



EQUAL PAY STATEMENT AND OBJECTIVE

September 2010 Update

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this document in a different format or language**

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1.0 Introduction and Statement

Moray College supports the principles of Equal Pay and is committed to ensuring that the procedures in place to determine pay and conditions of employment do not discriminate unlawfully and are free from bias.

It is in the College's interest and best practice to operate a pay system which is transparent and is based on objective criteria. The College is committed to taking action to ensure that equal pay is in place for like work, work rated as equivalent and work of equal value.

The College believes that in eliminating bias from pay systems it is promoting positive relations amongst staff, students and the wider community.

This Equal Pay Statement and Objective Update document provides information in relation to the action already taken by Moray College in furtherance of its commitment to Equal Pay. The Update also details forthcoming developments in this area.

1.1 Scope

The principle of Equal Pay applies to all employees of the Board of Management of Moray College regardless of full or part-time status, supply, fixed term or permanent contractual status or length of service.

1.2 Objective

The objective of this Update is to demonstrate the College's commitment to Equal Pay by detailing the steps taken to date. A further objective is to identify future actions to support good practice to eliminate bias from pay systems and to eliminate any unfair, unjust or unlawful practices that impact on pay.

1.3 Definitions

For the purposes of this Statement and in line with relevant legislation, pay is defined 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/her employment from his/her employer"

Pay, therefore includes pensions, discretionary bonuses and sick pay as well as other benefits of monetary value.

"Like work" is defined as work which is the same or broadly similar. This can be determined by a general consideration of the types of work involved and the skill and knowledge required to do them. Different job titles, job

descriptions or contractual obligations do not necessarily rule out a like work claim.

“Work of equal value” is defined as work which is of broadly equal value when compared under headings such as effort, skill and decision making.

“Work rated as equivalent” is defined as work which has achieved the same or a similar number of points under a job evaluation scheme.

“Line Manager” is defined as the Director or Section Manager for employees working in that Directorate or Section; in the case of a Director/Section Manager the Line Manager will be the Manager to whom s/he directly reports.

An “Impact Assessment” of a policy, procedure or practice is a thorough and systematic analysis to determine whether it has a differential impact on a particular group.

1.4 Responsibilities

Ultimately, it is the responsibility of the Board of Management to ensure that employees are treated equitably.

It is the responsibility of the Principal to ensure that the actions to implement the Equal Pay Statement and Objective are carried out and resourced.

Specific responsibilities for the development and correct implementation of procedures that determine pay lie with the Head of Human Resources.

Line Managers are responsible for ensuring that they apply procedures relating to Recruitment & Selection, Flexible Working, Time Off and Salary Placement consistently and appropriately. These procedures are subject to regular review and are available to all staff on the College intranet. Line Managers are supported by the HR Section in the operation of these procedures.

Line Managers are also responsible for ensuring that job descriptions accurately reflect the duties undertaken by the postholder to enable an accurate evaluation of roles.

The Head of Human Resources is responsible for ensuring that this Statement is revised and maintained.

1.5 References

Scotland’s Colleges, Close The Gap – Equal Pay Reviews and Job Evaluation, Guidance for Scotland’s Colleges
Equal Opportunities Commission – Code of Practice on Equal Pay
Close The Gap – Guidance for meeting the specific duty on Equal Pay
Moray College Equality Schemes
Moray College Equality Impact Assessment (see Appendix)

2.0 Moray College Equal Pay Risk Assessment

It is recognised that to fully ensure that the principles of Equal Pay are supported, an organisation must be in a position to consider not only 'like work' and 'work of equal value' but also 'work rated as equivalent'. Although support staff posts within Moray College have been subject to job evaluation for some years, management and teaching posts have not been. Any comprehensive analysis of 'work rated as equivalent' requires the application of a job evaluation scheme across the entire organisation and therefore any investigations into equal pay within the College were necessarily restricted to 'like work' and 'work of equal value'. Moreover, an examination of the support staff job evaluation scheme highlighted issues with the scheme such as an over weighting on matters such as length of service. The Board of Management therefore supported the objective to apply an analytical Job Evaluation Scheme to all posts within the College and the 2007 Equal Pay Statement and Objective provided for important stages within the development of this project. It was considered that an Equal Pay Risk Assessment should be carried out in advance of this development to allow an assessment of the impact of the application of the Job Evaluation Scheme in relation to gender equality. It is therefore intended that a further Equal Pay Risk Assessment be undertaken on completion of the Job Evaluation Project to ensure that the project has supported the College's objective in relation to Equal Pay. The existence of the new Job Evaluation Scheme at that time will enable a full assessment to be made covering all three aspects of Equal Pay.

The Equal Pay Risk Assessment was undertaken in May 2009 using the five step approach as recommended by the Equality and Human Rights Commission. The scope of the Assessment included all posts in college and considered total pay, additional pay elements, annual leave and pension entitlements. The assessment was based on data from the College payroll system extracted following the April 2009 payroll run which was imported into the 'Equal Pay Reviewer' software tool provided by NorthgateArinso.

The Assessment approach was to consider work of 'equal value' and 'like work'. The absence of an all staff groupings Job Evaluation Scheme prevented consideration of 'work rated as equivalent' at that time.

The results of the Equal Pay Risk Assessment were generally positive with no significant exposure to equal pay challenges being identified. The limitations of this exercise in relation to 'work rated as equivalent' were recognised however, and the recommendations from the exercise were that the college apply an analytical Job Evaluation Scheme to all staff groupings and that a new pay and grading structure based around the principles of equal pay be designed and implemented as a result of this evaluation exercise.

Thereafter, the College has embarked upon a Job Evaluation Project which will support the implementation of a new pay and grading structure in January 2011. The principles underpinning this significant project include the application of the scheme to all posts in the College, involvement of trade

unions representatives in the identification of the scheme, training and project management and involvement of staff in the preparation of questionnaires and attendance at meetings to evaluate roles. It was considered important to have the involvement of trade union and staff representatives at an early stage in the project. Representatives therefore contributed to the identification of a scheme and, as members of the Project Steering Group, trade union representatives have played a key role in developing the procedures which underpin the project. The scheme identified as being most appropriate was an analytical, factor based scheme called 'Evaluate' provided by Northgate Arinso. It should be noted however that following the identification of the scheme, EIS/FELA colleagues chose not to attend Steering Group meetings. The Project Steering Group has communicated with staff throughout the Job Evaluation phase of the project via newsletters.

The salary modelling phase of the project and negotiations with trade unions are ready to commence. The project also includes an Equality Impact Assessment of the resulting pay and grading structure and, as stated above, a further Equal Pay Risk Assessment. As stated above, the College will be in a position to properly consider Equal Pay in terms of 'like work', 'work of equal value' and 'work rated as equivalent', the objective being that the latter Equal Pay Risk Assessment confirms gender equality within the revised pay and grading structure.

On completion of this significant project, procedures will be developed, in consultation with staff and trade union representatives to ensure the maintenance of the Job Evaluation Scheme and to address any regrading and job evaluation matters.

2.1 Moray College Equalities Consultation 2009

The College Equality, Diversity and Inclusion Committee agreed that an Equalities Consultation exercise be carried out with staff at its meeting on 4 March 2009. The need for this consultation exercise was identified within the College's Equalities Report and Action Plan and it was considered that the information derived with further support the College impact assessment processes. This consultation was undertaken by way of a survey of all staff in May 2009.

There were 120 respondents to the survey representing 38% of the staff population paid that month. 75% of respondents were female (an analysis of the staffing profile indicated that 67% of staff are female).

Staff were asked their views in relation to the promotion of Equalities within the College, whether they considered that they had experienced unfavourable treatment as a result of their gender (or indeed if they had witnessed others suffering unfavourable treatment), whether they considered that there were any career barriers in relation to gender and whether they felt supported in terms of training in relation to their responsibilities regarding equalities issues.

The results of the survey were positive with 92% of respondents indicating that they did not feel that they had been disadvantaged and only 1.7% indicating that they considered there to be barriers to their career progression.

Although some comfort can be taken from the results of this consultation exercise, it has to be considered that the exercise does have the usual limitations associated with a survey instrument such as only gaining the views of a proportion of the staff population and also the inability to verify the data obtained. The results are helpful however in informing the ongoing impact assessment processes in relation to HR practices in particular and this information, along with ongoing consideration of the gender balance within posts within the College, can provide valuable information to formulate any further equalities objectives.

For ongoing monitoring purposes it is interesting to note that 15% of respondents did not wish to identify their sexual orientation and 18% of respondents did not wish to identify their religion or belief. The College has recently introduced the collection of this information for new staff at appointment and through the College HR System for existing staff to enhance ongoing monitoring activities and further inform the impact assessment process. It is therefore worth considering why individuals would feel uneasy about disclosing such information and what steps can be taken to minimise any concerns relating to this. The level of disclosure of such information will be monitored over the forthcoming sessions to identify if a trend of increasing or reducing disclosure develops. This will inform appropriate actions to support staff regarding any concerns which continue to exist.

2.2 Moray College Equality Impact Assessment

It is recognised that factors other than pay structures can have a bearing on a gender pay gap (as detailed in section 3 below). It is therefore essential that policies, procedures and practices are impact assessed to determine whether their application has a differential impact on particular groups of staff. The College Equality Impact Assessment process has been reviewed with the establishment of an Equalities Advisory Group and the development of a revised Impact Assessment tool. The College has supported staff involved in the impact assessment process by providing training in the new scheme. This took place in February 2010. In addition, all HR policies and procedures are reviewed on a 4 year cycle basis (or sooner if in response to changes in legislation, best practice or policy). An impact assessment is included in this process and informs the review to eliminate or minimise any identified differential impact.

Annual monitoring information where activities such as applications, appointments, staff development, conduct hearings, grievance and leavers are monitored in relation to gender, age, disability and ethnic origin is used to inform the equality impact assessment of HR Policies and Procedures. The College has recently introduced the collection of information relating to sexual orientation and religion or belief to further inform the impact assessment process but it is expected that it will take some time for this development to

inform the process in a meaningful way. As stated above, levels of disclosure of this information will continue to be monitored to inform appropriate actions to enable full benefits from this development.

3.0 Factors which may contribute to a Gender Pay Gap

Moray College recognises that a gender pay gap may not solely be caused by men and women receiving different rates of pay for doing the same or similar work. Within an organisation there may be other factors or employment practices which contribute to a Gender Pay Gap such as the impact of caring responsibilities, occupational segregation, organisational structures and pay and grading structures. The steps taken by Moray College in relation to Equality Impact Assessment (with the formal requirement to consider and record how a policy or procedure might impact on different groups) is designed support the identification of such factors and take steps to eliminate or minimise such an impact.

3.1 Occupational Segregation

Women and men can tend to work within gender segregated occupations and the jobs that are most likely to be carried out by women, tend to be those associated with low pay. These occupations are often referred to as the '5 Cs (cleaning, clerical, cashiering, catering and caring). Moray College employs staff in the occupations of cleaning, clerical, catering and caring (student support) which are, as with most other organisations, predominantly filled by female staff. Indeed the overall staff population within Moray College is predominantly female with 08/09 monitoring data indicating that 67% of staff are female. This is compared to the local population gender balance of 50.2% female. Actions to address gendered occupational segregation can include an analysis of the recruitment practices, training opportunities and workplace practices. Moray College includes such analysis within its impact assessment process which informs further activities such as the further investigation into recruitment practices in 2009.

Occupational segregation can also result in the existence of a 'glass ceiling' where management roles within an institution are predominantly filled by male employees. An investigation carried out in relation to genders and grades within Moray College in 2007 suggested that whilst female staff were well represented (if not over represented when compared to the staff profile) at all levels up to middle management level, this was not the case at senior management level. An analysis of the senior management levels within college showed that prior to a senior management restructuring in summer 2007, one of the seven members of the Principal's Management Group was female and three out of the six Heads of Academic Divisions were female. Following the restructuring effective from 01 September 2007, this changed to three out of nine on the Principal's Management Group and four out of the seven Assistant Directors being female.

This adjustment in the profile of the senior management team of the College reflects the efforts that have been made in terms of succession planning and

ensuring equitable access to staff development (which is identified through the Staff Review process) and also a systematic, transparent and recorded Recruitment and Selection process. The College's annual equality monitoring includes these processes to inform impact assessments and ensure that access to opportunities is on an equitable basis.

The Recruitment and Selection process provides for a formal process of recruitment where the essential and desirable criteria for posts is identified and published. In addition, all staff are required to undertake equalities training to ensure a general awareness and those involved in recruitment and selection decisions are supported by a member of the HR Section at all shortlisting and interviewing events. A more recent impact assessment and review of the Recruitment and Selection Procedure resulted in the removal of the option to attach a CV to an application, as this was perceived to particularly disadvantage women whose transferable skills may have been acquired in the context of undervalued work and also individuals from ethnic minority backgrounds. It is worth noting that research had suggested such an effect rather than this being evident within college processes.

In relation to training opportunities, this is identified through the College Staff Review process. Given that the Investors in People framework focuses on equality of opportunity and the culture of the organisation, the College's successful assessment in relation to Investor In People status in March 2008 supports the assertion that CPD and training opportunities are identified, organised and evaluated in a systematic and non-discriminatory way.

3.2 Pay Structures

It is recognised that pay structures can have a direct impact on the gender pay gap and as detailed above, the College has embarked on a Job Evaluation Project to support the implementation of an equality proofed pay and grading structure. Prior to this however, much work had been undertaken to address the potential effects of the pay structures in place in Moray College.

Women tend to have shorter service than men and therefore pay structures determined by long service can have a detrimental impact on the salaries paid to women for similar work to male comparators. In the academic session 06/07, the number of scale points in the lecturer scale was reduced from 12 points to 5. Also, a review was undertaken of the Administrative and Clerical grades to ensure that long scales were no longer applied.

Moray College currently operates salary placement procedures based on relevant qualifications and experience. A complete review of this process will be undertaken consequent upon the implementation of a new pay and grading structure, with any new or revised processes being impact assessed and a further Equal Pay Risk Assessment being undertaken on completion of the project.

3.3 Caring Responsibilities

Women are more likely to have caring responsibilities which can result in them seeking part time work in order to balance their responsibilities. A Child Care Voucher Scheme was introduced in Moray College during session 08/09 which enables staff to benefit from savings in national insurance contributions when purchasing child care.

Moray College recognises that the opportunity to work flexibly, and thus strike a better balance between home and work responsibilities, can benefit all employees, their families and the College. Moray College has therefore extended the right to request flexible working to all employees.

A range of forms of flexible working is in place in the College including shorter working year, term time working, annualised hours and staff at many different levels in the organisation, including senior management, have chosen to use these options. A higher proportion of those staff who have benefitted from the flexible working options available are female, but this is unsurprising in an environment where the staff profile has a higher proportion of female staff.

The College intends to further communicate and relaunch the range of options for flexible working within the forthcoming session to remind all staff of their entitlement to request flexible working. Whilst the relaunch will primarily be driven by a college aim to reduce staffing costs in a positive way, it is considered that the communication of the options is timely in highlighting to staff the College's commitment to support staff in balancing their responsibilities. This relaunch will also provide a further opportunity to analyse the uptake of these options in a more intensive way to inform the ongoing review.

4.0 Review of 2007 Equal Pay Statement and Objective Actions

The 2007 Moray College Equal Pay Statement and Objective provided for a number of actions in furtherance of the College's aims in relation to Equal Pay. The following provides an update in relation to these actions.

Action	Update
Undertake a review of the Salary Placement Scheme for staff in partnership with staff representatives	Delivered
Monitor the gender balance of staff by length of service Monitor the gender balance of staff by position and grade Monitor the gender balance of types of contracts Monitor the gender balance of selection methods	Delivered – Information considered by the E,D & I Committee and instigated a further investigation into Recruitment and Selection processes. The investigation highlighted the impact of Occupational Segregation on the gender of applicants

	for posts within the College.
Determine the scope for an Equal Pay Audit in partnership with staff representatives Undertake appropriate Audit as determined above in partnership with staff representatives Assess and review the findings of the equal pay audit and take action where necessary in partnership with staff representatives Formulate an appropriate objective or objectives to address any gender gaps identified	Determined that Risk Assessment should cover all staff. Equal Pay Risk Assessment undertaken May 2009. Resulting recommendations were to implement a cross college Job Evaluation Scheme to underpin a revised grading structure.
Provide training and guidance for those involved in determining pay in addition to Equalities Training provided. Review pay determining procedures on a rolling basis ensuring that appropriate impact assessment is carried out	Ongoing and will be undertaken as part of Job Evaluation Project

6.0 Future Actions To Implement The Equal Pay Statement and Objective

The most significant action in relation to the College Equal Pay Statement and Objective is the implementation of the new pay and grading structure resulting from the Job Evaluation Project. There are specific steps which must be completed to ensure the College's successful progress towards this as detailed below:

Action	Timescale
Undertake Impact Assessment of Pay and Grading Structure	September 2010
Review and Impact Assess Salary Placement Process	September 2010
Impact Assess Pay Protection Arrangements	September 2010
Update College Job Descriptions	July 2011
Undertake a review of College Person Specifications	Ongoing
Develop and Impact Assess Regrading and Job Evaluation Procedures	July 2011
Undertake monitoring activities in relation to the new pay and grading structure to inform impact assessments and develop appropriate strategies.	January 2013

6.0 Complaints

Complaints or enquiries about the lack of equal pay should, in the first instance, be made to the Head of HR. If this informal approach does not satisfy the employee then the Head of HR will refer the matter to the Staffing Committee of the Board of Management in accordance with the Moray College Grievance Procedure.

Appendix



Equality Impact Assessment: Guidelines and Procedure

This formal procedure is intended to enable us to ensure that the way we operate (particularly as expressed through policies and procedures) does not adversely impact on particular groups in a way that is not justified or unavoidable. It should complement and underpin our attempts to promote equal opportunities, promote good relations between different groups and to eliminate discrimination. For everything we do we should ask the question: 'How is this likely to impact on people?'

Equality Impact Assessment (EqIA) should be used as an integral part of policy development and to assess existing policies. Once we have assessed all existing policies the assessment process will be embedded as part of policy and procedure development.

Title of Policy or Procedure	
Responsible Officer	<i>The Responsible Officer is identified in the Equality Impact Assessment Schedule. In practice she or he will work with the relevant staff group in drafting the EqIA. This will then be forwarded to the Equalities Advisory Group (EAG) for consideration (see 10).</i>
1. Is the policy or procedure rated as high/medium/low in terms of its potential impact? Please note that this may vary according to the group being considered.	<i>The policy or procedure will be assessed by the Equalities Advisory Group and their recommendations ratified by the Equality, Diversity and Inclusion Committee. This will then inform the schedule for Equality Impact Assessment</i>
2. What does the policy or procedure aim to do?	<i>This information should be taken from the existing policy of procedure. It would be sensible to highlight any aim, which is</i>

	<i>specifically relevant to equality.</i>
3. Who is affected by the policy?	<i>This could be staff, students, visitors, stakeholders and potentially anybody who could be affected by the operations of the College.</i>
4. What do we know about the needs of the various groups and how the policy or procedure may impact on them? At the moment race, gender, disability, age, sexual orientation and religion or belief are covered by legislation. ¹	<i>The focus here is on evidence of how various groups have experienced adverse impact the argument being that if we start to understand the reason for this then we can combat it. Information is available through the College's online training and a variety of other sources e.g. Equality Forward, EHRC²</i>
5. How might the policy or procedure impact on different groups? Are there any particular concerns at the moment?	<i>The focus here should be on any potential adverse impact. It is quite possible that the impact assessment highlights issues of concern outwith the policy or procedure itself.</i>
6. Do we need to change the policy or procedure in any way to remove barriers to access?	<i>Has the analysis shown that there are barriers to access that need to be removed? Is the policy or procedure consistent with legislation?</i>
7. If changes are considered necessary when are we going to implement them? It may not, for example, be appropriate to make changes during an academic session.	<i>It is important to be clear when changes are going to be implemented. In many cases between academic sessions is likely to be appropriate.</i>
8. As well as attempting to mitigate any potential adverse impact does the policy or procedure allow for the promotion of	<i>In policy development and consideration of existing policies and procedures we should look for opportunities to promote the College as welcoming environment.</i>

¹ The intention of equality impact assessment is to create a situation whereby wherever possible barriers to access for any group are removed

² <http://www.equalityhumanrights.com/advice-and-guidance/education-and-training-providers/>

equality of opportunity and good relations between different groups?	
9. How will the policy or procedure be monitored in terms of its impact?	<i>This will depend on the nature of the policy or procedure. We can not assume that things work in the way we expect them to. Evidence of impact is necessary.</i>
10. Where will results of monitoring be reported? Which is the relevant Committee/Group?	<i>This will depend on the policy or procedure and what it is intended to achieve. The impact of most of what we do would be of interest to the Equality, Diversity and Inclusion Committee. Reports should also be made to then Committee, which has responsibility for the policy itself.</i>
11. Where will the EqIA be published? As a minimum all assessments will be published on the Internet.	<i>We are required to publish IAs and as a minimum these will be established on the College's website.</i>
12. Date of next review:	<i>As per schedule</i>
13. Summary of changes recommended	<i>Taken from section 6</i>
14. Date submitted to the EAG:	<i>All Equality Impact Assessments are considered as draft until returned from the Equalities Advisory Group. This group is constituted to be representative of various equalities groups. The completion of such assessments will be monitored by the EDIC.</i>
15. Date returned to Responsible Officer and forwarded to EDIC:	
Policy ratified by:	<i>Once the assessment is returned than any changes can be made to policy and/or procedure, which can then be ratified at the next relevant Committee meeting.</i>
Date:	