

## SLOUGH BOROUGH COUNCIL

**REPORT TO:** Cabinet **DATE:** 16<sup>th</sup> July 2018

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**WARD(S):** All

**PORTFOLIO:** Regeneration and Strategy, Cllr James Swindlehurst

### PART I NON-KEY DECISION

#### SLOUGH BOROUGH COUNCIL GENDER PAY GAP ACTION PLAN

##### 1 Purpose of Report

To present Cabinet with the Gender Pay Gap Action Plan (GPGAP), which details interventions aimed at understanding the causes of the gap at SBC and closing it in future years.

##### 2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve:

- (a) That the Council's commitment to improving gender equality within the workforce and reduce the gender pay gap in the future be endorsed.
- (b) That it be noted that the plan will be implemented by the People service area, with oversight from the Diversity and Inclusion Steering Group (chaired by Cate Duffy, Director of Children, Learning and Skills).

##### 3 (a) The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

Reducing inequalities and promoting improved outcomes for all groups relates to all aspects of the Slough Joint Wellbeing Strategy's priorities as set out below:

- 1. Protecting vulnerable children
- 2. Increasing life expectancy by focusing on inequalities
- 3. Improving mental health and wellbeing
- 4. Housing

Improving equality of opportunity for all and attracting and retaining the best staff is essential if we are to meet our ambitions for the town. Ensuring that the council remains an attractive place for women to work, thrive and reach their maximum potential is a key element of this plan.

##### (b) Five Year Plan Outcomes

A committed and highly skilled workforce underpins delivery of the Five Year Plan.

4 **Other Implications**

(a) Financial

It is anticipated that most of the actions of the GPGAP will be met within existing budgets; however there may be a need to access additional resources to develop and run specific projects, such as a Women’s Leadership Programme.

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
Endorsement of Gender Pay Gap Action Plan	<p>Legal challenge of non-compliance with Public Sector Equality Duty</p> <p>Unavoidable structural changes in workforce can positively or negatively affect pay gap figure</p> <p>Inequality in the workforce can affect recruitment and retention of talent</p> <p>Failure to be seen to addressing the gender pay gap can cause reputational damage</p> <p>Can help identify any potential areas of indirect discrimination</p>	<p>Reporting requirements met</p> <p>Regular monitoring and narratives around structural changes</p> <p>Regular monitoring of workforce</p> <p>Published action plan in place</p>		<p>Statutory requirement for Gender Pay Gap to be reported annually - public scrutiny of whether we have reduced this over years</p>

(c) Human Rights Act and Other Legal Implications

Slough Borough Council has a statutory duty to eliminate discrimination and promote equality of opportunity for all members of its workforce (Public Sector Equality Duty, Equality Act 2010). It is a statutory duty for the council to publish its gender pay gap annually from March 2018.

Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. The equality impacts will need to be updated as the project is progressed. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

*A public authority must, in the exercise of its functions, have due regard to the need to:*

- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:*

- (a) *remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
- (b) *take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
- (c) *Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.*

*The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*

*Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:*

- (a) *Tackle prejudice, and*
- (b) *Promote understanding.*

*Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:*

- *Age*
- *Disability*
- *Gender reassignment*
- *Pregnancy and maternity*
- *Race,*
- *Religion or belief*
- *Sex*
- *Sexual orientation*
- *Marriage and Civil partnership*

(d) Equalities Impact Assessment

An EIA initial screening has been completed. The Gender Pay Gap specifically identifies differences in average pay between men and women within an organisation's workforce. This has identified that men earn more on average than women as employees at Slough Borough Council. Whilst the plan aims primarily to reduce the pay gap between men and women employees, it is likely that many of the actions will have a positive impact on other under-represented equality groups in the organisation as women have more than one equality characteristic. This is especially the case around the identification of workplace barriers together with better analysis of the workforce lifecycle, including recruitment processes. The council is not proposing any positive action initiatives at this time and any interventions designed to support women will assist the whole work force. Policies such as Flexible and Smart Working are promoted to all and work force surveys will include the whole work force.

(e) Workforce

The council is committed to being an inclusive employer, attracting and retaining a talented and committed workforce from all backgrounds. It is also committed to promoting gender equality and reducing the gender pay gap wherever possible.

## 5 Supporting Information

- 5.1 All organisations employing more than 250 people are now required to publish their gender pay gap results annually under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. In March 2018 the council reported its first gender pay gap of 12.5%. This is better than the national average of 18.4% and around average for public sector organisations. Whilst the gender pay gap of any organisation remains fluid and sensitive to structural changes to the workforce, it should be noted that nationally across the vast majority of organisations, men earn on average more than women. Whilst there is no legal requirement to produce and publish an action plan, there is increased public scrutiny of the actions that organisations are taking to help reduce these gaps wherever possible. Cabinet requested sight of an action plan following the March meeting.
- 5.2 The GPGAP looks at both immediate and longer term interventions that will help reduce the gap at SBC. The People Service commissioned support from RSM HR (who produced and audited the pay gap figures in March), who identified some early actions and recommendations based on available data. These have been substantially reviewed and refined by Christine Ford and Surjit Nagra, as well as comments received on the draft by the Diversity and Inclusion Steering Group.
- 5.3 Local government has always tended to employ larger numbers of women than men. SBC follows this trend with a gender breakdown of approximately 60% women to 40% men. In 2017, women made up 60% of all applicants for positions at the council.
- 5.4 Women are generally well represented and in the majority across the pay grades, up to Salary Level 10 (up to c. £55,000 pa.) However, in keeping with many organisations, women dominate the lowest pay grades and make up the majority of

the part-time work-force. This position is reversed for the most senior positions (over £65,000 pa.) where men outnumber women. Recent female appointments at Service Lead level are to be welcomed and the council still has a number of senior positions vacant. However, it should be noted that these appointments will not be reflected in the pay gap figures until the March 2019 snapshot date which is reported in 2020.

- 5.5 Whilst the action plan has a specific focus on improving representation in senior positions (looking at recruitment and progression), it is very important that we continue to ensure that all women thrive at the council, whatever their position or career aspiration. Ensuring that flexible and smart working are fully embedded into the organisation, and addressing some of the occupational segregation that exists in some roles will be long-term aims that will reduce the gender pay gap and ensure that SBC is an employer of choice and retains talent in the future.
- 5.6 It is important to appreciate the fluid nature of the gender pay gap and the limitations of any specific actions to reduce reported figures. The pay gap can be both positively and negatively influenced by structural changes to an organisation's workforce. We believe that the next reported figure (snap shot date 31 March 2018, reporting date 31 March 2019), will be impacted by 2 key changes in the workforce: the senior management restructure of October 2017 and the transfer back in-house of the Direct Services Organisation ( Environmental Services) DSO, which took place in December 2017.

## 6 **Comments of Other Committees**

This report has not been considered by any other committees.

## 7 **Conclusion**

The promotion of equal opportunities in the workforce is a statutory requirement and essential for the attraction and retention of a high quality workforce. The gender pay gap action plan demonstrates the councils' commitment to improving gender equality throughout the organisation.

## 8 **Appendices Attached**

'A' - Slough Borough Council Gender Pay Gap Action Plan

## 9 **Background Papers**

*Slough Borough Council Annual Equality and Diversity Report 2018.*