

# EAST AYRSHIRE COUNCIL

CABINET - 19 SEPTEMBER 2007

## GENDER EQUALITY DUTY - EQUAL PAY POLICY STATEMENT

### Report by Depute Chief Executive/Executive Director of Corporate Support

#### 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to submit to Cabinet for approval an Equal Pay Policy Statement for East Ayrshire Council.

#### 2. BACKGROUND

- 2.1 Under the Gender Equality Duty the Council must develop and publish an Equal Pay Policy Statement by 28 September 2007 and report on progress within 3 years.
- 2.2 Within the Gender Equality Scheme which was approved by the Council on 21 June 2007, the following statement was made in relation to Equal Pay:-

#### Equal Pay Review

***In accordance with the requirements of the Specific Duty, the Council will develop and publish an equal pay policy including measures to address promotion, development and occupational segregation. The Trade Unions will be involved in both the development and application of the Equal Pay Policy.***

***Under the terms of the 1999 Single Status Agreement the Council has with effect from 1 April 2006 implemented a single Pay and Grading Scheme which removed the previous separate pay arrangements for the former APT&C and Manual Worker employee groups. This revised pay and grading scheme was subjected to an external and independent Equality Impact Assessment.***

- 2.3 There are 4 employee groups within the Council: Teachers and other related posts; Local Government Employees; Craft Operatives and Chief Officers which are employed under the Pay and Conditions of Service agreed by the Scottish Negotiating Committee for Teachers, the Scottish Joint Council for Local Government Employees, the Scottish Joint Council for Craft Operatives and the Scottish Joint Negotiating Committee for Local Authorities Services (Chief Officials) respectively. Although the statement in paragraph 2.2 above makes specific mention of the Single Status Agreement which applies to Local Government Employees, the Equal Pay Policy Statement and the subsequent progress reports require to cover all employees of the Council.
- 2.4 The Equal Opportunities Commission (EOC) has published Guidance for meeting the Specific Duty on Equal Pay. The recommendations contained in this report take account of that guidance.

## EAST AYRSHIRE COUNCIL

### GENDER EQUALITY DUTY - EQUAL PAY POLICY STATEMENT ACTION PLAN

#### 1. PAY ARRANGEMENTS

No.	Action	Output	Timescale	Responsible officer
1.1	Carry out pay audit in all employee groups	Ensure that pay arrangements are fair, just and lawful	March 2010	Head of Personnel and Executive Director of Educational and Social Services
1.2	Report outcome of pay audit	Submit reports to Cabinet, Central JCC and LNCT	April 2010	Head of Personnel
1.3	Outcome of pay audit	Take any remedial action necessary	2010 onwards	Head of Personnel

#### 2. OCCUPATIONAL SEGREGATION

No.	Action	Output	Timescale	Responsible officer
2.1	Gather and publish occupational segregation statistics	Provide statistics on which to identify possible action to be taken	Annually with 1 April census date	Head of Personnel
2.2	Analyse statistics and recommend action	To develop interventions to address occupational segregation	Annually following census date	Head of Personnel and Executive Directors

#### 3. CAREER PROGRESSION

No.	Action	Output	Timescale	Responsible officer
3.1	Audit EAGER outcomes	Ensure that EAGER outcomes are free from bias	Annually in accordance with EAGER timetables	Head of Personnel and Executive Directors
3.2	Evaluate audit of EAGER	To identify any possible actions needed to enhance career progression	Annually following audit	Head of Personnel and Executive Directors

#### 4. CARING RESPONSIBILITIES

<b>No.</b>	<b>Action</b>	<b>Output</b>	<b>Timescale</b>	<b>Responsible officer</b>
4.1	Carry out audit of utilisation of Work Life Balance provisions	Provide statistical information on which to identify possible action to be taken	Annually with 1 April census date	Head of Personnel
4.2	Analyse statistics and recommend any action required	To develop actions to ensure Work Life Balance provisions remain effective	Annually following census date	Head of Personnel

- 2.5 The EOC Guidance records that “the gender pay gap is not caused solely by men and women receiving different pay for doing the same or similar jobs, or work of equal value. It is also caused by training and employment practices which impact on women in different ways to men. All of these factors underpinning the pay gap can be addressed, to some degree, by employment policy and practice.”
- 2.6 Having regard to the EOC’s guidance, the Equal Pay Policy statement will reflect the following elements:-
- Job Segregation (where men and women are predominate in a particular job e.g. personal carers being mainly female)
  - Barriers to Career Progression
  - Caring responsibilities
  - Pay Systems

### **3. CURRENT POSITION**

3.1 The situation in relation to Equal Pay is different for each of the 4 employee groups within the Council. In this connection the following issues should be acknowledged:-

#### **3.2 Teachers and other related posts**

3.2.1 The pay arrangements are set by the Scottish Negotiating Committee for Teachers. The current structure of the pay arrangements emanates from the McCrone proposals which were agreed in 2001 and contained in the document – A Teaching Profession for the 21<sup>st</sup> Century. Part of these pay arrangements was the implementation of Job Sizing which assimilated existing employees to posts within the revised staffing structures in schools and other appropriate establishments.

#### **3.3 Local Government Employees**

3.3.1 The Council has implemented the pay element of the 1999 Single Status Agreement by approving a revised Pay and Grading Scheme which has brought together the former separate pay and grading arrangements for the former Manual Worker and APT&C employee groups.

3.3.2 The Council’s revised Pay and Grading Scheme for Local Government Employees was subject to an Equality Impact Assessment carried out by an independent external consultant. The consultant confirmed that she was prepared to endorse the proposed East Ayrshire Council pay and grading scheme as both addressing previous pay inequality and being non-discriminatory.

3.3.3 The Council has still to implement revised conditions of service, recommendations in respect of which a report will be made to Cabinet in the autumn.

3.3.4 Separately, in order to address the possibility of Equal Pay claims being made to the Employment Tribunal, the Council made compensation payments to around 1,500 female former manual workers.

3.3.5 However, the Council also faces 150 Equal Pay claims at the Employment Tribunal from some former Manual Worker employees who rejected the compensation payments and also from former APT&C employees who were not part of the employee groups to whom compensation payments were offered.

### 3.4 Craft Operatives

3.4.1 Discussions are currently taking place with the Trade Unions on a modernisation agreement within Building and Works which will consider the implementation of a new pay and grading scheme for Craft Operatives. It is anticipated that recommendations on the proposed modernisation agreement will be submitted to Cabinet later in the year.

### 3.5 Chief Officers

3.5.1 The Council in agreeing a revised management structure in November 2006 agreed also that a further review be carried out post 2008 after the new structure had been in place for at least twelve months. A report will be submitted to Cabinet in 2008 following this review.

## 4. PROPOSALS

4.1 It is proposed that the Council adopts the attached Equal Pay Policy Statement.

4.1.1 The Equal Pay Policy Statement demonstrates:-

- A commitment to carrying out equal pay reviews and to put in place arrangements to monitor pay regularly in accordance with agreed joint consultative mechanisms
- The identification of objectives to ensure equality in the Council's pay arrangements
- A clear action plan to support to pursuit of its equal pay objectives

## 5. POLICY AND LEGAL IMPLICATIONS

5.1 The approval of the Equal Pay Policy Statement will enable the Council to meet its statutory obligations in respect of the overall Gender Equality Duty.

## 6. COMMUNITY PLAN

6.1 The Equal Pay Gender Equality Scheme and its related Action Plan will contribute to the achievement of all aspects of the Community Plan.

## 7. FINANCIAL IMPLICATIONS

7.1 Any additional costs arising from the adoption of the Equal Pay Policy Statement will be met from departmental budgets.

## **8. RECOMMENDATIONS**

8.1 Cabinet is recommended to

- i) approve the Equal Pay Policy Statement and related Action Plan; and
- ii) to otherwise note the report.

**Elizabeth Morton**

**Depute Chief Executive/Executive Director of Corporate Support**

**27 August 2007**

### **BACKGROUND PAPERS**

1. Report of 5 March 2007 on the Gender Equality Duty by the Depute Chief Executive/Executive Director of Corporate Support approved by the Policy and Resources Committee on 27 March 2007.
2. Report of 13 June 2007 on the Gender Equality Scheme by the Depute Chief Executive/Executive Director of Corporate Support approved by Council on 21 June 2007.

Anyone wishing further information should contact Martin Rose, Head of Personnel (tel: 01563 576092).

**EAST AYRSHIRE COUNCIL**  
**EQUAL PAY POLICY STATEMENT**

**CONTENTS**

1. Introduction
2. Objectives
3. Scope of the Equal Pay Policy Statement
  - Pay Arrangements
  - Job Segregation
  - Barriers to Career progression
  - Caring Responsibilities
4. Transparency and Communication
5. Information Gathering and Publication
6. Monitoring
7. Action Plan

**EAST AYRSHIRE COUNCIL**  
**EQUAL PAY POLICY STATEMENT**

**1. INTRODUCTION**

- 1.1 East Ayrshire Council is committed to the principle of equal pay for all our employees and to ensure that the pay arrangements which we have in place are free from bias on any grounds including sex, race or disability.
- 1.2 The Council's commitment to ensuring equal pay is underpinned by its understanding of the legislative requirements applying to this area of activity and by a further commitment to ensure that it contributes through the relevant national negotiating bodies to the pursuit of equal pay in the nationally agreed pay arrangements.
- 1.3 The Council believes that as both an employer and a provider of services it has duty to ensure that the way it treats its employees is seen in a positive way by both its employees and the people it serves.
- 1.4 The Council will take account of the Guidance published by the Commission for Equality and Human Rights on meeting the specific duty on Equal Pay.

**2. OBJECTIVES**

- 2.1 The Council's equal pay objectives are:-
- to ensure that any unfair, unjust or unlawful practices that impact on pay are eliminated; and
  - to take appropriate remedial action to address any elements of the pay arrangements that may be unfair, unjust or unlawful.

**3. SCOPE OF THE EQUAL PAY POLICY STATEMENT**

- 3.1 The four key areas covered by the Policy Statement are:-

3.1.1 Pay Arrangements

- 3.1.2 The Council's workforce comprises four employee groups whose pay and conditions of service are set in different ways and under different national negotiating arrangements. These are as follows:-

- Scottish Joint Council for Local Government Employees
- Scottish Negotiating Committee for Teachers
- Scottish Joint Council for Craft Operatives
- Scottish Joint Negotiating Committee for Local Authorities Services (Chief Officials)

3.1.3 These national negotiating bodies reach various agreements which are binding on employing authorities but are augmented by local agreements in respect of a range of matters principally but not solely conditions of service.

### 3.2 Occupational Segregation

3.2.1 Currently the Council's workforce shows considerable levels of occupational segregation. Action will be taken to ensure that a complete profile of the extent of occupational segregation is carried out and that specific actions are identified to address it.

### 3.3 Barriers to Career Progression

3.3.1 The Council has in place training and development arrangements which amongst other things contribute to the career development and progression of employees.

3.3.2 The Council will ensure that its various training and development arrangements continue to assist employees to develop their careers and it will do this by ensuring that account is taken of any barriers that employees may face in this regard. Specifically the EAGER process will be audited and monitored to ensure it remains effective and contributes positively to career development and progression.

### 3.4 Caring Responsibilities

3.4.1 The Council has a comprehensive and well-established Work Life Balance Programme including:-

- Flexible Working Hours
- Term-time working
- Compressed hours
- Career breaks
- Home working
- Child Care Vouchers
- Special Leave to cover emergencies

3.4.2 The above provisions will be kept under review to ensure that they remain effective and relevant and that they are amended appropriately where evidence and experience suggests that amendments are required.

## 4. **TRANSPARENCY AND COMMUNICATION**

4.1 The Council will ensure that all employees of the Council are aware of the arrangements for setting their pay and remuneration. This will be undertaken through the established joint consultation arrangements and by publicity through the Council's intranet, in-house publications and circulars.

## **5. INFORMATION GATHERING AND PUBLICATION**

5.1 The Council will gather and publish on an annual basis the following workforce information analysed by gender:-

- Pay hierarchy
- Job applications
- Promotion applications
- Discipline and Grievance Cases
- Training and Development Opportunities
- Exit interviews

## **6. MONITORING ARRANGEMENTS**

6.1 The information gathered in Section 5.1 above will be reported to Cabinet and to the Central Joint Consultative Committee and the Local Negotiating Committee for Teachers.

6.2 The information gathered through the monitoring arrangements will be published on the Council's Website and Intranet.

6.3 Notwithstanding specific audit or review frequencies contained in the Action Plan, all of the above elements will be covered in the annual Equalities Review report which will be submitted to Cabinet in May each year.

## **7. ACTION PLAN**

7.1 The attached Action Plan outlines the actions which will be taken to address the four key areas covered by the Policy Statement.

**August 2007**