



Gender Pay Gap Reporting

From March 2017, all public sector employers with 250 or more employees are legally obliged to publish details regarding the gender pay gap and gender bonus gap using a range of statutory calculations. The first year of reporting for employers will be 2018.

All relevant employers are required to publish data relating to pay and bonuses over a 12-month period ending on the 'snapshot date' of 31 March. In the case of independent schools, the annual snapshot date is 5 April. Employers have 12 months from the annual snapshot date in which to publish pay information.

Whilst many schools, due to their staffing numbers, will not be directly required to publish gender pay data, they may be expected to provide appropriate data to the relevant body/overarching employer (e.g. the local authority). The relevant body/overarching employer may require its schools to co-operate in the provision of such data for the purposes of publishing the relevant pay and equalities information.

Schools and employers should act at all times with due regard to the need to respect confidentiality and to assure compliance with data protection requirements.

The introduction of the statutory requirement for gender pay gap reporting has been heavily influenced by the NASUWT as the Union has highlighted widening pay inequality across the teaching profession between women and men.

The NASUWT continues to campaign to extend the requirement for gender pay gap reporting to all employers, and to ensure that such reporting also includes the use of non-pay benefits by employers to incentivise and reward staff. The NASUWT is also campaigning for the duty on pay equalities reporting to be extended to include other protected characteristics.

The statutory reporting requirement means that it will be possible to benchmark employers in terms of their commitment to securing gender pay equality.

The requirements for gender pay gap reporting are overleaf.



The data which must be published

Employers are required to publish the following data:

- the difference between the mean hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees ('the mean gender pay gap');
- the difference between the median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees ('the median gender pay gap');
- the difference between the mean bonus pay paid to male relevant employees and that of female relevant employees ('the mean gender bonus gap');
- the difference between the median bonus pay paid to male relevant employees and that of female relevant employees ('the median gender bonus gap');
- the proportion of men and women in each quartile of the employer's pay structure;
- the number of men and women employed, broken down by job, grade, pay, contract type (e.g. permanent and fixed term) and working pattern (e.g. full-time, part-time and other flexible working patterns).

In addition to this, schools/colleges in Wales are expected to identify, collect and publish information about differences in pay, and the causes of any such differences, between employees who have other protected characteristics and those who do not.

Definition of 'employee'

The regulations use a broader definition of 'employee' which includes not just full-time and part-time equivalents, but also agency workers and some categories of self-employed worker (i.e. those engaged as consultants and/or independent contractors).

Reporting the gender pay data

Employers must produce a written statement to accompany the results of their gender pay gap analysis within one year of the relevant snapshot date (i.e. before 31 March of the following calendar year). This must confirm that the results have been verified as being accurate before being signed off by an 'appropriate person'.¹

This must also be published on the school/college website and the Government's website.²

Guidance from ACAS recommends that employers should provide an accompanying narrative or commentary to help explain their data.

Employers should also explain what actions they will take to address any gender pay gaps.

The NASUWT would expect to be consulted by employers before action plans are agreed.

For schools/colleges in Wales, this narrative or commentary must include the following:

- an equality objective in relation to addressing any **gender pay difference** identified, or reasons why it has not done so;
- an action plan in respect of gender pay identifying policies that will address the causes of any gender pay gap difference;
- a statement about the steps they have taken or intend to take to fulfil their gender pay objective and how long they expect to take.

¹ The 'appropriate person' will depend on the type of school/college and the nature of the arrangements governing the school/college.

² This should be published on an area of the school/college website where you would 'reasonably' expect to find it. This must be maintained for a minimum of three years.