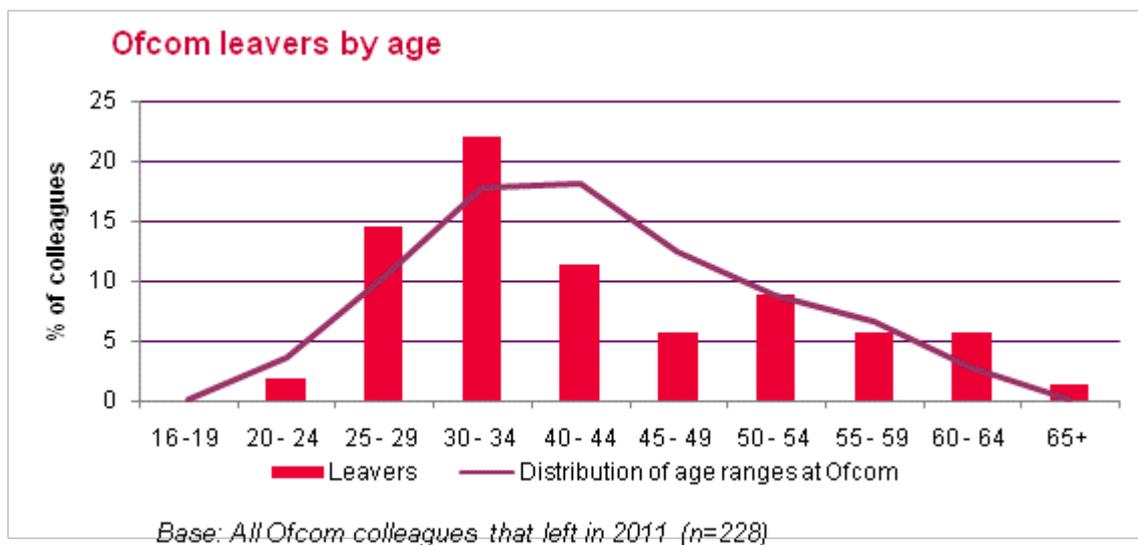
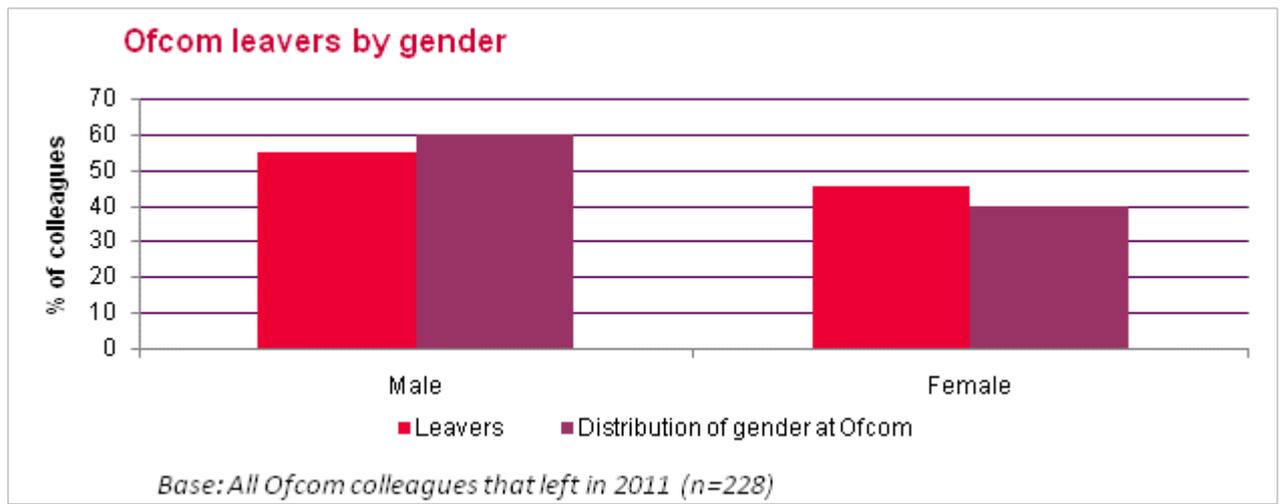
Data quality:

- Data on gender and age of leavers is complete
- Data on the race of leavers was not recorded for 17% of colleagues
- Data on the disability of leavers was not recorded for 7% of colleagues
- This data has not been analysed against any other criteria to protect the identity of individuals

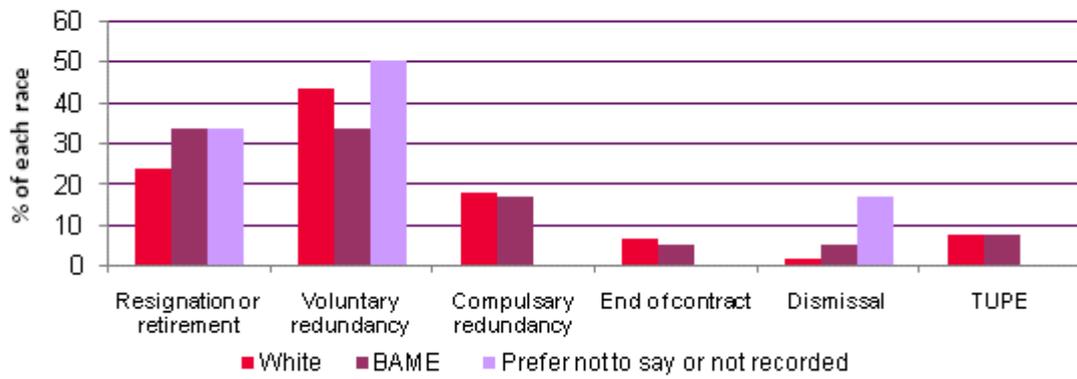
Key facts:

- The number of male and female leavers largely matches the distribution rate of each gender
- The number of leavers between the ages of 25 and 39 years, and 60 and 64 years were higher than the distribution rates for these age ranges; leavers between the ages of 40 and 49 years were lower. The other age ranges largely matched the distribution rates
- The number of leavers from BAME backgrounds (23%) was higher than the distribution rate for this group (14%)
- The number of leavers from White backgrounds (74%) was higher than the distribution rate for this group (66%)
- The number of leavers with a disability (5%) is higher than the distribution rate for disability (2%), however, the numbers in this category are too low to make any meaningful inferences

Charts:

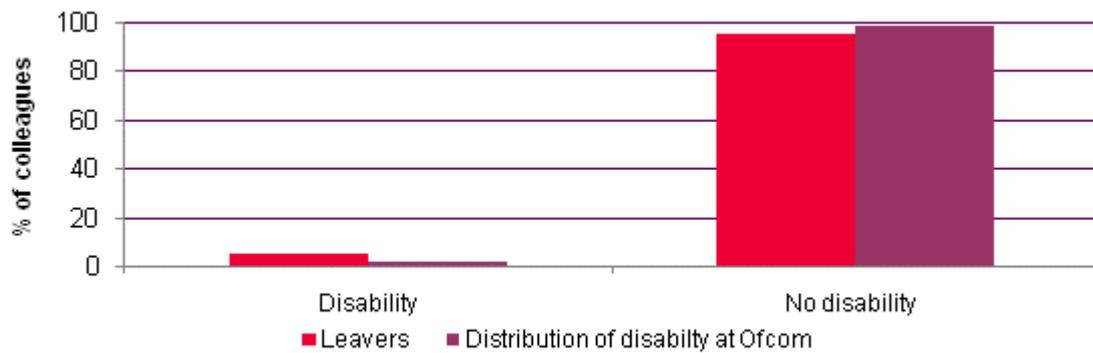


Reason for leaving by race



Base: All Ofcom colleagues that left in 2011 (n=228)

Ofcom leavers by disability



Base: All Ofcom colleagues that left in 2011 (n=228)

Section 10

Recruitment

Ofcom does not currently collect data on recruitment. We are working to improve our monitoring systems so that we can provide data on this area in future.

Section 11

Next steps

- This report will be reviewed by our Corporate Responsibility Steering Group and Diversity and Equality Working Group, and be communicated to Ofcom colleagues
- We will use the findings of this report to identify gaps in our current approach to diversity and to feed into our Single Equality Scheme action plan
- We will carry out benchmarking exercises to find out how we are performing on diversity in relation to our stakeholders and to other corporate employers
- We will continue to improve our diversity monitoring systems and gather more complete data with a view to publishing an update in the near future. This will include data on all the protected characteristics and recruitment
- We have carried out an equal pay audit and will share the results with our colleagues
- We will carry out a survey of Ofcom colleagues to find out their wider views on equality and diversity. This information will be used to inform our approach in this area

Annex 1

Protected characteristics

Age

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination, if a firm can justify it. Age is the only protected characteristic that allows employers to justify direct discrimination.

Disability

The Act has made it easier for a person to show that they are disabled and to be protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

To collect this data, employees and candidates were asked whether they identified themselves as disabled under the definitions of the 2010 Act.

Gender reassignment

The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured.

Marriage and civil partnership

The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

Pregnancy and maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination. The Act forbids an employer from taking into account an employee's period of absence due to pregnancy-related illness when making a decision about her employment.

Race

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.

We define ethnicity data according to the criteria used in the 2001 UK Census. This complies with the code of practice on ethnic monitoring published in May 2002.

Religion or belief

In the Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all.

Gender

Both men and women are protected under the Act. We recorded gender as male or female.

Sexual orientation

The Act protects bisexual, gay, heterosexual and lesbian people.