



## **CABINET – 22<sup>ND</sup> MARCH 2023**

**SUBJECT: PUBLICATION OF GENDER PAY GAP DATA 2022 – EQUALITY ACT 2010 (SPECIFIC DUTIES AND PUBLIC AUTHORITIES) REGULATIONS 2017**

**REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE SERVICES**

### **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 2022.

### **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 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<sup>th</sup> 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. RECOMMENDATIONS

- 3.1 Cabinet are asked to agree the written statement attached at Appendix 1 detailing gender pay gap data for publication on the Council's website and the Government website on line using the gender pay gap reporting service.

### 4. REASONS FOR THE RECOMMENDATIONS

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

### 5. THE REPORT

- 5.1 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 30<sup>th</sup> March each year.
- 5.2 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.
- 5.3 Gender pay reporting is a different requirement to carrying out an equal pay audit.
- 5.4 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.
- 5.5 The written statement that is attached to this report at Appendix 1 contains the full details of the Council's gender pay gap position that the Council is required to publish under legislation.
- 5.6 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 (**Link To Gender Pay Gap Data**), and will be available for access by members of the public, press and interested pressure groups.
- 5.7 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<sup>st</sup> March 2022.
- 5.8 **Conclusion**

The Council's gender pay gap does not stem from paying male and female employees differently for the same or equivalent work but is the result of roles in which male and females currently work and the salaries that these roles attract. Our gender pay gap is reflective of the causes of gender pay gap at a societal level. The vast majority of posts in the lower quartile of data are part time posts. These are the posts that continue to predominantly attract female applicants.

## **6. ASSUMPTIONS**

- 6.1 It is assumed within this report that whilst the Council continues to deliver diverse services with a very high concentration of part time posts in the lower earnings quartile, the opportunity to close this gap based on the number of females currently occupying said posts will be limited.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 The Public Sector Equality Duty requires the Council to have “due regard” to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups.
- 7.2 The measures as outlined in the Gender Pay Gap Statement align to the Council’s Strategic Equalities Plan 2020 – 2024; Workforce Development Strategy 2021 – 2024; Wellbeing Strategy 2021-24 and the Council’s ambitious Transformation Strategy.
- 7.3 The Gender Pay Gap Statement attached at Appendix 1, outlines the council’s aspirations of being recognised as an employer of choice in terms of our approach to diversity, equalities, and personal well-being. Strengthening Inclusivity and Equality lies at the heart of this Gender Pay Gap Statement and the Strategies that underpin it.
- 7.4 The Council has a predominantly female workforce that represents 71.1% of the data snapshot that underpins this Gender Pay Gap Statement. The effective implementation of the measures and actions contained in the Strategies identified in point 7.2 above and as outlined in the Integrated Impact Assessment attached at Appendix 2, have the potential to positively impact the gender pay gap and support the Council’s wider equalities agenda.

## **8. FINANCIAL IMPLICATIONS**

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

## **9. PERSONNEL IMPLICATIONS**

- 9.1 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 at Appendix 1 to this report.

## **10. CONSULTATIONS**

- 10.1 All comments from consultees have been included in the report.

## **11. STATUTORY POWER**

- 11.1 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

Author: Lynne Donovan, Head of People Services,  
donovl@caerphilly.gov.uk

Consultees: Corporate Management Team  
Cllr Nigel George, Cabinet Member for Corporate Services  
Stephen Harris, Head of Financial Services and S151 Officer  
Robert Tranter, Head of Legal Services and Monitoring Officer  
Nicola Chapman, HR Service Manager  
Lisa Downey, HR Service Manager  
Anwen Cullinane, Senior Policy Officer Equalities and Welsh Language,

Appendices:

Appendix 1 Gender Pay Gap Statement 2022  
Appendix 2 Integrated Impact Assessment