

Gender Pay Gap Report of the County Solicitor

1. Introduction

- 1.1. Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, Devon County Council is required to publish Gender Pay Gap figures on its own and the government's website annually from 2018. The data provided must be based on pay as at 31st March the preceding year (i.e. 31st March 2017 for the 2018 submission).
- 1.2. A Gender Pay Gap (GPG) is the difference between the average earnings of men and women, expressed relative to men's earnings, for example, 'women earn 15% less than men'. It is an indicator of the differences in opportunity and choices of men and women within the work place. It is not a measure of equal pay i.e. whether men and women receive equal pay for equal work. A GPG does not necessarily mean an organisation has acted inappropriately or discriminatorily.
- 1.3. The Government state that gaps exist nationally for many complex and overlapping reasons, including:
 - 1.3.1. 'A higher proportion of women choose occupations that offer less financial reward (e.g. administration). Many high paying sectors are disproportionately made up of male workers (e.g. information and communications technology).
 - 1.3.2. A much higher proportion of women work part-time and part-time workers earn less than their full-time counterparts on average.
 - 1.3.3. Women are still less likely to progress up the career ladder into high paying senior roles
- 1.4. The Regulations stipulate that for this purpose employees of Devon maintained schools should be treated as being employed by the governing body of the school and not as Council employees. Consequently, employees in maintained schools are excluded from the Council's calculations. The duty to report GPG information applies to organisations with 250 or more employees. None of Devon's maintained schools individually exceed this figure and so will not need to make a submission. However, there are federations of multiple schools which collectively exceed 250 employees and HR advice has been provided to these federations.

2. Devon County Council's Gender Pay Gap figures

- 2.1 The Council's mean¹ GPG is 13.5%, the median² is 17%. This means that on average female employees are paid either 13.5% or 17% less than male employees, depending on which figure is used. However, it is important to remember that this does not suggest that men are being paid more for doing the same job as women. Everyone performing the same role at DCC is paid the same grade irrespective of their gender.

¹ Mean is a form of average achieved by adding a number of items together and then dividing by the number of items.

² Median is the middle point of a group of numbers, in which half the numbers are greater than and half are less than the middle point.

2.2 Pay Quartiles

Pay Quartiles ³	Female	Male
Upper (highest paid quarter of employees)	58%	42%
Upper middle (next highest paid quarter of employees)	72%	28%
Lower middle	76%	24%
Lower (lowest paid quarter of employees)	78%	22%

The table above shows the percentage of men and women in each pay quartile. The Upper Quartile contains the top 25% of earners in the Authority and is made up of 58% women and 42% men. The percentage of women increases down through the quartiles, with 78% of women in the Lower Quartile.

- 2.3. As the Council does not pay bonuses the percentage difference between men and women's bonuses is 0.

3. External Comparisons

3.1 National Averages

DCC's 17% median GPG is lower than the 18.4%⁴ national average. The Office of National Statistics (ONS) publish Public Sector statistics for full-time employees only⁵ so the Council's fulltime employee GPG has also been calculated. The public sector fulltime average is 13.1% which is significantly greater than DCC's 8.8% for fulltime employees.

3.2. Council Averages

3.2.1 It has been suggested that the LGA are liaising with some councils due to concerns that some published figures are statistically unlikely, so we may see adjustments to a few figures over coming weeks. However, based on the current published figures the County Council median is 13.1%⁶ so DCC's GPG is greater than national County Council averages.

3.2.2. Statistics show that GPG's are significantly affected by gender proportions of front line staff (not just the proportion of women in senior posts as focused on by the media). Organisations and industries that have female dominated frontline staff such as care workers are more likely to have a bigger gender pay gap than those whose front-line staff are male dominated such as waste management services. So there is minimal benefit in comparing ourselves to different types of public sector organisations in the region such as Exeter City Council, as the services they provide are very different to DCC's.

3.2.3. Even when comparing ourselves to the most similar organisations such other County Councils, we should be mindful that figures will be affected by which services are provided inhouse, outsourced and shared. The variation of how services are delivered is considerable between councils, there are many different models across the country for the provision of Social Care, Waste Services, Business Admin and Support, IT, HR/Payroll and Property. For

³ Quartiles – A ranked set of data divided into four equal groups, each comprising a quarter of the data so that the upper quartile is the top 25%, the upper middle is the next 25% and so on.

⁴ Office of National Statistics 2017

⁵ Full-time is defined as more than 30 hours per week

⁶ LGA – The Gender Pay Gap in Local Government 2018

example, Gloucestershire County Council has an inhouse fire service which is typically very male dominated, so this is likely to affect their GPG. The services that are performed inhouse, outsourced and shared are likely to influence Councils' GPG.

4. The causes of DCC's Gender Pay Gap

4.1. A high proportion of women in low graded posts;

4.1.1 The main cause of DCC's GPG is that the Council has significantly more women than men in lower graded posts. There are considerably more women than men on grades A to H, but the differential reduces at Grade T and above (as seen in the graph in Appendix 1)

4.1.2. It is believed that the reasons for female dominance in low graded posts are consistent with the Government's reasons for the national GPG (outlined in 1.1). Specifically;

- A higher proportion of low graded posts are either advertised as or can be performed part-time which is commonly attractive to women as it is compatible with their personal requirements such as caring responsibilities.
- Women are more attracted to these types of work than men i.e. administrative and caring roles

4.2 A lower percentage of women in senior posts;

4.2.1 Over half of the highest paid roles (Upper Quartile) are performed by women demonstrating that DCC does recruit and promote women into senior positions. However, the fact that the proportion of women increases down through the quartiles suggests that a representative proportion of the female workforce are either not applying and/or not being selected for senior positions. This disparity of women in each quartile is contributing to the GPG.

4.2.2. Analyses has identified that some of the low paid female dominated roles do not currently have natural progression opportunities, for example School Crossing Patrols and Escorts. In other areas, there is a significant gap between low graded female dominated posts and other skilled or qualified roles within the service, which will make it difficult for women to secure promotion without training or other pro-active initiatives to increase their skills and qualifications.

4.3 A high proportion of female part-timers

4.3.1 On average part-time work is paid less nationally than full time work for many reasons including;

- the type of work that is required on a part-time basis is more likely to require lower skill levels.
- A perception that it is more difficult for senior full-time posts to be performed on a part-time or job share basis than more junior posts that are required fulltime.

4.3.2. The fact that the Council has significantly more part time women than men (34.3% compared to 5%) is a contributing factor to the GPG.

4.4. Workforce age demographic

The ONS state⁷ that age is a significant factor as the GPG significantly increases in employees over 40. It is widely speculated that this is due more women taking time out of work and working part-time to have babies, care for children and elderly relatives. Approximately 70% of the Council's workforce are over 40 so age demographics is also likely to be contributing to DCC's GPG.

5. Reducing DCC's Gender Pay Gap

- 5.1 The Council has committed to take action with the aim of reducing the GPG. We are already;
 - 5.1.1. Conducting further analysis on the causes of DCC's GPG by reviewing service areas with a higher than the average GPG to identify the causes, measures already in place and further actions that could be taken to support a reduction.
 - 5.1.2. Conducting external benchmarking research and analysis, particularly with other County Councils.
- 5.2 Following this internal and external research a Corporate Action Plan will be agreed which is likely to include Corporate wide and Service Area specific actions such as;
 - 5.2.1. Incorporating GPG into Workforce Planning processes to prompt proactive consideration of gender differences (already instigated)
 - 5.2.2. Collecting internal & external recruitment gender statistics to assess the gender ratios of applicants and their progress through recruitment stages
 - 5.2.3. Reviewing service areas where there is a high proportion of women in low graded posts to assess whether there are natural progression opportunities. Where natural progression opportunities exist, analysis will be conducted to see whether an appropriate proportion of women are applying for and attaining promotion. Where natural progression opportunities do not currently exist, consideration will be given to what appropriate action could be taken.
 - 5.2.4. Provide career pathway advice & support
 - 5.2.5. Organise internal careers events
 - 5.2.6. Share & extend current good practice i.e. the PA model where employees regularly move between service areas to facilitate promotion opportunities
 - 5.2.7. Organise gender equality initiatives and events to promote equal opportunity and choice as well as challenge barriers and stereotypical attitudes. i.e. promoting men and senior managers working part-time
 - 5.2.8. Publish articles and case studies on Inside Devon, the corporate website and in the media
- 5.3. The CIPD state that a key driver of the GPG is conflict between professional and caring responsibilities so many organisations are being encouraged to offer more flexible working arrangements and family friendly policies. However, DCC already have a high proportion of part-time workers, a very effective flexible working policy and generous family friendly policies, many of which go further than statutory obligations.
- 5.4. The aim of all initiatives will be to provide and promote opportunity and choices for everyone irrespective of gender. The Council values the benefit that providing flexible working arrangement has for both the Council and its employees so actions should encourage more opportunities and promote them to a wider population i.e. encourage men and senior managers to request part-time working. However it is also important that the Council continues to provide an environment that respects and supports individuals' choices and is not perceived to inadvertently pressurise employees to

⁷ Understanding the Gender Pay Gap in the UK January 2018

make career decisions in order to improve DCC's GPG, such as making women feel they should apply for promotions if they are comfortable in their current role.

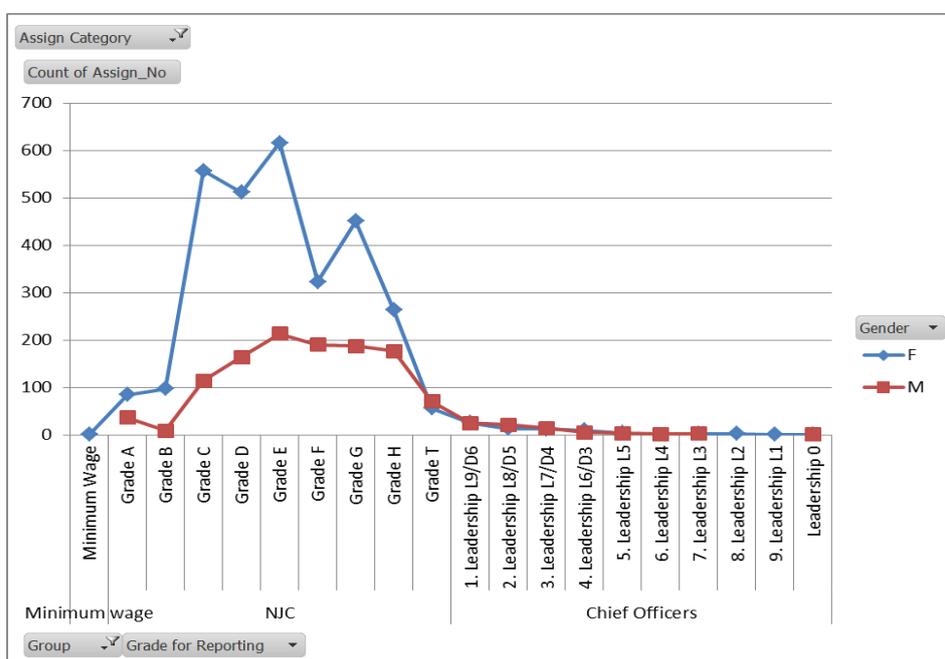
- 5.5. It should also be recognised that some of the reasons for the GPG are out of the Council's direct control. For example, the Council can have limited immediate effect on the careers that men and women choose.

6. Conclusion

- 6.1. Last year PwC predicted that the GPG would not close in the UK until 2041. Research by the Institute of Employment Studies⁸ indicates that 'to make significant progress, multiple initiatives must be pursued over a sustained time period and with co-operation between all key stakeholders, including employers, government, employees, unions and experts/academics'. Therefore although the Council is committed to reducing its GPG and has put in place measures that it hopes will achieve this over time, it is important that expectations are realistic.
- 6.2 The second submission will be based on workforce data from 31st March 2018 which was before any action had been taken. There have not been any significant transfers in or out of the Council during the period between the two first submissions, therefore it is expected that the second GPG figures will not have changed significantly from the first.

Jan Shadbolt
County Solicitor

Appendix 1 – Number of employees by Grade and Gender



The graph above shows that the Council has significantly more women than men on grades A to H, but the differential reduces at Grade T and above.

Devon County Council's Full-time and Part-time Ratios

	Fulltime	Part-time
Men	24.6%	4.5%
Women	36.6%	34.3%

⁸ <http://www.employment-studies.co.uk/resource/tackling-gender-disability-and-ethnicity-pay-gaps-progress-review>