

# HR in the East Midlands

February 2018



Our February bulletin will hopefully provide a welcome distraction from the cold weather! This edition includes an update on pay negotiations and information on learning & development opportunities. With the deadline looming for gender pay gap reporting (see below), Darren Newman's article focuses on this issue, giving his views on results so far (which are also provided). A final few places remain our Employment Law update event with Darren on 8<sup>th</sup> March. To book, visit here: [Event](#)

## Gender Pay Gap Reporting

We have been asked by the Ministry of Housing, Communities & Local Government to remind everyone of the deadline of 31<sup>st</sup> March for local authorities with 250+ employees to register their gender pay gap information. If anyone is still working on the calculations or the report, the [Acas guidance](#) is useful, and you can contact Sam Maher for advice or help.

## Regional Joint Council - DOCAS

The Regional Employers' Board and Regional Joint Council meetings took place on 23<sup>rd</sup> February. The joint trades unions had raised concerns that some councils had not yet confirmed arrangements and costs for continuing to allow employees to have their union subscriptions deducted by payroll and it was agreed that EMC would remind HR colleagues. The Joint Council has agreed to

encourage councils to continue offering the arrangement. Some councils have raised with us that Unite are not agreeing to SLAs, and we have provided advice to those concerned and will take this up with the Joint TU Secretary. The RJC also received a presentation on the NGDP (see the national update section for further details on the NGDP).

## Member Development Charter

EMC provides support and advice to councils on Member development. We are also the assessment body for councils on the Member Development Charter. The Charter provides a useful framework, and was reviewed last year to be more outcome-focussed. We recently assessed Charnwood Borough Council, who will be formally awarded with Charter re-accreditation at EMC's full meeting on Friday 2<sup>nd</sup> March. If you would like to discuss the benefits of Charter accreditation for your members and council, then please contact Lisa Butterfill.

## Projects with Local Authorities

During February we have provided support to councils on the following projects:-

- Coaching
- Recruitment and Selection Training in-house
- Harassment/bullying investigations

To find out how EMC could support an area of work for you, then please contact Sam Maher at [sam.maher@emcouncils.gov.uk](mailto:sam.maher@emcouncils.gov.uk) or Lisa Butterfill at [lisa.butterfill@emcouncils.gov.uk](mailto:lisa.butterfill@emcouncils.gov.uk).



## Learning & Development

In this month's Learning and Development update we are focusing on business support workshops, including the hot topic of commercialism.

### EMC Coaching Support

Coaching remains a key area of support that EMC provides its local authority members. We co-ordinate the East Midlands Coaching Network that brings authorities together to share coaching resources and development for coaches.

EMC can also provide coaching support, through our own qualified coaches: Lisa Butterfill, Sam Maher, Sarah Short and Kirsty Lowe, who all qualified at ILM5 level in Coaching and Mentoring in 2013 and have gone on to support a range of managers across the public sector. We have also handpicked a small group of independent coaches, to broaden the choice available. These coaches are all experienced and knowledgeable, and include former chief executives, and a specialist in resilience.

For more information about our coaching offer and the choices available contact Kirsty Lowe [kirsty.lowe@emcouncils.gov.uk](mailto:kirsty.lowe@emcouncils.gov.uk)

### Business Support Workshops

#### Trading Services and Marketing Public Services, 16 May 2018

This one-day workshop is aimed at operational managers in public services to support them in becoming more commercially aware when looking for opportunities to trade their service both internally and outside the organisation.

It introduces managers to the role of trading and entrepreneurship in a public service environment and some fundamental principles of marketing.

Participants will gain an understanding of the pre-requisites and priorities for an entrepreneurial approach to trading public services in order to generate income. Using interactive exercises and group discussion participants will be able to focus on their own priorities.

Participants will be given free access to relevant tools, templates and examples when they have completed the workshop. <http://bit.ly/2o1nJ5U>

#### Negotiation skills, 4 July 2018

In response to requests from feedback at our recent ½ day Negotiation skills session, we will be providing a full-day workshop in July. This event is aimed at operational managers in public services to support them in becoming more commercially aware when looking for opportunities to trade their service both internally and outside the organisation.

This workshop will help managers to understand what negotiation is, and is not, in the business world. It will give them practical skills to enable them to prepare for a negotiation scenario, weighing up variables and anticipating challenges along the way.

The skills learnt will not only be useful when working outside the organisation but can also be applied to internal negotiation. <http://bit.ly/2GfWUBC>

#### “Making it Our Business” A Commercial Awareness Programme for Operational Managers, June 2018

Back by popular demand, EMC is offering managers the opportunity to be part of a modular programme designed to support the commercial awareness in local authorities. The results of the LGiU and the MJ 'State of Local Government Finance Survey' published this month, 76% of responding councils said they were considering commercialization of their services to generate income. The programme includes modules on: Trading and Marketing in Public Services, Negotiation Skills, Practical Project Management, How to Write a Commercial Business Case, Customer Relations, Presenting Your Business Case and is supported by Action Learning to help bring the learning to life beyond the formal training element <http://bit.ly/2sxn6Fa>

#### Contact Details

For further information about any of our work please contact the Local Government Services Team. Either call 01664 502 620 or email:-

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## ‘In Deep with Darren’

### Darren Newman’s in-depth analysis of a topical HR issue and its implications for local authorities

The deadline is approaching for local authorities with 250 or more employees to publish their gender pay gap figures. There will be a lot of attention paid to the councils with the biggest gaps between the average pay of men and women, but what do the figures actually tell us?

At the time of writing about 50 councils have already uploaded their gender pay gap information to the Government website – even though there is no obligation to do so until 31 March. Personally I have never understood people who hand in their homework early, but it does mean that we can look at some of the patterns that are emerging in the gender pay gaps being reported by councils across the country.

Without naming names, the biggest gender pay gap I can see is 26 per cent – which does seem rather high and is well above the gender pay gap in the economy as a whole. In contrast, however, I can count seven councils who are reporting that, on average, women are actually paid more than men – 11 per cent more in one case.

The almost overwhelming temptation is to regard councils who report a small or negative gender pay gap as doing well and those with a larger than average gap as clearly having an equal pay problem. However, that would be far too simplistic. The fact is that the gender pay gap figures that employers are required to publish tell you nothing about whether an employer complies with the Equality Act when it comes to equal pay.

Equal pay is a claim brought by individuals (sometimes a large number of individuals) who claim that their pay is lower than that of another employee of the opposite sex doing equal work to them. Central to an equal pay claim is the requirement to compare two employees doing equal work – either work which is the same, or which has been rated as equivalent under a detailed job evaluation scheme or work which is of ‘equal value’. Workforce wide averages really don’t come

in to this. I cannot envisage an equal pay claim in which the reported gender pay gap figures would provide useful evidence for the Tribunal to take into account. From an employment law point of view the figures are simply worthless.

Of course their main purpose is not to help employment lawyers, but to give an impetus to employers to improve sex equality in their organisations. Whatever you may say about the details of the Regulations it is certainly true that we are paying more attention to the relative pay of men and women than we were a few years ago.

But I think that there is reason to believe that the figures reported by councils have particular problems, stemming from the sheer number and variety of the people that councils employ – particularly at the lower end of the pay scale.

What really stands out for me looking at the various pay gaps reported by councils across the country is how much they correlate with the proportion of men and women in the lowest pay quartile. When I see a council with a negligible pay gap I can pretty accurately predict that their lower pay quartile will either be evenly split between men and women or be more than 50 per cent men. Where women are in a clear majority in that lower pay quartile then the gender pay gap will tend to be higher – even if women are in a majority in the higher pay quartiles also. In fact about half of councils are reporting that women make up a majority of the employees in the upper pay quartile and most of the remainder report a figure of 45-50 per cent. It does appear that it is the breakdown of employees in the lower pay bracket that determines the gender pay gap

There is no real mystery about what is going on here. At the lower end of the pay scale there are a range of jobs that for deep-seated historical and sociological reasons are traditionally done overwhelmingly by either men or women. Those employed to clean streets, for example, tend to be men; those employed to clean offices tend to be women – and there are many more examples. I think that what we are primarily seeing with the gender pay gaps reported by councils is that the pay gap reflects the relative numbers of employees in those jobs traditionally dominated by one sex or the



other – with a crucial factor being the extent to which such workers are contracted out or directly employed. If a council contracts out its street cleaning team to a private sector company, then the result will be that it loses a large number of low-paid men from its workforce. That means that the average pay of men will go up and the gender pay gap will increase. The gender pay gap will decrease, however, if the council contracts out its office cleaners, and fall even further if it brings its street cleaners back in house.

### Submissions from Local Authorities

A breakdown of the information provided by local authorities by the time of writing can be found [here](#), with submissions from 9 East Midlands councils.

More information can be found on Twitter: @daznewman

## National Developments

### Pay Negotiations Update

The Officers' Side of the Joint Negotiating Committee has submitted a claim on behalf of Chief Officers. In summary, it seeks "...a pay settlement which provides parity across all of the local government bargaining groups...", in other words, 2.0% + 2.0% in line with the headline offer made to Green Book employees. A copy of the claim can be accessed at: [Chief Officer claim 2018](#)

The National Employers met earlier this month to consider the pay claims lodged in respect of Chief Executives, Chief Officers and Craftworkers (which we covered in our December Bulletin). The Employers agreed to defer responding formally to each claim until the main NJC pay round has been settled. As you know, we are expecting the NJC unions to announce the results of their consultations on the pay offer in mid-March, so we will be able to update you further at that time. In the meantime, EMC has been asked to seek the views of Council Leaders on the claims for Chief Executives and Chief Officers to inform the national negotiations

It is understood that Unison will be discussing the outcome of its consultations on the Employers' pay offer for Green Book employees on 16<sup>th</sup> March, with a joint trade union meeting to follow. We will keep

Councils up to date on any news as soon as it is available.

## National Graduate Development Programme (NGDP)

This year over 4000 graduates have applied to the NGDP, and the selection process will take place throughout March, including assessment centres and interviews with councils to ensure there is a good fit between trainees and the organisation. This is the 20th year of the programme and it can demonstrate its success in attracting and retaining high quality employees, with 87% of trainees still working in local government. The placements take 2 years and lead to an ILM 7 certificate.

If your council would be interested in having a trainee or sharing one with another council, there is still time to be involved; councils have until 30<sup>th</sup> March to sign up.

Follow these links to [find out more](#) or to [Register](#). A copy of the presentation to the Regional Joint Council are available [here](#).

## Apprenticeships Newsletter

The LGA has this month launched a newsletter on apprenticeships. The first issue includes information on:-

- **Maturity Model:** you can download this self-assessment tool [here](#).
- **10% transfer update:** further guidance on how the process for transferring up to 10% of levy funds to another employer will work: [guidance](#)
- **Large Employer Roadshows:** events for county and unitary councils taking place across the country – the event for our region is at the Sketchley Grange, in Hinckley on 15<sup>th</sup> March
- **National Apprenticeship Week 5-9<sup>th</sup> March**
- **Institute of Apprenticeship New Policy**, setting out the planned improvements and changes being made to the process of approving/developing apprenticeship standards and recommendations on funding bands. The changes can be found on the following [link](#)

The bulletin also aims to share information on relevant apprenticeships and examples of practice. This edition features Reading Borough Council's guide for managers and Nottingham City Council's procurement process. To access the newsletter, click [here](#).

