

1. EQUAL PAY STATEMENT

- 1.1 East Dunbartonshire Council believes in equality of opportunity in employment.
- 1.2 The Council is committed to the fundamental principle that all policies and procedures adopted to determine pay and conditions of employment for all of our employees do not discriminate unlawfully and are free from bias.
- 1.3 We fully recognise and understand that equal pay between men and women is a legal right under UK and European law.
- 1.4 We understand that in order to achieve equitable pay, we will operate a pay system which is transparent and based on objective criteria, which has been clearly communicated and understood by our employees.
- 1.5 The European Commission's 'Code of Practice on the Implementation of Equal Pay for work of Equal Value for Women and Men' is intended to be applied in the workplace and has been designed to ensure that the principle of equality between women and men performing work of equal value is applied to all aspects of pay. East Dunbartonshire Council's Equal Pay Policy Statement has been developed with due cognisance of the Code.
- 1.6 The Council recognises that it is important that our employees have confidence in the process of ensuring no sex bias and we are therefore committed, under our the auspices of our existing Partnership @ Work Agreement, to working in partnership with the recognised trade unions to take action to ensure that we provide equal pay.
- 1.7 The Council believes that in ensuring that there is no sex bias in our pay systems, incorporating fairness and transparency at the heart of all reward systems, promotes a positive message to our employees and customers. We recognise that avoiding unfair discrimination will improve morale and enhance efficiency.

2. THE LEGAL FRAMEWORK

- 2.1 The primary legislation governing equal pay is found within the Equal Pay Act 1970 and subsequent amendments. Discrimination in terms of equal pay law can be direct or indirect.
- 2.2 Specifically the Equal Pay Act requires employers to ensure that men and women in the same employment receive the same level of pay where they are doing either like work, work rated as equivalent under a job evaluation study or work of equal value. The one exception to this is where the employer can establish that the difference in pay is for a genuine and material reason which is not related to gender.
- 2.3 In addition indirect discrimination whilst not referred to in the Equal Pay Act has been incorporated within equal pay law separately as a result of case law in both the UK and Europe. A claim of indirect discrimination may require the employer to objectively justify a pay policy which disproportionately impacts on one particular sex.
- 2.4 The legislation applies to all employees regardless of their contractual status, whether they have full or part-time status, casual or temporary contract status, or regardless of their length of service.

3. DEFINITIONS

- 3.1 For the purposes of this policy and in line with relevant legislation, pay is defined by Article 141 of the Treaty of Rome as:

"The ordinary basic or minimum wage or salary and any other consideration, whether in cash or kind, which the worker receives directly or indirectly, in respect of his (or her) employment from his (or her) employer"

3.2 Pay therefore covers total remuneration and as such, includes pensions, discretionary payments and sick pay as well as other additional benefits.

3.3 The following terms are contained in Equal Pay legislation:

- 'Like work'* is defined as work which is the same or broadly similar;
- 'Work rated as equivalent'* is defined as work which has achieved the same or a similar number of points under a job evaluation scheme
- 'Work of equal value'* is defined as work which is of broadly equal value when compared under headings such as effort, skill and decisions.

4. IMPLEMENTATION

4.1 East Dunbartonshire Council will continue to :

- examine existing and future pay practices for all employees to ensure that they comply with equal pay best practice;
- inform employees of how these practices work and how their pay is determined;
- discuss the equal pay policy with trade unions and professional associations as appropriate;
- provide training and guidance for managers involved in decisions about pay and benefits
- undertake a rolling equal pay audit to examine our existing and future pay practices for all our employees;
- respond to grievances on equal pay timeously, openly and fairly in accordance with our agreed procedures.

4.2 By establishing these actions, we will avoid unfair discrimination and will reward fairly the skills, experience and potential of all staff.

5. REVIEW PROCESS

5.1 The Council will carry out regular monitoring of the impact of our pay practices and will provide appropriate training and guidance for those involved in making decisions about pay and benefits.

5.2 Complaints about pay inequality will be monitored on a regular basis and statistical information reports will be produced for the Corporate Management Team and Elected Members.

6. ROLES AND RESPONSIBILITIES

6.1 The Council, through Elected Members, Committee structures, the Chief Executive, Corporate Directors and Heads of Service has a responsibility for ensuring that employees are treated equitably.

6.2 Through delegated authority and on behalf of the Corporate Management Team, the Head of Customer Relations & Organisational Development is responsible for the design and review of all policy related to pay and benefits.

6.3 Managers and Selection Panels have an additional responsibility to ensure that initial starting salaries are consistent with this Policy.

7. ADDITIONAL INFORMATION

7.1 There are a number of relevant Codes of Practice and equal opportunities guides which are available from Customer Relations & Organisational Development including :

- Equality & Diversity in Employment Policy;
- Recruitment & Selection Procedures;
- Equal Opportunities Commission - Equal Pay Guide.

7.2 Additional information and guidance on the broader policy aspects of equality and specifically, on the new Gender Equality Duty is available from the Corporate Planning & Performance service.