

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 16th March 2020

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(For all enquiries)

WARD(S): All

PORTFOLIO: Cllr Balvinder S Bains, Inclusive Growth and Skills
Cllr Natasa Pantelic, Health and Wellbeing

PART I **NON-KEY DECISION**

STATUTORY EQUALITIES REPORT (INCLUDING GENDER PAY GAP REPORT)

1 Purpose of Report

To present to Cabinet the *2020 Equality and Diversity Report* in accordance with the Public Sector Equality Duty (Equality Act 2010). This includes the 2019 gender pay gap figures and 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 2019 gender pay gap for Slough Borough Council employees and the associated action plan for 2020-21 be noted.

3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

- (a) 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

(b) **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	Legal challenge of non-compliance with duty to report gender pay gap. Inequality in the workforce can affect recruitment and retention of staff Can help identify any potential areas of indirect discrimination	Gender Pay Gap has been independently audited and verified as accurate and compliant, based on all currently available payroll data.		Action plan has been refreshed for 2020-21

(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 has been 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:

- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *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:

- *remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
- *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;*
- *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:

- *Tackle prejudice, and*
- *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 action plan aims to promote pay gender quality. A separate EIA for the gender equality action was completed in July 2018 and had been refreshed for 2020. No negative impacts have been identified.

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.

5 Supporting Information

- 5.1 The 2020 Equality and Diversity report details the council's commitment to diversity and inclusion. In terms of its workforce, the council has improved its ability to collect diversity information on employees and uses regular workforce analysis to support employee inclusion at all levels. The Corporate Management Team receives quarterly updates on diversity and inclusion statistics, and 6 monthly updates with progress against the gender pay gap action plan.
- 5.2 We aim to offer an inclusive environment for all employees to thrive and achieve their full potential. Appointments are based on merit and we are committed to recruiting the best person for the job. Like most other local authorities, the council employs more women than men. Women outnumber men at all salary levels up to £70,000 p.a; however, most Senior Leadership Team post holders are men. This is explored further in the gender pay gap section of the main report (Appendix A). The council is broadly representative in terms of BAME (Black and Minority Ethnic) and non-BAME staff and analysis of recruitment monitoring shows we continue to receive applications from applicants from a wide range of ethnic backgrounds. Around 7% of staff have declared a disability, although there are a high number of non-disclosures in this respect. The council is committed to supporting applicants and staff who have a disability and wishes to encourage disclosure. We have also continued our work supporting LGBT+ colleagues, working with Stonewall as a Diversity Champion.
- 5.3 The council continues to make steady progress against its statutory equality objectives and details of these and general developments in equalities work throughout 2019 can be found in the main report (Appendix A). However, it is recognised that data collection needs to be improved across service areas to help identify main equalities issues and shape future policies to close these gaps.
- 5.4 The 2019 gender pay gap figures show that the mean pay gap has reduced from 4.7% in 2018 to 3.1%. The median pay gap remains in favour of women at -2.8%.
- 5.5 A key action of the first gender pay gap action plan was to establish a Women's Network group. The SBC Women's Network was established in 2019 and is open to all female employees, at all levels of the council. The Network seeks to inform the development of council policy and procedures relating to the working lives of female staff and enable them to come to together, share experiences, opportunities and

knowledge, offer mutual support and discuss issues that are important to them .Key themes for the first year are organisational values and behaviours, career progression, culture and policy review.

- 5.6 The gender pay gap action plan has been refreshed to reflect the latest findings on what interventions are most effective in closing the gap and promoting gender equality, and is included in the final report.
- 5.7 The 2020 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 *2020 Equality and Diversity Report* shows where progress is being made and the challenges that still remain in closing some of the persistent gaps. In terms of gender equality, the council is one of a very few organisation to have a negative median gender pay gap. However, although representation of women is good across all salary bands, there remains under –representation in the most senior positions (£70,000) p.a. The council is committed to reducing the gap still further and has an action plan in place.

8 **Appendices Attached**

'A' - *2020 Equality and Diversity Report*

9 **Background Papers**

1. Five Year Plan