

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 18th March 2019

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WARD(S): All

PORTFOLIO: Regeneration and Strategy, Cllr James Swindlehurst

PART I **NON-KEY DECISION**

STATUTORY EQUALITIES REPORT (INCLUDING GENDER PAY GAP REPORT)

1 Purpose of Report

To present to Cabinet the *2019 Equality and Diversity Report* in accordance with the Public Sector Equality Duty (Equality Act 2010). This includes the 2018 gender pay gap figures and update on gender pay gap action plan.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve:

- (a) That the annual developments and progress with the council's current equality objectives be noted:
- (i) To have a representative and inclusive workforce
 - (ii) To reduce inequalities in service access and outcomes
 - (iii) To improve equality of opportunity through fair and evidence-based decision-making
 - (iv) To help foster good community relations and community cohesion
- (b) That the independently calculated and verified results of the 2018 gender pay gap for Slough Borough Council employees and progress with the associated action plan be noted.

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

3b **Five Year Plan Outcomes**

Reducing inequalities and “closing the gaps” is a cornerstone of the vision expressed in the Five Year Plan. Reference to the statutory equality objectives is explicitly made in the Five Year Plan and reflected in the associated outcome plans.

4 **Other Implications**

(a) Financial

There are no financial implications of the proposed action in terms of allocated budgets. There is potential risk of financial penalty for non-compliance with statutory reporting and risk arising from future discrimination claims if the council is found to be in breach of the Equality Act (2010).

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
Progress against Equality Objectives	Legal challenge of non-compliance with Public Sector Equality Duty	Reporting requirements met		Annual updates reported.
Compliance with Gender Pay Gap Reporting	<p>Legal challenge of non-compliance with duty to report gender pay gap.</p> <p>Inequality in the workforce can affect recruitment and retention of staff</p> <p>Can help identify any potential areas of indirect discrimination</p>	<p>Gender Pay Gap has been independently audited and verified as accurate and compliant, based on all currently available payroll data.</p>		Action plan has been developed and monitored.

(c) Human Rights Act and Other Legal Implications

Slough Borough Council has a statutory duty to eliminate discrimination and promote equality of opportunity for its service users and 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.

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

The Gender Pay Gap specifically identifies differences in average pay between men and women within an organisation's workforce. A separate EIA for the gender equality action plan has been completed (July 2018).

(e) Workforce

An equality objective relates specifically to the council's 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 where possible.

Supporting Information

- 5.1 The 2019 Equality and Diversity report shows the council's continued commitment to diversity and inclusion – both in terms of employment and services. We have greatly improved our ability to report on the workforce with the implementation of Agresso in early 2018 and these reports are now produced quarterly for review at CMT. The council employs more women than men, in line with most other local authorities. The workforce is broadly representative in terms of BAME and non BAME staff and applications are received from a diverse applicant pool. However, more work needs to be done to encourage the disclosure of diversity information of existing staff particularly in respect of disability status where non – disclosure is at 70%. Analysis of salaries shows that more can be done to improve ethnic minority and female representation at the most senior salary levels.
- 5.2 The council continues to make steady progress against its main equality objectives and details of these and general developments in equalities work throughout 2018, can be found in the main report (Appendix A).
- 5.3 The 2018 gender pay gap figures show that the gap between men and women's average pay at the council has reduced from the 2017 figures. The mean pay gap has reduced from 12.5% to 4.7%. The median pay gap is now in favour of women at -6.4%. Whilst there are still fewer women than men in the most senior roles in the council (SLT), there is strong representation across all the salary bands and we have made notable female appointments at senior levels (including to the Chief Executive role) in 2018. Although the pay gap figures are affected by structural changes in an organisation (major re-structures and service re-design, the transfer in and out of staff), the council is in a good position to further close the gender pay gap moving forward.
- 5.4 Good progress has been made with the implementation of the gender pay gap action plan over the past 6 months. A senior leadership team Women's Network has been established, staff focus groups on gender equality have taken place and extensive workforce analysis on gender representation is conducted and reported quarterly to Corporate Management Team. A wider Women's Network event is planned for early Spring.
- 5.5 The Equality and Diversity report will be published on www.slough.gov.uk. The gender pay gap figures will also be published on the national gender pay gap website <https://gender-pay-gap.service.gov.uk/>

6 Comments of Other Committees

None

7 **Conclusion**

The promotion of equality and diversity - both for employees and residents - is a key priority for the council. The *2019 Equality and Diversity Report* shows where progress is being made and the challenges that still remain in closing some of the persistent gaps.

8 **Appendices Attached**

'A' - *2019 Equality and Diversity Report*

9 **Background Papers**

None