

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**GENERAL PURPOSES COMMITTEE**

**13 March 2024**

**Report of the Interim Chief Executive**

**Part 1- Public**

**Matters for Information**

**1 GENDER PAY GAP REPORT 2022-2023**

**This report summarises the legislative context for gender pay gap reporting, and incorporates the outcomes of the Council's gender pay gap analysis for 2022-2023.**

**1.1 Gender Pay Gap Reporting 2022-2023**

- 1.1.1 The gender pay gap obligations were introduced in 2017 alongside the existing requirements for specified public bodies, including publishing annual information to demonstrate compliance under the Public Sector Equality Duty (PSED) and publishing equality objectives every four years.
- 1.1.2 The Mandatory Gender Pay Gap Reporting requires that organisations should capture data as a snapshot on 31 March and then publish their findings no later than 30 March of the following year. It is similarly required that the data on their websites is maintained for three years in order to show progress made. The Council has continued to publish all information on its website each year dating back to 2017.
- 1.1.3 There is also a requirement for organisations to report on differences in bonus payments but this does not apply since TMBC do not pay bonus payments to any staff.
- 1.1.4 The Equality and Human Rights Commission defines the difference between equal pay and the gender pay gap as follows:
1. Equal pay means that men and women in the same employment performing equal work must receive equal pay, as set out in the Equality Act 2010.
  2. The gender pay gap is a measure of the difference between men's and women's average earnings across an organisation or the labour market. It is expressed as a percentage of men's earnings.
- 1.1.5 Salaries at TMBC are determined through a grading system which evaluates the job and not the post holder. It makes no reference to gender or any other personal

characteristics of existing or potential job holders. Therefore, we are confident that TMBC is paying the same salary to roles of equal value.

1.1.6 The data below represents the gender pay gap snapshot data for TMBC as at 31 March 2023 and is presented as required by the regulations. For comparison purposes, the previous six years data is included (note we do not hold any comparative data before 2017 as this was the first year required to report). This information will be updated annually.

1.1.7 On the 31 March 2023, the Council's workforce gender breakdown was 63% female and 37% male. This represents a 1% increase in the female workforce and a 1% decrease in the male workforce compared to the previous year.

## 1.2 Gender Pay Gap Analysis

### 1.2.1 Mean and Median gender pay gap 31 March 2023

#### Mean gender pay gap in hourly rate as a percentage of men's pay:

	2023	2022	2021	2020	2019	2018	2017
Mean gender pay gap in hourly rate as a percentage of men's pay	18.98%	22.46%	19.80%	19.54%	19.66%	22.63%	23.90%

#### Median gender pay gap in hourly rate as a percentage of men's pay:

	2023	2022	2021	2020	2019	2018	2017
Median gender pay gap in hourly rate as a percentage of men's pay	22.24	29.89%	30.60%	29.52%	29.52%	32.71%	33.60%

### 1.2.2 Analysis of staff by gender in each pay quartile:

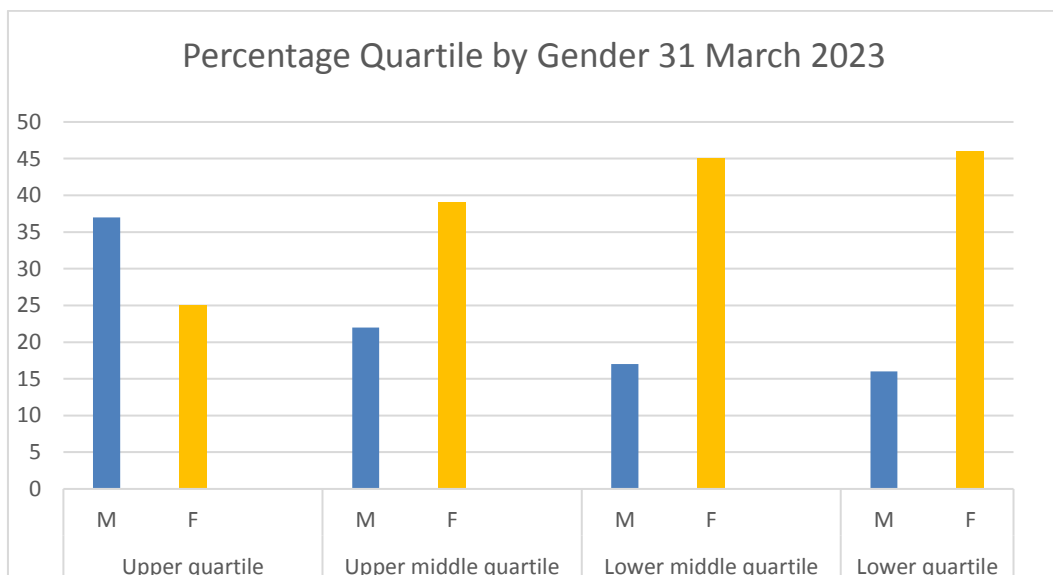
	2023	2022	2021	2020	2019	2018	2017
<b>Upper quartile</b>							
% of males in the quartile	59.68%	61.02%	58.73%	57.81%	56.90%	59.68%	56.30%
% of females in the quartile	40.32%	38.98%	41.27%	42.19%	43.10%	40.32%	43.80%
<b>Upper middle quartile</b>							
% of males in the quartile	36.07%	45.00%	45.16%	42.19%	43.10%	39.68%	42.90%
% of females in the quartile	63.93%	55.00%	54.84%	57.81%	56.90%	60.32%	57.10%
<b>Lower middle quartile</b>							
% of males in the quartile	27.42%	26.67%	28.57%	34.38%	28.10%	26.2%	26.60%
% of females in the quartile	63.93%	73.33%	71.43%	65.63%	71.90%	73.80%	73.40%

Lower quartile							
% of males in the quartile	<b>25.81%</b>	18.33%	25.81%	20.31%	23.40%	23.81%	19.00%
% of females in the quartile	<b>74.19%</b>	81.67%	74.19%	79.69%	76.60%	77.78%	81.00%

- 1.2.3 There has been a positive shift in the mean gender pay gap of 3.48% and a larger positive shift in the median gender pay gap of 7.65% compared to the previous year.
- 1.2.4 It is important to note for that the data used to show an organisation's gender pay gap is taken on the 'snapshot' date of the 31st March each year and it only includes actual staff employed on that date. It is not the average earnings throughout the year. This can have a significant impact on the annual gender pay gap percentage changes, especially for an organisation the size of TMBC which employs approximately 250 employees.
- 1.2.5 One likely reason for the reduction in the size of the Council's gender pay gap is due to the fact that the three most senior positions the Council appointed to during the 2022/23 financial year were posts graded M4, M5 and M6 respectively, all three appointments were taken up by female staff.
- 1.2.6 The turnover rate during 2022/23 was 11.6%.

### 1.3 Actions to try to address the Gender Pay Gap

- 1.3.1 As can be seen from the graph below, the Lower Middle and Lower Earnings Quartiles show the largest disparity between the number of women (higher) and men (lower).



- 1.3.2 There are more female members of staff in the upper middle quartile than there are male.

- 1.3.3 The Council's pay award for 2024/25 will potentially reduce the gender pay gap in the future as staff on grades scale 1 to SO (the grades where the Council has a larger percentage of female staff) received a higher percentage pay award compared to M grade staff.
- 1.3.4 The Government Equalities Office have published guidance for employers on "Reducing the gender pay gap and improving gender equality in organisations". In brief the guidance offered suggests the following actions.
1. Include multiple women in shortlists for recruitment and promotion.
  2. Use skills-based assessment tasks in recruitment.
  3. Use structured interviews for recruitment and promotion.
  4. Encourage salary negotiation by showing salary ranges.
  5. Introduce transparency to promotion, pay and reward processes.
  6. Appoint diversity managers and/or diversity task force.
  7. Improve workplace flexibility for men and women and have a robust family friendly policy.
  8. Encourage the uptake of Shared Parental Leave.
  10. Offer mentoring and sponsorship.
  11. Offer networking programmes.
  12. Set internal targets.
- 1.3.5 Whilst the majority of these actions are being observed to a greater or lesser extent at TMBC, the Council's gender gap profile suggests that it is the lack of men in lower graded jobs that is the cause of the extent of the gap. TMBC have contracted out several services (e.g. refuse, street cleansing, leisure centres) where there are often lower paid jobs filled by men in the majority, which goes some way to explain why TMBC's pay gap is higher than some comparative councils across Kent.
- 1.3.6 All recruitment literature for jobs is written in such a way to attract male, as well as female, applicants. This will be continually monitored and considered each time a new role becomes vacant.
- 1.3.7 During the past few years, like many organisations across the UK, the Council has had to change the way it deploys its workforce by offering a far greater degree of flexible and remote working. This has included staff working remotely from home and working their hours more flexibly. The Council adopted its new 'Remote Working Policy' in December 2022.

- 1.3.8 The remote working policy allows the Council's to offer the majority its workforce a far greater degree of flexibility in which to carry out their role.
- 1.3.9 As well as the remote working policy, the Council has a longstanding 'Flexible Working and Time Off Policy' which details a number of different flexible working approaches and initiatives to enable staff to undertake their role. The Government Equalities Office states that flexible working can help address an organisation's gender pay gap. The Government Equalities Office states that "Well-designed flexible working is key to enable women to reconcile work and caring responsibilities. It can enable women to remain in work and stay in roles that reflect their skills, thereby potentially reducing the gender pay gap".
- 1.3.10 There is a greater understanding of how health issues relating to the menopause can negatively affect women in the workplace with research showing that women leave the workforce early due to the menopause. The Council is committed to undertaking further work in this area to ensure that staff affected by the menopause feel supported at work and can raise concerns openly.
- 1.3.11 During the past twelve months the Council has offered a number of different initiatives around promoting understanding of menopause in the workplace including information sessions for staff, e-learning training for staff and managers as well as a staff support network.
- 1.3.12 The Council is confident that it does not discriminate at any stage of the recruitment process. Ring fencing lower graded jobs where we have a higher proportion of female staff specifically just for men is not considered an appropriate course of action to take.
- 1.3.13 The Council would like to see the gap reduce by as much as reasonably possible each year.

## **1.4 Summary**

- 1.4.1 Overall, during the most recent twelve-month period there has been a positive shift in the mean gender pay gap and a positive shift in the median gender pay gap. It should be noted that both the mean and median pay gaps have narrowed by approximately 4.9% and 11.3% respectively since figures were first published in 2017.

## **1.5 Legal Implications**

- 1.5.1 The data included in this report has been calculated and presented according to the requirements of The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

## **1.6 Financial and Value for Money Considerations**

- 1.6.1 The regulations also require those authorities that award bonuses to publish the mean and median gender bonus gaps and the proportion of men and women who receive bonuses. There is no record of such gaps in the above tables as this Council does not operate a performance related or total contribution pay scheme, and therefore does not award bonuses to staff.

## **1.7 Risk Assessment**

- 1.7.1 The Council supports a range of initiatives for both men and women including flexible working, remote working, job sharing, part time working, and flexitime.

## **1.8 Policy Considerations**

- 1.8.1 Equalities/Diversity

## **1.9 Recommendations**

- 1.9.1 The Committee is asked to note the outcomes of the gender pay gap analysis as reported in Section 1.2 of this report.

Background papers:

Nil

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