



EQUAL EMPLOYMENT OPPORTUNITY (EEO) DISCLOSURE REQUIREMENTS

This circular prescribes EEO annual reporting requirements applicable to reporting years ending after 31 December 2007.

Summary:

This circular is to advise agencies of changes in EEO reporting arising from recent amendments to the *Anti-Discrimination Act 1977*. The circular also advises the withdrawal Treasury Circular TC 02/17 “Equal Employment Opportunity Disclosure Requirements” and prescribe new EEO reporting requirements for reporting years ending after 31 December 2007.

EEO Annual Report Requirements

Treasury Circular “Equal Employment Opportunity Disclosure Requirements” (TC 02/17) prescribed EEO reporting requirements for reporting years after 31 December 2002. In accordance with Treasury policy, Circular TC 02/17 is withdrawn and new statistical tables and other new EEO information to be included in all agency annual reports is prescribed for reporting years ending after 31 December 2007. Appendix A describes these requirements in detail.

Premier’s Department Circular C2007-26 summarises the recommendations of the Internal Government Red Tape Review Report which were endorsed by the Budget Standing Committee of Cabinet on 18 December 2006. The report recommended the removal of duplicate EEO reporting.

The *Anti-Discrimination Act 1977* was amended with effect from 7 December 2007 to remove the requirement for agencies to annually submit implementation reports to the Director of Equal Opportunity in Public Employment. Agencies will now be required to include a report of their equal employment opportunity (EEO) achievements during the reporting year and their planned outcomes proposed for the following year report on equal employment opportunity in their annual report only.

The Director of Equal Opportunity in Public Employment has the responsibility of monitoring EEO in the public sector and reports annually to the Premier. From now on this will be done using information provided in agency Annual Reports. The annual reporting format has been modified to capture the information needed for this reporting process. Annual reports will now include a commentary on major EEO policies and programs and their outcomes.

Under section 122J of the Anti-Discrimination Act 1977, agencies are still required to have EEO management plans in place and to send their plans, or amendments to their plans, directly to the Director of Equal Opportunity in Public Employment. New entities are required to prepare and submit a Management Plan to the Director of Equal Opportunity in Public Employment.

EEO Management Plans differ from EEO annual reporting requirements in that they are brief, high level, strategic documents which normally span a period of between 3 to 5 years. The plans contain information not contained in EEO annual reports including how EEO strategies will be communicated and implemented within an agency. Reference to affirmative action strategies in agency EEO management plans helps to streamline recruitment by removing the need to apply for an exemption to the *Anti-Discrimination Act 1977* when recruiting for identified positions.

The Public Sector Workforce Office has developed a model EEO Management Plan which agencies are welcome to adopt and modify if necessary to suit their needs. The model plan can be found at www.eeo.nsw.gov.au.

The Internal Government Red Tape Review also recommended small agencies need only report on a triennial basis in respect of EEO, ethnic affairs priorities statements (EAPS) and waste. The *Annual Reports (Departments) Regulation 2005* and the *Annual Reports (Statutory Bodies) Regulation 2005* were amended with effect from 21 December 2007 to implement these annual report recommendations. Details relating to these changes are contained within a separate Treasury Circular.

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Further Information:

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EQUAL EMPLOYMENT OPPORTUNITY DISCLOSURE REQUIREMENTS

The following particulars are to be included in the annual reports for reporting years ending after 31 December 2007.

A) Statistical Information on EEO target groups

Table 1. Trends in the Representation of EEO Groups¹

<i>EEO Group</i>	<i>Benchmark or target</i>	% of Total Staff ²			
		<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Women	50%				
Aboriginal people & Torres Strait Islanders	2%				
People whose first language was not English	19%				
People with a disability	12%				
People with a disability requiring work-related adjustment	7%				

Table 2. Trends in the Distribution of EEO Groups³

<i>EEO Group</i>	<i>Benchmark or target</i>	Distribution Index ⁴			
		<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Women	100				
Aboriginal people & Torres Strait Islanders	100				
People whose first language was not English	100				
People with a disability	100				
People with a disability requiring work-related adjustment	100				

Note: Information for the above tables is provided by the Workforce Profile Unit, Department of Premier and Cabinet.

B) Commentary on initiatives to eliminate discrimination in employment and promote equal employment opportunity

1. Major policies/programs and their outcomes during the reporting period accounting for planned outcomes set in the previous year.
2. Major activities and outcomes planned for the following year.

¹ Staff numbers are as at 30 June

² Excludes casual staff

³ A distribution index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels.

⁴ Excludes casual staff