



## **CABINET – 28TH MARCH 2018**

**SUBJECT: PUBLICATION OF GENDER PAY GAP DATA – EQUALITY ACT 2010 (SPECIFIC DUTIES AND PUBLIC AUTHORITIES) REGULATIONS 2017**

**REPORT BY: ACTING HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT**

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to seek approval from Cabinet for the publication of the Authority's gender pay gap written statement.

### **2. SUMMARY**

- 2.1 Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, all organisations listed at Schedule 2 to the regulations that employ over 250 employees are required to report annually on their gender pay gap from 2017.
- 2.2 The provisions under these Regulations only apply to employees directly appointed and managed by the Council. Employees who are appointed and managed by school head teachers/Governing Bodies are, therefore, not required to be included within the scope of the Council's Gender Pay Gap Data. This reflects the unique employment legislation position whereby all schools employees are employed by the local authority, but decisions about the appointment and management of such employees are mostly discharged by head teachers/governing bodies, as appropriate. Caerphilly Schools will not be required to publish and report their own specific figures as no School employs more than 250 staff.
- 2.3 The Council's gender pay gap data is required to be published on our own website and a government website by 30 March each year. The data must include the hourly pay, as both a mean figure, (identifying the difference between the average of men's and women's pay) and the median figure, (identifying the difference between the midpoints in the ranges of men's and women's pay). Employers are encouraged to produce a written statement explaining the data.
- 2.4 The Regulations further require the Council to publish the mean and median gender pay gap relating to bonus pay. Cabinet will be aware that the Council does not offer piecework or bonus incentive schemes.

### **3. LINKS TO STRATEGY**

- 3.1 The report links to the efficient and effective management of the Council's activities. The remuneration of employees is an integral feature of our People Strategy and frameworks, and is a fundamental feature of the employment relationship.

## **4. THE REPORT**

### **The Gender Pay Gap Data and Supporting Statement**

- 4.1 The Council's gender pay gap data is required to be published on an annual basis, once accepted. There is a requirement under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations for this to be undertaken no later than the 30th March each year.
- 4.2 There are six calculations to carry out, and the results must be published on the employer's website and a government website within 12 months. Where applicable, they must be confirmed by an appropriate person, such as a chief executive.
- 4.3 Gender pay reporting is a different requirement to carrying out an equal pay audit.
- 4.4 Employers have the option to provide a narrative with their calculations. This should generally explain the reasons for the results and give details about actions that are being taken to reduce or eliminate the gender pay gap.
- 4.5 The written statement that is attached to this report contains the full details of the Council's gender pay gap position that the Council is required to publish under legislation.
- 4.6 With Cabinet's agreement, the statement will be published on the Council's Website and to the government on line using the gender pay gap reporting service (<https://www.gov.uk/report-gender-pay-gap-data>), and will be available for access by members of the public, press and interested pressure groups.
- 4.7 The Council's gender pay gap data and written statement is based on a high level snapshot of pay within the Council that shows the difference in the average pay between all men and women in our workforce. In accordance with the Specific Duties and Public Authorities Regulations, the data includes all employees of the Council who were paid on 31 March 2017.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 Having considered the five ways of working, the Council's gender pay gap written statement highlights its commitment to the common vision principle of a more equal Wales.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 The data highlights a gender pay gap in favour of males. In this data snapshot the mean gender pay gap difference is 8.9% and the median gap is 8.6%. This does not mean that the Council is paying males and females differently for work deemed to be of equal value. The identification of a gender pay gap provides a trigger for further investigation about the reasons why the gap exists.
- 6.2 The Council has committed to Equal Pay which is a more specific legal concept that deals with the pay differences between men and women carrying out comparable jobs. Equal Pay requires the scrutiny of information at the level of the individual employee to satisfy that there is equal pay for equal work. The Council continues to use the GLPC job evaluation scheme and the HAY job evaluation scheme to satisfy this specific purpose.
- 6.3 The Council recognises the importance of equality not only in the Well-being of Future Generations Act but explicitly through its Strategic Equality Plan 2016-2020; its introduction of

Equal Pay through Single Status and withdrawal of piecework and bonus incentive Schemes in 2009 and its introduction of the Living Wage Foundation minimum hourly rate in 2012.

- 6.4 The gender pay written statement attached confirms the pay received by employees in March 2017 and reports on the facts of the current pay arrangements in place; therefore no specific Equalities Impact Assessment has been undertaken. Any previous changes to pay, terms and conditions that have led to this data have been assessed for equalities issues, as have other reports relating to CCBC employee pay issues such as the Living Wage report.
- 6.5 In determining the pay and remuneration of all of its employees, the Council has complied with all relevant employment legislation, including:
- The Equality Act 2010, including the requirements specifically in relation to Equal Pay
  - Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
  - The Agency Workers Regulations 2010
  - The Transfer of Undertakings (Protection of Employment) Regulations 2006, where relevant;
  - The National Minimum Wage Act 1998.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications arising from the requirement to publish the Council's gender pay gap position.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 The personnel implications arising from the gender pay gap data and the measures taken and proposed to close the Council's gender pay gap further are outlined in the written statement attached to this report.

## **9. CONSULTATIONS**

- 9.1 All consultation responses have been reflected in this report.

## **10. RECOMMENDATIONS**

- 10.1 Cabinet are asked to agree the attached written statement detailing gender pay gap data for publication on the Council's website and Government website on line using the gender pay gap reporting service.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To comply with the legislative requirements of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

## **12. STATUTORY POWER**

- 12.1 Local Government Act 1972  
Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017  
Localism Act 2011  
Local Government (Wales) Measure 2011  
Local Government (Wales) Act 2015

## The Council's Constitution

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- Appendix 1 Written Statement – Gender Pay Gap 2017