

Gender Pay Gap Reporting Action Plan

March 2018

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Background and Context

There are two sets of regulations which impose the mandatory gender pay gap reporting obligations on employers. They are nearly identical, require the same set of calculations but have a few minor differences that an employer will need to take into account which are highlighted throughout this guide.

- i. **Most government departments, the armed forces, local authorities, NHS bodies and many others** must follow The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. The full list can be found in Schedule 2 of the regulations and includes non-devolved or cross-border authorities operating across England, Scotland and Wales (such as the NHS). The obligations apply if employers have 250 or more employees on the snapshot date of 31 March of a given year.
- ii. **All other private, voluntary and public sector employers** must follow The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. The obligations apply if employers have 250 or more employees on the snapshot date of 5 April of a given year.

The Trust sits within the first regulations. The gender pay gap differs from equal pay.

Equal pay deals with the pay differences between **men and women who carry out the same jobs, similar jobs or work of equal value**. It is unlawful to pay people unequally because they are a man or a woman.

The gender pay gap shows the differences in the **average pay between men and women**. If a workplace has a particularly high gender pay gap, this can indicate there may be a number of issues to deal with, and the individual calculations may help to identify what those issues are. In some cases, the gender pay gap may include unlawful inequality in pay but this is not necessarily the case.

Requirements of gender pay reporting

The Trust has followed the rules in the regulations to calculate the following information:

1. Their mean gender pay gap
2. Their median gender pay gap
3. Their mean bonus gender pay gap
4. Their median bonus gender pay gap
5. Their proportion of males receiving a bonus payment
6. Their proportion of females receiving a bonus payment
7. Their proportion of males and females in each quartile pay band
8. A written statement, authorised by an appropriate senior person, which confirms the accuracy of their calculations. However, this requirement only applies to employers subject to the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

The information must be published on both the employer's website and on a designated government website at www.gov.uk/genderpaygap

The Electronic Staff Records Gender Pay Gap Guidance and Calculations (ESR December 2018) have been used to provide the results included within this report. The ACAS and Government Offices Guidance (ACAS December 2017) has also been used to inform the calculations and requirements.

The Trust is required to use this information to help understand any underlying causes for their gender pay gap and take suitable steps to minimise it. Benefits will differ between employers but can include developing a reputation for being a fair and progressive employer, attracting a wider pool of potential recruits for vacancies and the enhanced productivity that can come from a workforce that feels valued and engaged in a culture committed to tackling inequality.

It is a legal requirement for all relevant employers to publish their gender pay report. Failing to do this within one year of the snapshot date is unlawful. The Equality and Human Rights Commission has the power to enforce any failure to comply with the regulations. The snapshot date for this data report is **6th February 2018**.

The information must be published within one year of the relevant snapshot date (before March 30th of the following calendar year for public bodies subject to the Specific Duties Regulations, and April 4th for other employers). It will make sense to add gender pay reporting into a sensible point of the Trust's reporting Cycle and we should aim to publish results as soon after the snapshot date as is reasonable for the Trust to do.

The information must be maintained online on the Trust's website for a minimum of three years.

Trust Findings

Following the initial extraction of data in line with the calculations from the ESR guidance, there is indication of disparity within gender pay for males and females within the Trust. This indication is evident within the bonus pay. It is suggested that this may be a distortion due to the inclusion of Medical and Dental staff who are predominately male.

This indication needs further investigation and the associated actions within the action plan support the Trusts commitment to equality practices and to meeting compliance to the Gender Pay Reporting Regulations 2017.

Implementation and Governance

The action plan and reporting of Gender Pay will be led via the Workforce Directorate and reported through the Workforce Matters Committee.

Each action identified for compliance is graded using the following grading key:

RED	Update required / no evidence or plan for compliance
AMBER	Ongoing and good practice in places need actions to have Trust wide compliance / compliance met needs to be robust and sustainable
GREEN	Compliance met from a Trust wide perspective
BLUE	Complete

Analysis Evidence / Outcome	Actions	Responsible Lead	Review / Completion Timescale	RAG
a) There is an indication of distortion between the rates of pay and bonus pay for males and females across the Trust.	<ol style="list-style-type: none"> 1. Undertake a separate analysis of Agenda for Change staff using the criteria and methodology within the guidance from ESR (2017). 2. Undertake a separate analysis for Dental and Medical Staff respectively using the criteria and methodology within the guidance from ESR (2017) 3. Compare the findings of the above in reference to the findings submitted as a whole Trust Staff group. 4. Report on these findings to the Trust Board sub-committee Workforce and Development. 5. Develop as required from the findings appropriate actions to mitigate any identified distortion between the gender groups. 6. Publish the findings and associate actions onto Trust website. 	ESR Lead and Equality & Inclusion Manager	End May 2018	Amber
b) Previous work undertaken by Exeter University Business School did not identify gender pay distortions	<ol style="list-style-type: none"> 1. Review original report and recommendations in reference to the analysis undertaken following the ESR guidance and presented to the Workforce and Development Committee in March 2018. 2. Report findings and any identified associated actions to the Workforce and Development Committee 	ESR Lead and Equality & Inclusion Manager	End May 2018.	Amber
c) Meeting Legal Compliance-Publication of action plans and findings	<ol style="list-style-type: none"> 1. To meet legal compliance by 30th March 2018 upload and publish the findings and report submitted to March 2018 workforce and development committee. 2. By end May/ June publish the reports, findings and associated action plans for the above two actions (a&b) of this action plan. 	ESR Lead and Equality & Inclusion Manager	June 2018	Amber