GENDER PAY GAP (GPG) REPORT 2018

Executive summary

1. This paper invites Leadership Group (LG) to agree to the publication of the Gender Pay Gap Report 2018 (on data as at 31 March 2018). The SPCB is required to report by 30 March 2019. The report is attached as an annex to this paper.

Issues and Options

2. The SPCB has a legal duty to publish its data on the GPG. Publishing the results of the data meets the requirements of the Equality Act (2010) to demonstrate compliance with the public-sector duty where the SPCB must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between person who shares a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share relevant protected characteristics.

3. The main highlights from the report include:

- The GPG for 2018 is 2.9%. The 2017 report identified a GPG of 3.8%. SPCB agreed to a GPG target within a range of plus or minus 5%. The 2018 GPG for the Scottish Public Sector is 14.5%.

- The GPG has fallen from the previous report and remained within the tolerance level in this reporting year.

- The gap between the full time male staff to part time female staff is 2.9% a significant contrast to the Scottish population where the pay gap for this measure is 33.6%.

4. For benchmarking purposes, this report compares our findings with the national figures including GPG figures released by ONS in November 2018. Reports from the previous year are also used for comparative purposes.

5. Our GPG action plan for 2018/19 includes a commitment to carry out a pay gap analysis on ethnicity and disability. When reviewing the available data, we found that the data sample was insufficient to provide any meaningful analysis. We are currently liaising with our payroll system provider on how we can
improve this data. It is useful to highlight that the UK government has recently consulted on its plans to introduce ethnicity and disability pay gaps reporting. We will advise LG if this becomes a legal requirement.

6. The Scottish Parliament’s GPG Report 2017 revealed a 40% difference in the median payment made to male and female members of staff under the Exceptional Contribution Scheme (ECS). The report highlighted that this was considerably higher than the overall pay gap (3.8%) for the Scottish Parliament. LG agreed to review the ECS to determine how payments are allocated and identify if there is any gender bias.

7. In 2016, the gender pay gap was 0%. Whilst there were more men rewarded, the median figure was £500 for both men and women. In 2017, there were 12 men and 45 women awarded however men were paid higher resulting in a gender pay gap of 40%. In 2018, the picture is very different. Women were paid higher resulting in a GPG of minus 33%.

<table>
<thead>
<tr>
<th>Year</th>
<th>Male</th>
<th>Female</th>
<th>GPG</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>7</td>
<td>2</td>
<td>0%</td>
</tr>
<tr>
<td>2017</td>
<td>12</td>
<td>45</td>
<td>40%</td>
</tr>
<tr>
<td>2018</td>
<td>16</td>
<td>21</td>
<td>-33%</td>
</tr>
</tbody>
</table>

8. The data above shows that the use of the scheme varies from year to year, for example, only 9 employees received an award in 2016 compared with 57 employees in 2017. There is also a lack of consistency to how payments are awarded, for example, all decisions are purely discretionary with no specific criteria to determine how payments are calculated. Having a range of pay rewards could therefore lead to a GPG (plus or minus) depending overall on how many men /women are awarded and the amounts which they receive.

9. From the data available, it is difficult to conclude that the 2017 40% GPG resulted from a gender bias. The sample set and lack of consistency to how payments are awarded mean that the GPG for the ECS can vary significantly (plus or minus) each year.

10. As the Parliament has committed to policies and procedures that promote gender equality, HR, working with other stakeholders, will develop proposals to improve the ECS before bringing back to LG to decide on any proposed changes.

11. A commitment has been made to five actions from the 2018 GPG report. Actions for 2019 include:

- Continue the Scottish Parliament’s commitment to 5050 by 2020 and its aim to increase diversity at senior levels.
- A GPG within a tolerance level of either plus or minus 5%.
• Introduce pay gap reporting for ethnicity and disability into the next GPG report.
• Support LG’s commitment on reviewing its current reward and recognition arrangements.
• Further analysis on the effect of the uptake of time off in lieu on our GPG.

**Resource Implications**

12. There are no resources implications with publishing the report.

**Dependencies**

13. The delivery plan is dependent on input from the HR office to deliver within agreed timescales.

**Governance issues**

14. LG will monitor and review progress of the plan. This will be reported as part of the organisational performance framework.

15. TUS have been provided with a copy of the report.

**Publication Scheme**

16. This paper can be published subject to the publication of the GP G Report 2018.

**Next steps**

17. If LG agree to publication, the report will be considered by the SPCB at their meeting on 21 March 2019. A Communication Plan will be developed in advance of the publication date. The implications of the GPG report and action plan will be discussed both by the Diversity & Inclusion Board and Women’s Network.

**Decision**

18. Leadership Group is invited to consider the findings of the report and agree to the publication of this report.

**Human Resources Office**

**March 2019**
ANNEXES

Annex 1 – Gender Pay Gap Report 2018