

Meeting title:	Trust Board (Public) Public Trust Board paper H
Date of the meeting:	13 April 2023
Title:	Gender Pay Gap Reporting
Report presented by:	Clare Teeney, Chief People Officer
Report written by:	Sandy Zavery, Head of Equality, Diversity, and Inclusion

Action – this paper is for:	Decision/Approval		Assurance	x	Update	
Where this report has been discussed previously	The data has been shared with our staff network chair's and was presented to the People and Culture Committee on the 30 March 2023.					

To your knowledge, does the report provide assurance or mitigate any significant risks? If yes, please detail which
The report provides assurance, identifies gaps and implements actions that mitigate any adverse impact on protected groups. The report is also to ensure that the Trust is compliant against our legal and moral responsibilities under Equality Act 2010, PSED and Government Equalities Office. Failure to comply may lead to compliance notice and judicial review.

Impact assessment
The impact would be on staffing, staff moral and ultimately leading to poor service delivery, will potentially have financial, reputation and legal implications.

Acronyms used include: Gender Pay Gap (GPG), Public Sector Equality Duty (PSED)

Purpose of the Report

University Hospitals of Leicester NHS Trust wants to ensure that equity of employment is considered for all groups by meeting our legal duty under the Equality Act 2010 and various other pieces of legislation such as Equal pay which is a legal obligation under the Equality Act 2010.

The aim of this report is to present the Trust Gender Pay Gap (GPG) differences between male and female staff for the period 2021 – 2022.

Recommendation

The Board is asked to:

- Receive assurance that UHL is operating in line with statutory requirements and has published their GPG by the 30 March 2023
- Receive assurance that the Trust is implementing actions to improve the pay gap between female and male staff
- Note the proposed actions to address gender disparities and the development of an onward plan which is linked to UHL strategic objectives

Summary

The GPG reporting regulations were introduced in 2017, with the aim to narrow and eliminate, the pay differences between women and men. It is a requirement for organisations with more than 250 employees to report and publish their GPG by the 30 March each year.

The Trust has, year on year, undertaken the analysis to identify gaps and implement actions that reduce the disparities between male and female staff.

The Trust follows the national NHS pay scheme ensuring transparency, fair and equitable pay for all staff. All jobs at UHL are evaluated and placed within a grade, dependant on the responsibility within the role. Each grade has different levels of pay and staff will progress through the pay spine. However, some groups of staff are appointed on fixed rates such as Apprentices.

The purpose of this report is to present the Gender Pay Gap report for 2021/22, provide assurance that the Trust is developing initiatives to reduce the gap in pay between women and men and gain approval on the recommended actions for 2023.

The GPG data analysis shows the following:

- Workforce profile by gender: male: 23.41% and women: 76.59%
- Gender Pay Gap: our mean: 28% (27% 2021) median: 13% (13%)
- Medical workforce: predominately male 64% (compared to 65% 2021) and in the highest paid group

- Administration and Clerical: 18% pay gap (19% in 2021), due to the number of females in junior roles
- Bonus Gap: 818 consultants employed of which 36% women, an increase of 1% since 2021 (35% in 2021). Nationally in 2021, NHS introduced Local Clinical Excellence Awards for all eligible consultants evenly, which led to more even distribution of bonuses: 1.73% women received award pay compared to 10.46% of men. This explains the workforce mean gap of 29.5% (30% in 2021) and median 0% (0% in 2021).

Pay quartiles shows the proportion of women and men in each pay quartile: 77% of staff are female, which reflects the NHS as a whole. The breakdown by the four quartiles shows:

- lower quartile shows 81% women (80% 2021) and 19% men (20% 2021)
- highest quartile shows 64% women (65% 2021) and 36% men (35% 2021)
- lower and upper middle quartile show: 81% women and 19% men demonstrating that the gender pay gap is principally driven by the differences in the upper quartile.

Main Report

University Hospitals of Leicester NHS Trust (UHL) is committed to ensuring that equity of employment is considered for all groups by meeting our legal requirements under the Equality Act 2010 to improve opportunities for staff.

A key element of this is the adherence to GPG reporting regulations which were introduced in 2017, with an aim to narrow and eliminate the pay differences between women and men. All employers with more than 250 employees are required to report against the GPG criteria and UHL completed this prior to the deadline.

The calculations are based on six key areas to show the average earnings of staff.

- percentage of men and women in each hourly pay quarter
- mean (average) gender pay gap using hourly pay
- median gender pay gap using hourly pay
- percentage of men and women receiving bonus pay
- mean (average) gender pay gap using bonus pay
- median gender pay gap using bonus pay

The GPG is defined by the mean or median hourly rate of pay between male and female staff. The mean gender pay gap figure uses hourly pay of all employees to calculate the difference between the mean hourly pay of men, and the mean hourly pay of women.

The median figure is derived from the difference between the midpoints in the ranges of hourly earnings for men and women. The pay excludes overtime payments but includes enhancements for shifts and weekend working.

The data for the report is drawn from the national Electronic Staff Record (ESR) and provides a snapshot of pay positions for women and men in the Trust as of 31st March 2022.

Understanding our findings

It is important to note that the Trust, and indeed the NHS nationally, has job evaluation and national pay systems that set the grade for a job regardless of gender. Anyone in that job would receive the grade and pay attached to it regardless of gender. The progression of staff will determine their pay point and is part of their development within the organisation.

The workforce profile shows that 76.59% of our staff are women and 23.41% are men, which reflects the NHS as a whole (76.2% reported by NHS digital in Sept 2022).

The Trust mean position is 28% (a deterioration of 1% compared to 2021), calculated on the pay at the end of March 2022, whereas our median GPG is 13% (same as 2021). This indicates that pay in the Trust is impacted on the highest male earner. The view is that this will change over time, as our cohort of female students increases.

In summary, the GPG identifies a disproportionate balance of men and women in the Trust, across the grades. For example, more men are identified in the upper quartile in comparison to women.

The Trust employs a total of 818 consultants of which 36% were women at end of March 2022, a 1% increase since 2021. The data shows that our male medical consultant workforce (predominantly male at 64% compared to 65% in 2021), are the highest earners.

Some consideration needs to be given to the application of historical clinical excellence awards and the impact this has on the findings. More recently, the awards have been proportionately awarded on an even distribution to all consultants so we should see improvements in future years however, the gap is still evident as 1.73% women receive a bonus in comparison to 10.46% of men, which explains the whole workforce mean bonus pay gap of 29.5% (30% in 2021) and 0% median.

The Trust also has a higher proportion of men in Band 8b and above and our Band 3 enhancements show that more men work weekends in comparison to women, leading to a differential in pay.

Our clerical and administrative staff GPG indicates a gap of 18% (19% in 2021), which is associated to the number of women in junior roles.

The pay quartiles show the proportion of men and women within the four quartiles pay bands at the end of March 2022. The calculations are based on staff listed by gender from the lowest hourly pay to the highest. The data shows:

- lowest pay quartile: 81% women (80% in 2021) and 19% men (20% in 2021)
- highest pay quartile: 64% women (54% in 2021) and 36% men (39% in 2021)

- lower and middle quartiles: 81% female and 19% men

This shows that the gender pay gap is generally driven by the differences in the upper quartile.

Our actions

We remain committed to build and improve the experiences of our female staff but acknowledge that there is still work to do. Some of the progress made in 2021/22 includes the following but we need to build on this as we strive to be recognised as a fully inclusive organisation:

- Ensuring that our panels are representative of diverse groups of staff, ensuring opportunities for all.
- Continually providing opportunities for staff and instil flexible working options such as job share.
- Recognising and encouraging the talents of staff who demonstrate exceptional skills to support progression into senior leadership roles.
- Engaging with our Women’s Staff Network, with recognition that more can be done. Our year ahead will bring about actions that ensure true engagement and involvement with our workforce.
- Launching the Active Bystander programme to provide staff with the tools and skills to speak up and address issues of inappropriate behaviour and language. Increase in attendance shows that the workshops have been a real success.

Our aim for the next year is to implement actions that start to identify current practices and areas for improvement and ensure that these are aligned to the wider Trust strategic objectives to maximise opportunities for sustained changes. Our recommended actions in 2023 include:

- Further strengthening of our recruitment and attraction offer and approach
- Enhancing opportunities for flexible working across the Trust
- Developing opportunities to improve our talent pipeline
- Establishing a gender equality steering group with an associated workplan
- Establishing a senior champion at Trust Board for gender equality
- Undertaking an assessment utilising the NHS Employers – Addressing Your Gender Pay Gap – A Guide for Employers assessment tool to help progress the work in this area
- Extending the Active Bystander programme across our Trust
- Working with the Women in Medicine network to understand some of the wider gender issues and establishing a set of Gender Equality Metrics – based on the WRES and WDES themes
- Establishing a Gender Equality Steering Group.

Summary

Overall, the data shows that the Trust has disparities in gender pay between women and men, however, we have seen some improvements evident between 2021 data in comparison to 2022. We aim to continue to progress and improve our position by implementing initiatives that reduce the pay gap between men and women in our organisation.