

Brighton & Hove City Council Disability Pay Gap Report 2021-22

1. Introduction

- 1.1. The council is publishing the workforce disability pay gap on a voluntary basis. In the absence of a mandatory framework for reporting, the council have chosen to replicate the regulations and measures used in gender pay gap reporting. Therefore, this report includes:
 - the mean and median disability pay gaps
 - the mean and median disability bonus pay gaps
 - the proportions of disabled and employees who received a bonus
 - the proportions of disabled employees and employees with no disability in each pay quartile
- 1.2. The reporting data includes council employees who have self-certified their disability status as either 'disabled' or as having 'no disability' and were employed on 31 March 2021. Apprentices, seasonal, temporary or casual employees are included if they fall within the reference period created by the snapshot date. Mirroring the gender pay reporting regulations, the data excludes schools-based staff.
- 1.3. The council's workforce equalities data is provided confidentially and voluntarily by individuals working for the council. The council encourages its workforce to share their equalities data to understand the workforce profile and plan actions to address inequalities. Not all employees choose to share their details. This report is based on 80.2% of the workforce on the snapshot date who have disclosed whether they are disabled or have no disability. The remaining employees declined to specify and as such are excluded from this report.
- 1.4. The council publishes this information on its website.
- 1.5. This report relates to the snapshot date of March 31st 2021.

2. Disability Pay Gap and Equal pay

- 2.1 Pay gap reporting is different to equal pay. Pay gaps measure the difference in average hourly pay between different groups. Unlike equal pay audits, which look at the difference in pay between people with different characteristics doing the same job, pay gap reporting looks at the wider picture across the workforce.
- 2.2 The disability pay gap is a measure of the difference in average ordinary earnings (excluding overtime) between employees with no disabilities and employees with a disability across the workforce. It is expressed as a percentage of the earnings of employees with no disabilities. Both the mean (average) and median hourly rates are reported.
- 2.3 The Equality Act 2010 makes it unlawful to discriminate (both directly and indirectly) against employees (and people seeking work) because of their disability. An employer can be equal pay compliant and still have a disability

pay gap. The cause of a disability pay gap may not fall within the direct control of the employer and is likely to be due to other factors that impose a disadvantage on people with a disability without being explicitly discriminatory.

- 2.4 The council supports the fair treatment and reward of all staff irrespective of disabilities or other characteristics. This report sets out the council's disability pay gap and provides reference to the council's action plan to tackle the gap.

3. Disability Pay Gap Reporting

- 3.1 Mean and Median Pay Gap Reporting: Brighton & Hove City Council has a positive pay gap for both the mean and median gross hourly earnings, i.e. on average the earnings of disabled employees are less than employees with no disability.
- 3.2 The **Mean** (average) disability pay gap in hourly pay is **4.6%**.
- 3.3 The **Median** (middle) disability pay gap in hourly pay is **3.4%**.
- 3.4 **Salary quartile reporting** is calculated by sorting employees by their hourly rate, from the lowest to the highest, then splitting them into four equal quartiles to show the proportions of disabled employees and employees with no disability in each group. Definitions of the salary quartile information are shown in Appendix A.

Quartile & Hourly earning rate range	No disability % in Quartile	Disabled % In Quartile
1. Lower Quartile £6.45 - £12.17	91.1%	8.9%
2. Lower Middle Quartile £12.18 - £14.86	92.0%	8.0%
3. Upper Middle Quartile £14.86 - £18.53	93.0%	7.0%
4. Upper Quartile £18.53 - £84.79	93.1%	6.9%

- 3.5 Bonus pay reporting. The council does not pay bonuses, as such no figures are reportable.

4. Supporting Narrative

- 4.1 The council's overall workforce disability profile based on this reporting data is 92.3% with no disability and 7.7% disabled. These figures exclude employees who have declined to provide equalities data.
- 4.2 3,660 employees are included in the reporting data. These employees held 3,761 job roles in the pay period comprising of 3,531 contracted roles and 230 casual roles. As per applied reporting methodology, employees on less than full pay have been excluded.
- 4.3 The mean hourly rate of pay for disabled employees was £15.88. The mean hourly rate for employees with no disability was £16.64, this results in the reported 4.6% difference.

- 4.4 The median hourly rate of pay for disabled employees was £14.38. The median hourly rate for employees with no disability was £14.88, this results in the reported 3.4% difference.
- 4.5 **Salary Quartiles.** The % of disabled employees in each quartile is lower than the % of employees with no disability. This is similar to the workforce disability profile of 7.7% noted above. The highest % representation of disabled employees is at the lower quartile (8.9%), with lower representation at lower middle quartiles (8%), and upper middle (7%). The upper quartile shows the lowest proportion of disabled employees (6.9%).
- 4.6 **Men and Women.** The percentage of female employees who are disabled is 7.4%, and male 8.1%. The median disability pay gap for disabled female employees is 3.4% and for disabled men 2.5%. This means the median earnings of disabled female employees is 3.4% less than female employees with no disability. The median earnings for disabled male employees are 2.5% less than male employees with no disability.
- 4.8 **Working pattern allowances.** 21% of the workforce in the snapshot pay period received an allowance in addition to their basic pay. 6% of all employees in receipt of allowance were disabled employees, 94% were employees with no disability. Overall, 17% of all disabled employees received an allowance, compared with 22% of all employees with no disability in receipt of an allowance.
- 4.7 **Pay & Grading.** The council's annual pay policy statement provides details of the council's pay and grading arrangements and can be referenced via the link at Appendix B.
- 4.8. Further analysis on the workforce profile for disabled workers can be found in the annual workforce equalities report via the link at Appendix C.

5. How figures compare nationally

- 5.1 The Office of National Statistics (ONS) reported a UK median disability pay gap of 13.8% in 2021. This is 10.4% higher than the BHCC reported median pay gap of 3.4%. Link to the ONS reported data can be found at Appendix D. It is important to note that employees of the council have self-certified their disability status whereas the ONS use the Government Statistical Service (GSS) harmonised "core" definition. Details on the identifiers used by GSS can be found on the link at Appendix E.
- 5.2 The ONS have reported that the disability pay gap has consistently been wider for disabled men than for disabled women, in 2021 median pay for disabled men was 12.4% less than non-disabled men, and median pay for disabled women was 10.5% less than non-disabled women. The council's disability pay gap shows the reverse position with the disability pay gap being wider for disabled women (3.4%) than for disabled men (2.5%).

6. Summary & Actions

- 6.1 The council is confident that its disability pay gap does not stem from an equal pay issue. In 2010 the council introduced a new pay and grading system to ensure all roles are graded using a recognised job evaluation system to make sure individuals receive equal pay for equal work. In 2013 a new system of allowances and expenses was implemented to ensure consistency across the workforce.
- 6.2 The council's disability pay gap shows that on average (by both measures) the earnings of employees who are disabled are less than employees with no disability, and this is similar to the national disability pay gap. The council has a positive disability pay gap because we have fewer disabled employees, and fewer disabled employees hold higher paid management and senior positions within the council than employees with no disability.
- 6.3 The council's workforce is predominantly female making up 60% of the workforce data used for this reporting. The percentage of male employees who are disabled is (8.1%), this is slightly higher than female disabled employees (7.4%). Whilst the council workforce is largely female, and more female employees hold higher paid job roles than men, overall fewer women who are disabled hold higher paid roles than disabled men.
- 6.3 The council is committed to improving the diversity of its workforce to reflect its communities and disability forms part of our wider inclusion agenda. Being a fair and inclusive place to work is one of the five commitments of 'Our People Promise' made to employees. The work programme to deliver this promise, our co-created 'Fair and Inclusive Action Plan' has a comprehensive range of outputs to support the recruitment, retention and progression of disabled staff. See Appendix F for a link to the Council's Fair & Inclusive Action Plan.

Appendix A

Hourly Pay Definition for the purposes of calculating the mean and median hourly rates.

Pay will include:

- basic pay
- paid leave, including annual leave, sick leave, maternity, paternity, adoption or parental leave (except where an employee is paid less than usual because of being on any such leave)
- area and other allowances
- shift premium pay
- pay for piecework
- bonus pay

It will not include:

- overtime pay
- expenses

Full-pay Relevant Employee Definition

“Full-pay relevant employee” means a relevant employee who is not, during the relevant pay period, being paid at a reduced rate or nil as a result of the employee being on leave. Employees who receive no pay at all during the relevant pay period, whether or not this is as a result of being on leave are excluded from the ethnicity pay gap calculations. “Leave” includes—

- (a) annual leave
- (b) maternity, paternity, adoption, parental or shared parental leave
- (c) sick leave and
- (d) special leave

Pay Quartiles

This calculation requires an employer to show the proportions of disabled employees and employees with no disability “full-pay relevant employees” in four quartile pay bands. This is done by dividing the workforce (so far as possible) into four equal sections to determine the lower, lower middle, upper middle and upper quartile pay bands. Where employees receiving the same hourly rate of pay fall within more than one quartile pay band, a relative proportion of disabled employees and employees with no disability receiving that rate of pay were assigned to each of those pay quartiles.

Appendix B Link to Council’s Pay Policy Statement: <https://www.brighton-hove.gov.uk/jobs/pay-policy-statement>.

Appendix C Link to Council’s annual workforce equalities report: <https://www.brighton-hove.gov.uk/jobs/council-jobs/workforce-equalities-report-2020-2021>

Appendix D ONS Disability pay gaps in the UK: 2021
[Disability pay gaps in the UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/methods/data-collections/disability-pay-gaps-in-the-uk)

Appendix E Link to the ONS disability status definition: <https://gss.civilservice.gov.uk/policy-store/measuring-disability-for-the-equality-act-2010/>

Appendix F Link to the Council’s Fair and Inclusive Action Plan: <https://www.brighton-hove.gov.uk/fair-and-inclusive>