

EDC17D006M

CODE OF PRACTICE FOR STAFF: EQUAL PAY AND GENDER PAY GAP

1.0 Introduction

- 1.1 The University of East Anglia, referred to as “the University” throughout this document, originally developed a Code of Practice in 2007 to demonstrate the steps that the University would take to ensure equality of opportunity in respect of equal pay and to ensure its compliance with equality legislation¹.
- 1.2 This Code of Practice has been revised to reflect the introduction of The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, which came into effect on 6 April 2017 and The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, which came into effect on 31 March 2017.
- 1.3 This Code is underpinned by the University’s Equality & Diversity Strategy {add link} and the Equality & Diversity in Employment Code of Practice, which can be accessed on the Human Resources Division’s intranet sites.
- 1.4 The University is an international and multicultural community which values and encourages diversity. The University is committed to ensuring that it makes every reasonable effort to provide a supportive, inclusive environment to all staff; and, to not unlawfully discriminate against employees.

¹ The Equality Act 2010 replaced the Equal Pay Act 1970 and the Sex Discrimination Act 1975 (as amended).

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1.5 It must be noted that achieving equal pay and reducing the gender pay gap are separate issues:

1.5.1 The Code sets out the steps that will be taken to achieve equal pay for the same or broadly similar work, for work rated as equivalent and for work of equal value.

1.5.2 The Code sets out the University's commitment to identifying issues of gender pay difference (including pay matters such as promotion and discretionary bonuses) and to seeking to tackle and reduce identified gender pay gap.

2.0 Purpose

2.1 The purpose of this Code of Practice is to raise the awareness of the University's staff about equal pay and gender pay gap reporting and their responsibilities under the Equality Act 2010.

3.0 SCOPE

3.1 In accordance with the Act, the Code applies to all employees with a contract of employment (including those on full-time, part-time, fixed term, indefinite, term-time only and monthly hourly-paid contracts).

4.0 Responsibility of all staff

4.1 All staff are required to comply with this Code of Practice and with the relevant legal requirements. Anyone with responsibility for managing staff has additional responsibilities which are detailed in Section 5.0.

4.2 Staff are encouraged to speak with their manager and/or Human Resources if they believe that there may be an equal pay or gender pay gap issue.

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- 4.3 The Vice-Chancellor and Executive Team requires all staff to complete the online Equality and Diversity training module that can be accessed via the Equality & Diversity, Human Resources and CSED webpages; and to re-complete a refresher every two years.

5.0 Responsibility of all managers

- 5.1 All individuals with management and supervisory responsibility are responsible for the implementation of this Code of Practice within their Service, Faculty, School, Department, Office areas.
- 5.2 Managers need to be aware of their responsibilities under this Code of Practice and under the Equality Act 2010 and ensure that they are carried out appropriately.
- 5.3 Managers must take steps to ensure that policies, procedures and practices in their areas of responsibility do not have an adverse impact for staff of different sexes and to assess whether the cause of this different outcome might constitute unjustifiable discrimination.
- 5.4 Where a concern of equal pay or gender pay gap is brought to a manager's attention, the manager is responsible for taking appropriate action. Managers must seek advice and support from Human Resources in dealing with such matters.

6.0 THE LEGISLATION

- 6.1 The main provisions of the Equality Act 2010, referred to as "the Act" throughout this document, came into force on 1 October 2010 and the provisions relating to positive action in recruitment and the public sector duty came into effect on 1 April 2011.

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6.2 The Act consolidated the many equality and anti-discrimination laws into a single Act covering nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including Caste)²
- Religion or belief
- Sex
- Sexual orientation

6.3 The Equality Act 2010 gives women and men the right to equal pay for equal work. The Equal Pay Statutory Code of Practice³ explains that the Act covers a range of non-contractual issues, including pay matters such as promotion and discretionary bonuses where the man and woman are undertaking 'like work'; 'work rated as equivalent' (as determined by a job evaluation process); or, 'work that is proved to be of equal value'.

6.4 The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017⁴ places a duty on the University to publish on an annual basis a range of information relating to pay. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017⁵ places additional reporting duties on the University.

7.0 HIGHER EDUCATION ROLE ANALYSIS

² Current case law also means that race in the Equality Act can also pertain to caste.

³ <https://www.equalityhumanrights.com/sites/default/files/equalpaycode.pdf>

⁴ The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017
<http://www.legislation.gov.uk/ukxi/2017/172/regulation/2/made>

⁵ The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017
<http://www.legislation.gov.uk/ukxi/2017/353/contents/made>

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7.1 The University uses the Higher Education Role Analysis (HERA) as its job evaluation process for non-academic posts. Job evaluation and role analysis offer a consistent and systematic approach to determine the relative size and complexity of roles within an organisation.

7.2 Job evaluation is used:

- to ensure consistency in pay and grading decision-making;
- to design and maintain an equitable and defensible pay structure;
- to prevent equal pay claims by demonstrating that equal pay is provided for work of equal value; and,
- to identify incidences of discrimination or gender bias.

An analytical job evaluation scheme, such as HERA, assesses all roles against a common set of factors and criteria in order to generate point scores and compare roles. Further information can be found at <https://www.uea.ac.uk/hr/employee-information/hera> .

8.0 EQUAL PAY REVIEW AND GENDER PAY GAP REPORTING

8.1 As part of its specific duty under the Equality Act 2010 the University will continue to undertake regular equal pay reviews to identify whether there are any gender inequalities arising from the operation of UEA's pay practices and structures. The reviews will be reported to the University's Equality & Diversity Committee.

8.2 As part of its specific duties under The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, the University will comply with its statutory obligations by publishing its gender pay gap report on an annual basis on its own website and a designated government website. The report will be presented to the University's Equality & Diversity Committee.

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9.0 MONITORING AND REVIEW

- 9.1 The Human Resources Division, on behalf of the University, is responsible for monitoring and reviewing the implementation of this Code of Practice to ensure its effectiveness.
- 9.2 The University will continue to monitor and review the impact of its policies, procedures and practices for employment on staff and take positive action where appropriate to ensure that its policy on equal pay and gender pay gap reporting is fully implemented.
- 9.3 Such action will include the provision of training and raising awareness, particularly for key staff groups where monitoring indicates that an area of policy, procedure or practice requires revision.
- 9.4 The Human Resources Division will monitor the completion rates for the Equality and Diversity module and provide a regular report to the Equality & Diversity Committee.
- 9.5 The Equality & Diversity Committee will have lead responsibility for monitoring and reviewing the Code, reporting as appropriate to the Executive Team and Council.

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