

STAFFING COMMITTEE

Date and Time: - Wednesday 10 February 2021 at 4.00 p.m.
Venue: - Microsoft Teams Meeting
Membership: - Councillors Alam (Chair), Cowles, Read and Watson

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AGENDA

1. Apologies for Absence

To receive the apologies of any Member who is unable to attend the meeting.

2. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

3. Exclusion of the Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

4. Pay Policy Statement 2021 (Pages 2 - 16)

5. Gender Pay Gap 2019-20 (Pages 17 - 30)

6. Urgent Business

To determine any item which the Chair is of the opinion should be considered as a matter of urgency.

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Public Report
Staffing Committee

Committee Name and Date of Committee Meeting

Staffing Committee – 10 February 2021

Report Title

Pay Policy Statement 2021-22

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Ian Henderson, HR Manager

01709 822467 or ian.henderson@rotherham.gov.uk

Ward(s) Affected

None

Report Summary

This report provides detail of the Pay Policy Statement for 2021-22 that the Council is obliged publish under Chapter 8 of the Localism Act 2011.

Recommendations

Staffing Committee is asked to:

1. Accept the Pay Policy Statement for 2021-22 (Appendix 1)
2. Recommend approval of the statement by Council.

List of Appendices Included

Appendix 1 Pay Policy Statement

Background Papers

Local Government Association

CIPFA Best Value Accounting Code of Practice

Freedom of Information

Localism Act 2011

Hutton Review of Fair Pay in the Public Sector: Final Report March 2011

Previous Staffing Committee Reports

Local Government Transparency Code 2015

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Pay Policy Statement 2021-22

1. Background

- 1.1 The Localism Act 2011, Chapter 8 Pay Accountability, made it a legal requirement for authorities to produce and publish a Pay Policy Statement by 31 March each year. This must be agreed by Council and detail the remuneration of its Chief Officers.
- 1.2 The Council must then comply with the Pay Policy Statement for the financial year in making any determination.
- 1.3 The statement must state:
 - Policies relating to remuneration of Chief Officers (definition includes Directors)
 - Remuneration of its lowest paid employees
 - Relationship between remuneration of Chief Officers and employees who are not Chief Officers
 - The remuneration of its Chief Officers
 - Remuneration of Chief Officers on appointment
 - Increases and additions to remuneration for each Chief Officer
 - Use of performance related pay for Chief Officers
 - Use of bonuses for Chief Officers
 - Benefits in kind to which the Chief Officer is entitled
 - Any increase of enhancement to Chief Officer pension entitlement
 - Approach to payment of Chief Officers and their ceasing to hold office
 - Any amounts payable upon the Chief Officer ceasing to hold office other than that payable by virtue of any enactment
 - Approach to publication and access to information relating to remuneration of Chief Officers
- 1.4 In addition, Council should be offered the opportunity to approve salary packages offered for new appointments and exit packages for leavers where the value of either is £100,000 or more.
- 1.5 The Council's Scheme of Delegation has empowered the Staffing Committee to determine conditions of service, employment policies and procedures and remuneration relating to the Chief Executive and Chief Officers, in line with the Pay Policy Statement.
- 1.6 The remuneration of Chief Officers reflects the latest pay award from April 2020 and will be adjusted for any pay award agreed for 2021/22.
- 1.7 In line with usual practice, Staffing Committee is asked to review the Pay Policy Statement for 2021-22 (Appendix 1) and make recommendation to Council.

2. Key Issues

- 2.1 It is a legal requirement for the Council to publish a Pay Policy Statement each year which has been agreed by Council.

3. Options considered and recommended proposal

- 3.1 The format and content of the Pay Policy is in accordance with guidance previously issued by the regional Local Government Employers Association and reflects good practice examples.
- 3.2 It is recommended that Staffing Committee accept the Pay Policy Statement for 2021/22 and recommend the statement by Council.

4. Consultation on proposal

- 4.1 Consultation has taken place with relevant officers in legal and finance.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Staffing Committee's recommendation will go to Council at the meeting scheduled for the 3rd March 2021.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 The financial implications of the pay policy have been factored into the Council's budget position for 2021/22. This ensures that the Council's budgets overall and at a service level are appropriate to support the cost implications of the pay policy statement 2021/22. The salary scales are currently based on the current year and latest pay award, should a further pay award or any other salary base adjustments be agreed the pay policy would need to be amended and the financial implications of those adjustments considered.
- 6.2 There are no direct procurement implications associated with the details contained in the report.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

- 7.1 As set out in the body of the report, the provision of this information complies with the requirements contained within the Localism Act 2011.

8. Human Resources Advice and Implications

- 8.1 The policy statement sets out the arrangements for the salary and related allowances paid to Chief Officers of the Council which have been negotiated

and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, which are incorporated into contracts of employment.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications for children and young people or vulnerable adults

10. Equalities and Human Rights Advice and Implications

10.1 In making any decision the Council is required to have due regard to its equalities duties and in particular with respect to the Equality Act 2010, section 149, part 11 of the public sector duty:

- a) eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Act,
- b) advance equality of opportunity between persons who are a protected characteristics and persons who do not share it and to
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2 The recommendation before the Council will not have any adverse impact on anyone with one or more protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.3 Continued gender pay gap reporting and analysis will enable issues to be identified and mitigating actions to be put in place.

11. Implications for Partners

11.1 There are no implications for partners.

12. Risks and Mitigation

12.1 There is a risk that the authority would face legal action if it failed to comply with legislative requirements to publish the pay policy statement.

13. Accountable Officer(s)

Jo Brown, Assistant Chief Executive

Lee Mann, Assistant Director Human Resources & OD

Approvals obtained on behalf of: -

	Named Officer	Date
Chief Executive		02/02/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	26/01/21
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	19/01/21
Assistant Director of Human Resources (if appropriate)	Lee Mann	13/01/21
Head of Human Resources (if appropriate)		Click here to enter a date.

Report Author: Ian Henderson, HR Manager
01709 822467 or ian.henderson@rotherham.gov.uk
 This report is published on the Council's [website](#).

Assistant Chief Executive's Human Resources

Pay Policy Statement 2021-22

Introduction & Scope

This policy statement sets out the arrangements for the salary and related allowances paid to Chief Officers of the Council, meeting the requirements the Localism Act 2011, and also meeting the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under section 38 to 43 of the Act.

It does not cover teaching staff, whose salaries and terms of conditions of employment are set by the Secretary of State or Academy schools as they are an entirely separate employer covered by the Academies Act 2010 and are responsible for setting salaries for their employees.

The authority is required to publish Chief Officer salaries and disclose details of salaries over £50,000 on an annual basis as part of the Statement of Accounts which is available on the Council's website (<http://www.rotherham.gov.uk/>).

The Council is committed to and supports the principle of equal pay for all its employees.

Equal pay between men and women is a legal right under both United Kingdom and European Law. The Equality Act 2010 requires employers not to discriminate on grounds of sex, gender reassignment, race and disability and similar rules apply to sexual orientation, religion, pregnancy and maternity and age.

The authority applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, which are incorporated into contracts of employment.

Chief Executive and Chief Officers conditions of service are in line with the Joint Negotiating Committees for Chief Executives and Chief Officers. Local agreements and remuneration are determined by Council on recommendation made by the authority's Staffing Committee.

The remuneration of Chief Officers reflects the latest pay award from April 2020 and will be adjusted for any pay award agreed for 2021/22.

This also applies to shared management arrangements with partner organisations, where the job continues to be filled by an employee of the Council.

Definition of officers covered by the Pay Policy Statement

This policy statement covers the following posts:

1. Head of the Paid Service, which in this authority is the post of:
 - Chief Executive
2. Statutory Chief Officers, which in this authority are the posts of:
 - Strategic Director Children and Young People's Services (Director Children's Services)
 - Strategic Director Adults Care, Housing and Public Health (Director Adult Social Services)
 - Strategic Director Finance and Customer Services (Section 151 Chief Finance Officer)
 - Director of Public Health (Director Public Health)
 - Assistant Director Legal Services (Monitoring Officer)
3. Non-statutory Chief Officers, which in this authority are the posts of:
 - Strategic Director Regeneration and Environment
 - Assistant Chief Executive
 - Assistant Director Children's Social Care
 - Assistant Director Human Resources and Organisational Development
 - Assistant Director Financial Services
 - Assistant Director Customer Information and Digital Services
 - Assistant Director Culture, Sport and Tourism
 - Assistant Director Regeneration, Planning and Transport
 - Assistant Director Community Safety and Streetscene
 - Assistant Director Strategic Commissioning
 - Assistant Director Independent Living
 - Assistant Director Housing
 - Assistant Director Education
 - Assistant Director Early Help and Family Engagement
 - Assistant Director Joint Commissioning CCG, Performance and Inclusion

Policy on remunerating Chief Officers

The authority's policy on remunerating Chief Officers is set out on the schedule that is attached to this policy statement at Appendix A. It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities and qualities that is consistent with the authority's requirements of the post in question at the relevant time.

Policy on other aspects of remuneration of Chief Officers

Other aspects of the remuneration of Chief Officers are appropriate to be covered by this policy statement. These other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency, re-employment when in receipt of a Local Government pension or a redundancy/severance payment and pension legislation. These matters are addressed in the schedule attached to this policy statement at Annex B

Pay Relationship

The lowest pay rate in the authority (excluding apprentice rates) equates to a full time equivalent annual salary of £18,198 and can be expressed as an hourly rate of pay of £9.43. This pay rate and salary was determined by the authority as part of a pay scale for employees employed on the National Joint Council Local Government Services Terms and Conditions.

The highest paid salary in this authority is £172,753 which is paid to the Chief Executive.

The ratio between the two salaries, the 'pay multiple' is 9.5 to 1. Against the median salary of £21,748 this multiple reduces to 8 to 1 and against the average salary of £25,944 to 7 to 1.

The Hutton review considered the multiple should be no greater than 20 to 1 (lower is better) and based on the current situation the Council falls well below this threshold. The authority does not have a policy on maintaining or reaching a specific 'pay multiple', however the authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the authority.

These pay rates may increase in accordance with any pay settlements which are reached through the respective national negotiating bodies.

Salary Packages over £100,000

The authority will ensure that before an offer of appointment is made, any salary package for any post that is in excess of £100,000 is considered by Council following recommendation by Staffing Committee.

Flexibility to address recruitment issues for vacant posts

In exceptional circumstances where there are recruitment difficulties; there may be a requirement to consider the payment of temporary market supplements such as 'golden hellos', retention payments or regular monthly payments.

In situations where a market supplement is being considered a report detailing the business case is considered by the Assistant Director of Human Resources & Organisational Development who makes the final decision as to whether a supplement is payable, the amount and the frequency of review. For Chief Officer graded posts where this would result in a pay package in excess of £100k the case will be considered by Council on recommendation made by the Staffing Committee.

Supplements can be reviewed at any time but a review must be undertaken on an annual basis.

Policy Amendment

The Council may seek to change elements within the pay policy as part of any necessary efficiency review or as other circumstances dictate.

This policy statement is reviewed annually and is presented to Council each year for consideration in order to ensure that a policy is in place for the authority prior to the start of each financial year.

Exit Payment Cap and Pension Reforms

It is expected that legislative changes will be implemented in the following areas, in which case the authority will apply changes as appropriate:

- The fixing of a cap on exit payments made to employees departing the public sector
- Recovery of exit payments made to high earners who leave the public sector on or after the implementation date if they return to the public sector within 12 months of leaving.
- Other associated reform of redundancy payment limits and related pension scheme provisions

Pay Policy References

- Agency workers directive 2011
 - Hutton Fair Pay in the Public Sector Final Report (March 2011)
 - Joint Negotiating Committee for Local Authority Chief Executives
 - Joint Negotiating Committee for Chief Officers of Local Authorities
 - Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
 - Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations
 - Localism Act 2011
 - National Joint Council for Local Government Services
 - Representation of the People Act 1983
 - Rotherham Borough Council Scheme of Delegation
 - The Accounts and Audit (England) Regulations (2011)
 - The Equality Act 2010
 - The Secretary of State for CLG Code of Recommended Practice for Local Authorities on Data Transparency
 - Local Government Transparency Code 2015
 - HM Treasury Recovery of Public Sector exit payments
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Appendix A – Policy on Remunerating Chief Officers 2021/22

The remuneration of Chief Officers reflects the latest pay award from April 2020 and will be adjusted for any pay award agreed for 2021/22.

Head of Paid Service and Statutory Officers

Post	Salary Ceiling	Additional Allowances	Bonus	Profit Related Pay	Earn Back	Pension Enhancement
Chief Executive	£172,753	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Children and Young People's Services	£151,967	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Adults Care, Housing and Public Health	£133,756	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Finance and Customer Services	£123,645	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Director of Public Health	£90,205	£20,000 market pay supplement	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Legal Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)

Non-statutory Chief Officers

Post	Salary Ceiling	Additional Allowances	Bonus	Performance Related Pay	Earn Back	Pension Enhancement
Strategic Director Regeneration and Environment	£123,645	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Chief Executive	£105,779	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Children's Social Care	£98,640	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Human Resources and Organisational Development	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Financial Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Customer Information and Digital Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Culture, Sport and Tourism	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Regeneration, Planning and Transport	£90,205	None	The authority does not operate bonus	The authority does not operate	The authority does not operate earn-back	It is not Council policy to award additional

			schemes	performance related pay systems	pay systems	pension entitlement (regulation 31)
Post	Salary Ceiling	Additional Allowances	Bonus	Profit Related Pay	Earn Back	Pension Enhancement
Assistant Director Community Safety and Streetscene	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Strategic Commissioning	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Independent Living	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Housing	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Education	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Early Help and Family Engagement	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Joint Commissioning CCG, Performance and Inclusion	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)

Appendix B - Policy on other aspects of remuneration of Chief Officers 2021/22

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	<p>Posts are advertised and appointed to at the appropriate approved salary for the post unless there is evidence that a successful appointment of a person with the required knowledge, experience, skills, abilities and qualities cannot be made without varying the remuneration package.</p> <p>In such circumstances a variation to the remuneration package is appropriate under the Authority's policy. Any changes will be approved through the Authority's appropriate decision making process.</p> <p>Salary packages over £100,000 require Council approval.</p>
Pay Increases	The authority applies any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations.
Additions to Pay	The Authority does not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	<p>The Authority does not operate a performance related pay system for Chief Officers as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior managers.</p> <p>Any areas of under-performance would be addressed through capability procedures.</p>
Earn-Back (withholding an element of base pay related to performance)	<p>The authority does not operate an earn-back pay system whereby a proportion of the employee salary is held back and only paid if specific targets are achieved as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior managers.</p> <p>Any areas of under-performance would be addressed through capability procedures.</p>
Bonuses	The authority does not have or intends to introduce any bonus schemes.
Termination Payments	<p>The authority's normal redundancy payment arrangements apply to all staff including Chief Officers and the Chief Executive. The authority also applies the appropriate Pensions regulations in circumstances where employees qualify for release of pensions.</p> <p>Council will also be given the opportunity to vote on any severance package with a cost in excess of £100k. The components of any such package will be clearly set out and will include pay in lieu of notice, redundancy payment, pension release costs, settlement payments, holiday pay and any fees or allowances paid.</p>

Transparency	The Authority meets its requirements under the Localism Act, the Local Government Transparency Code 2015 and the Accounts and Audit Regulations in order to ensure it is open and transparent regarding senior officer remuneration.
Re-employment of staff in receipt of a Local Government Pension or a redundancy/severance payment	<p>The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post.</p> <p>If a candidate is a former employee in receipt of a Local Government pension, or received a redundancy payment, this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to that post as it will not exist.</p> <p>The authority will apply the provisions of the Statutory Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant and appropriate. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.</p> <p>The authority will apply the reforms to exit payments in the public sector, which includes the recovery of exit payments, a cap on exit payment value and associated reforms of redundancy payment limits and related pension scheme provisions, as they become law.</p>
Election Fees	<p>The duties of Electoral Registration Officer are undertaken by the authority's Chief Executive, the remuneration for which is included in their annual salary.</p> <p>The authority's Chief Executive is also the Returning Officer for elections, referendums and other polls. The Returning Officer may appoint deputies and by convention, has chosen to appoint the Director of Legal Services as a Deputy Returning Officer.</p> <p>For national elections, referendums or other polls which may be required by statute, fees are paid in accordance with the amounts specified for each poll by the statutory order issued by the Secretary of State.</p> <p>For local Borough and Parish elections a local scale of fees, which has not increased since 2008, is approved by Council</p>

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Committee Name and Date of Committee Meeting

Staffing Committee – 10 February 2021

Report Title

Gender Pay Gap Reporting 2019/2020

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Ian Henderson, HR Manager

01709 822467 or ian.henderson@rotherham.gov.uk

Ward(s) Affected

None

Report Summary

This report provides detail of the Gender Pay Gap information that the Council is obliged to publish under reporting legislation.

Recommendations

Staffing Committee is asked to:

1. Accept the Gender Pay Gap report at Appendix 1
2. Recommend approval for publication

List of Appendices Included

Appendix 1 Gender Pay Gap 2019/20

Background Papers

The Gender Pay Gap in Local Government (Local Government Association)
Equality Act 2010

Gender Pay Gap: Reporting in the Public Sector (Government Equalities Office)

Gender Pay Gap: Closing it Together (Government Equalities Office)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public
No

Gender Pay Gap reporting 2020

1. Background

1.1 In 2017, the government introduced the Gender Pay Gap Information Regulations which require employers with 250 or more employees to publish statutory calculations every year, showing how large the pay gap in their organisation is between their male and female employees. A positive pay gap indicates that men are paid more than women and a negative pay gap that women are paid more than men.

1.2 The gender pay gap shows the difference in the average pay between all men and women in a workforce. The smaller the value of the gap, the more equal the pay gap is between genders. If a workforce has a particularly high gender pay gap, this can indicate there may be a number of issues to deal with and individual calculations may help to identify what those issues are.

1.3 The Council has up to 12 months following the annual snapshot date of 31 March, to publish this information on the Council and Government website.

The deadline to report on details taken at the snapshot date of 31 March 2020 for public sector employers would under normal circumstances be 30 March 2021, however the government has suspended requirements to publish this year due to COVID-19.

However, information on the Council's pay gap is available, and it is therefore proposed to publish on the Council website in line with the usual publication cycle.

1.4 The Council chose to include a narrative with its calculations to explain the reasons for the results and details of actions being taken to reduce or eliminate the gender pay gap. Appendix 1 shows the Council's narrative.

1.5 The Government Equalities Office has identified several "effective" and "promising" actions employers can take to improve recruitment and progression of women and reduce the gender pay gap:

- Include multiple women in shortlists for recruitment and promotions
- Use skill-based assessment tasks in recruitment
- Use structured interviews for recruitment and promotions
- Encourage salary negotiation by showing salary ranges
- Introduce transparency to promotion, pay and reward processes
- Appoint diversity managers and/or diversity task forces
- Improve workplace flexibility for men and women
- Encourage the uptake of Shared Parental Leave
- Recruit returners
- Offer mentoring and sponsorship
- Offer networking programmes

2. Key Issues

- 2.1 The mean value is based on total pay for the group, divided by the number in the group being measured. The mean gender pay gap for the Council at the end of March 2020 decreased from the previous year, falling from **13.4% to 9.1%**.
- 2.2 The median measure is based on the value of the middle most numerical value in an ordered group; in this case pay for both male and female members of staff. The median pay gap increased slightly from **10.6% to 11.2%**.
- 2.3 Analysis of the underlying data did not identify any significant change in the gender composition of the workforce compared to the previous year and the change will therefore be down to fluctuations in the number of and demographics of the workforce.

The Council's pay gap shows that overall men are still paid more than women, however, the figures compare favourably with the average UK gap **15.5%** (Office for National Statistics) and EU average **14.8%** (Eurostat figures published on the European Commission of Justice's website).

RMBC Gender Pay Gap over time

Year	2020	2019	2018	2017	2016	2015	2014	2013
Median Pay Gap	11.2%	10.6%	9.9%	11.5%	12.3%	15.2%	16.2%	18.2%
Mean Pay Gap	9.1%	13.4%	13.3%	12.5%	13.0%	19.0%	17.9%	21.8%

- 2.4 There is no legislative requirement to publish information on other protected characteristics at the moment, however analysis for Black, Asian and minority ethnic (BAME) employees showed the Council had a negative **14.9%** median pay gap and negative **4.6%** mean pay gap. For disabled employees there was a negative **17.1%** median and a negative **6.8%** mean. The negative pay gap indicates that both BAME and disabled employees are paid more than non-BAME/non-disabled employees.
- 2.5 Regionally benchmarking is currently only available for 2019 as no Council in the region has yet published information for 2020.

It is difficult to make like for like comparison with our neighbouring authorities, as each has outsourced different services, some of which can have a significant impact where they include jobs traditionally undertaken by lower paid women.

Council	Median	Mean
Barnsley	0%	6.5%
Doncaster	16.9%	14.6%
Rotherham	10.6%	13.4%
Sheffield	5.6%	1.4%
Yorkshire and Humberside (ONS)	15.1%	10.8%

3. Options considered and recommended proposal

- 3.1 Not to publish in line with government decision to suspend legal reporting requirements due to COVID-19.
- 3.2 To publish on the Council website as in previous years with a narrative to support and explain the information.
- 3.3 Review recruitment and development opportunities and encourage improved workforce flexible working and mentoring opportunities in line with the Government Equalities Office research and the year ahead plan.
- 3.4 It is recommended that options at 3.2 and 3.3 above are implemented.

4. Consultation on proposal

- 4.1 Consultation has taken place with the relevant Cabinet Member.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The deadline for publishing the 2020 gender pay gap is 30 March 2021.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 This report provides a retrospective update on the gender pay gap, as such the costs of staff pay have already been factored into the Council's budget position for 2019/20 and the Council's financial outturn position for 2019/20. There are no identifiable financial implications to note at this point. As the Council continues to close the gap identified, the financial implications of any proposal to do so will be reviewed.
- 6.2 There are no direct procurement implications associated with the details contained in the report.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

- 7.1 The report complies with the normal legislative requirements referred to in the body of the report, although these are currently suspended due to Coronavirus.

In normal circumstances failure to provide this information could result in the Council being subject to court orders and fines.

8. Human Resources Advice and Implications

- 8.1 An appropriately rewarded workforce motivates employees and meets standards of fairness and equality required by employment legislation

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people or vulnerable adults

10. Equalities and Human Rights Advice and Implications

- 10.1 In making any decision the Council is required to have due regard to its equalities duties and in particular with respect to the Equality Act 2010, section 149, part 11 of the public sector duty:

- a) eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Act,
- b) advance equality of opportunity between persons who are a protected characteristics and persons who do not share it and to
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 10.2 The recommendation before the Council will not have any adverse impact on anyone with one or more protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 10.3 Monitoring of the gender pay gap enables the Council to identify any issues in relation to fair pay across the Council and to put in place actions to mitigate.

11. Implications for Partners

- 11.1 There are no implications for partners.

12. Risks and Mitigation

- 12.1 There is a risk that the authority would face legal action if it failed to comply with legislative requirements to publish information on the gender pay gap.

13. Accountable Officer(s)

Jo Brown, Assistant Chief Executive

Lee Mann, Assistant Director Human Resources and Organisational Development

Approvals obtained on behalf of: -

	Named Officer	Date
Chief Executive		02/02/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	25/01/21
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	19/01/21
Assistant Director of Human Resources (if appropriate)	Lee Mann	13/01/21
Head of Human Resources (if appropriate)		Click here to enter a date.

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 This report is published on the Council's [website](#).

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Rotherham Metropolitan Borough Council

Gender Pay Gap Report 2019/20

Introduction

This is the fourth year that we have published this report. Although government guidance has been updated and publication of gender pay gap reports in 2021 is no longer mandatory, the Council remains committed to promoting equality of opportunity and addressing discrimination. At the current time, considering the efforts of every member of our workforce in dealing with the pandemic, it is even more vital to be fully transparent in this key area of analysis.

Following the impact of the coronavirus pandemic, we will see further challenges economically and the potential for employment opportunities to reduce. Our work with the wider Rotherham Together Partnership will become increasingly critical as we aim to raise skills levels, increase employment opportunities and remove barriers to good quality sustainable employment for local people. As previously reported, three quarters of the Council's workforce continue to live in the borough and ensuring equality of opportunity for our workforce and tackling workplace exclusion are critical for the continued success of the Council and sets an example for all other employers within the borough.

Fair pay is important for everyone, but it is worth pointing out that the 'Gender Pay Gap' is not the same issue as 'Equal Pay'. The Council has a longstanding commitment to a transparent approach to pay and grading and is confident employees receive remuneration within the same grade when carrying out the same or equivalent value work.

It is important to stress that the gender pay gap does not stem from paying men and women differently for the same roles across the Council; it is the result of the roles in which men and women work within the organisation and the salaries that these roles attract. The Council is committed to undertaking action which will support a positive reduction in the gender pay gap through development, career progression and not removing lower paid roles from the organisational structure.

During 2019/20, 157 staff started apprenticeship programmes - more than double the number who started in the previous year. The programmes provide opportunities for new and existing staff to develop their skills and gain qualifications that can support their career progression. Of the 157 apprentices, 74% (116) were female.

Our commitment to developing our workforce has continued during our response to the pandemic. From April 2020, a total of 56 new apprenticeships have been started across the Council, providing opportunities for both new and existing staff to grow their skills and support their career development. 84% (47) of these have been development apprenticeships, with current employees taking the opportunity to achieve qualifications to benefit their areas of work. Of the 56 starts, 82% (46) of these were women.

The bespoke Rotherham Leader development programme was launched in 2019 to encourage current managers to grow their leadership skillset and ensure women continue to be represented in senior roles throughout the organisation. There are currently 51 members of staff undertaking the Rotherham Leader programme, with over three quarters of these being female (39). Of the 17 staff members who have now fully completed the programme, 82% (14) of these are women. In addition to our vocational apprenticeship development offer, this programme will help to strengthen talent pipelines to our most senior roles and ensure women continue to be represented at senior levels in the organisation.

The Council's top 5% of earners has remained static over recent years with over two thirds being female and five of the seven members of the Council's Strategic Leadership Team are women.

In the last seven years the Council has seen significant reductions in its gender pay gap with the mean gap reducing from 18.2% to 11.2% and median from 21.8% to 9.1%. I am also pleased to continue to report that BAME and disabled colleagues are on average paid more than their non BAME and non-disabled colleagues.

We will also be refreshing our Workforce Plan in 2021 and the insight this report provides will help to inform our future approach.

Sharon Kemp
Chief Executive
Rotherham Metropolitan Borough Council

Background

The Council is required by law to carry out Gender Pay Reporting on an annual basis in line with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

From 2017, any organisation that has more than 250 employees must publish and report specific figures about their gender pay gap. The gender pay gap is defined in the regulations as the difference between the average earnings of men and that of women, calculated relative to men's earnings. These calculations must be made using payroll information correct as on a specific date.

For public sector organisations the specific date, or snapshot date is the 31 March and information on pay gaps based must be published by 30 March each year.

Maintained schools are responsible for publishing their data separately from the Council, which means that schools data is not included in this report.

Data must be published and reported on the following differences between male and female employees:

- Mean gender pay gap in hourly pay
- Median gender pay gap in hourly pay
- Mean bonus gender pay gap
- Median bonus gender pay gap
- Proportion of males and females receiving a bonus payment
- Proportion of males and females in each pay quartile

On the snapshot date of 31 March 2020, the Council had 4983 employees, females accounted for three quarters of the workforce predominantly in part-time permanent positions, whilst the male workforce was predominantly full-time workers in permanent positions. Since 2010 the number of males working part-time has gradually increased to over one in five, compared to almost two out of three females.

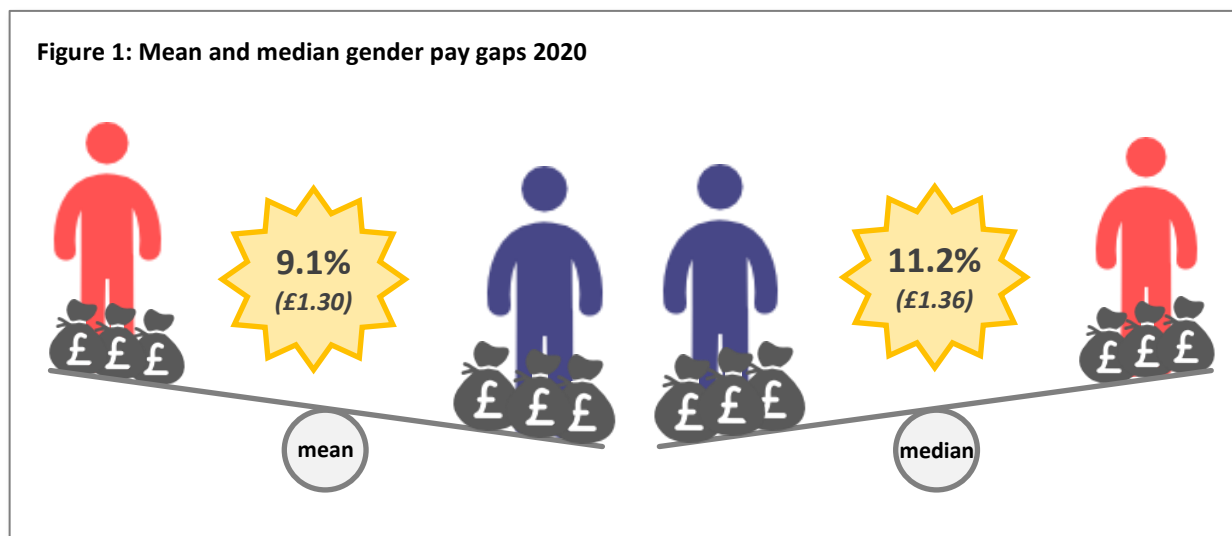
Over the same period the number of women in the top 5% of earners has also gradually increased and at the snapshot date sixty five per cent of the Council's top 5% of earners were female and made up two thirds of the Senior Leadership Team.

The Council has a clear understanding of the overall gender composition of its workforce and regularly monitors its workforce in relation to the other protected characteristics e.g. ethnicity, age, as these can also impact on the extent of any pay gaps.

Data and analysis

Mean and Median Gender Pay Gap

Figure 1: Mean and median gender pay gaps 2020

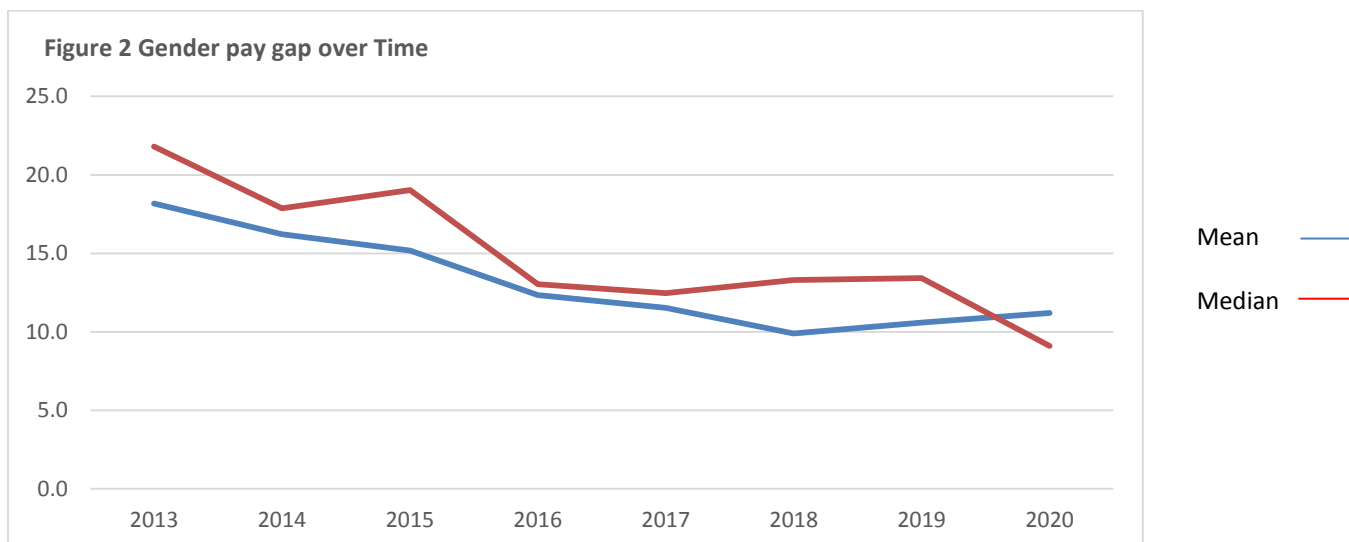


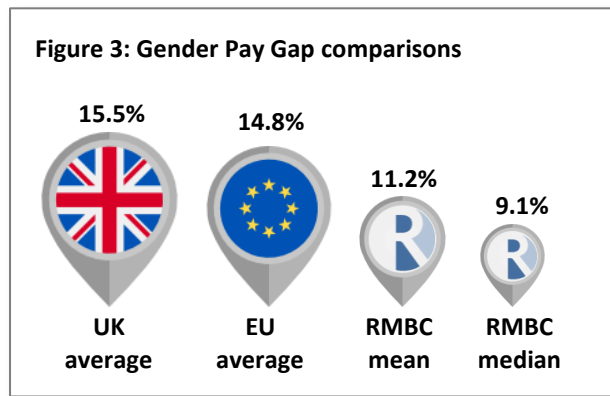
A positive pay gap indicates that men are paid more than women and a negative pay gap that women are paid more than men

The mean gender pay gap for the Council at the end of March 2020 decreased from the previous year, falling from 13.4% to 9.1% whilst the median pay gap increased slightly from 10.6% to 11.2%. Analysis of the underlying data did not identify any significant change in the gender composition of the workforce compared to the previous year and the change will therefore be down to fluctuations in the number of and demographics of the workforce.

Over the last eight years the Council's mean gender pay gap has reduced considerably from 18.2% to 11.2% and the median from 21.8% to 9.1%.

Figure 2 Gender pay gap over Time





The Council's pay gap shows that men were paid more than women, however, the figures compare favourably with the average UK gap of 15.5%, EU average 14.8% (Eurostat figures published on the European Commission of Justice's website) and the lowest EU countries, Belgium, Italy and Luxemburg who are just below 6%.

Currently there is no legislative requirement to publish information on other protected characteristics, however analysis of Black, Asian and minority ethnic (BAME) employees showed the Council had a negative 14.9% median pay gap and negative 4.6% mean pay gap and for disabled employees a negative 17.1% median and a negative 6.8% mean.

The negative pay gaps indicate that both BME and disabled employees are paid more than non-BAME/disabled employees.

Mean and Median Bonus Gender Pay Gap

The Council does not operate any bonus schemes.

Proportion of males and females by pay quartile

Figure 4: Upper quartile by gender

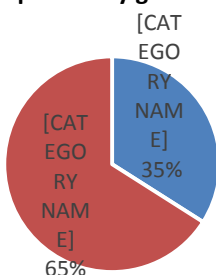


Figure 5: Higher Middle quartile by gender

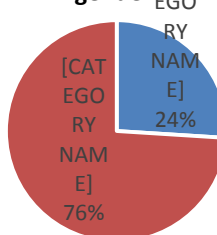


Figure 6: Lower Middle quartile by gender

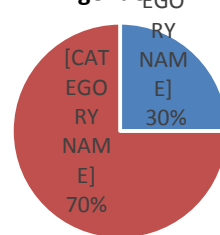
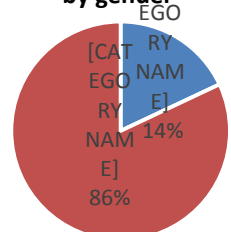


Figure 7: Lower quartile by gender



The gender distribution in the two middle quartiles is broadly in line with the overall workforce representation. In the lower quartile, where the Council has a large number of female employees working in traditionally low-paid cleaning and catering roles, there is an over-representation of female workers. The reverse is true in the upper quartile, where the jobs tend to be professionally qualified or dependent on several years of management or other types of experience. Here, women are under-represented.

When looking at the spread of employees across the pay quartiles, the ideal would be to see a quarter (25%) of all males and females in each of the four quartiles. This has almost been achieved for female employees, however, for male employees there is a discrepancy of nine percentage points between the upper and lower quartiles.

How we are working to close the Gender Pay Gap

The Council continues to take positive steps to improve workplace equality, implementing best practice in line with the Government Equalities Officer report Gender Pay Gap: Closing it Together providing transparency in promotion, pay and reward processes, a range workforce development opportunities and flexible working opportunities designed to enable employees to achieve a work life balance and support for parents and carers, that often goes beyond the minimum statutory requirements, through maternity/adoption leave, paternity leave, maternity support leave and parental leave to help women returning to work to continue their career.

Detailed analysis of the workforce helps identify areas for improvement and informs further action planning for the Year Ahead Plan and future Council Workforce Plan.

Key activities include:

- Ensuring policies are up to date and follow best practice
- Ensuring recruitment campaigns and job adverts are gender neutral and look to recruit through a variety of channels, including non-traditional sources
- Having a workforce that reflects the diversity of Council communities
- Ensuring there is a flexible, fair and transparent reward framework
- Examining and removing barriers to flexible working wherever possible
- Supporting staff with caring responsibilities
- Supporting staff to more effectively balance home and work commitments
- Reviewing of ways of working across the organisation to identify and promote increased flexibility in working practices
- Driving increased flexibility as the norm in roles at all levels of the organisation
- Developing digital skills to support new ways of working
- Enhancing the Council's Learning and Development offer and approach to supporting development and career progression

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