

Non-Executive Report of the: COUNCIL 21 March 2018	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Amendments to Motion for debate submitted by an Opposition Group	

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services.
Wards affected	All wards

SUMMARY

1. Council Procedure Rule 11 allows for time at each Ordinary Council meeting for the discussion of one specific Motion submitted by an Opposition Group. The debate will follow the rules of debate at Council Procedure Rule 13 and will last no more than 30 minutes.
2. The Opposition Motion for Debate is listed at Item 8 of the main agenda pack.
3. Council Procedure Rule 11 allows for amendments to the Opposition motion to be submitted to the Monitoring Officer by Noon the day before the meeting. The content of amendments must comply with Council Procedure Rule 13.6.
4. Three amendments to the Opposition Motion were received by the Monitoring Officer by the above deadline and are set out overleaf in order of receipt.

Amendment 1 to Opposition Motion by the People's Alliance Of Tower Hamlets Group regarding Gender Pay Gap Audit 2018

Proposer: Mayor John Biggs

Secunder: TBC

Labour Group amendment to opposition motion, regarding Gender Pay Gap Audit 2018

The Council Notes:

1. According to the latest [Government data](#), 74% of firms pay male staff higher wages than their female counterparts.
2. The average gender pay gap across all medium and large-sized firms is now 8.2%, as measured by median pay.
3. By law, all firms with more than 250 staff [must report their gender pay gap](#) to the government by 4 April this year. So far only 1,047 firms have complied, leaving [another 8,000 to go](#).
4. According to the most recent figures from the [Office for National Statistics](#), Tower Hamlets and the City of London are in the top ten areas with the highest gender pay gaps – the two main financial districts in the UK – highlighting the serious gender pay disparity that exists within the financial services industry.
5. The percentage of Tower Hamlets Council employees who are women has remained broadly stable between 2015-2018: in April 2015 63% of employees were women, in March 2018 this was 64%.. The following FOI shows the breakdown: **FOI: 9551965 Staff who have left/joined council by ethnicity – however this is just a snapshot in time and more in depth analysis can be provided.**

By ethnicity of all staff having left or joined the authority since 12 June 2015, as in the following table:

White	Asian* See note below	Black	Other	Missing/ Declined to State	Men joining
193	186	123	39	72	Women joining
387	212	171	41	105	Women leaving
118	153	37	16	30	Men joining
235	211	71	17	68	Men leaving

*Note: The council does use the ethnicity category 'South Asian'.

There has been a temporary rise in the number of consultants, a major cause of this being the additional work being done to support improvements in children's services, and a significant amount of expenditure has been on social care staff, a situation that is reflected across the country in a national social care crisis.

6. Tower Hamlets Council's joint Trade Unions are rightly concerned about the level of cuts imposed upon the Council by the Conservative Government, with our budget slashed by £138m between 2010 and 2017 and a further £58m from 2017/18 to 2019/20 as a result of cuts and increasing demand.

7. Clearly the Government's cuts have meant difficult decisions and have affected staff. The Mayor has said he understands the concerns raised by unions and has expressed a desire to move forwards, thoughtfully, quickly and with a shared sense of purpose while protecting the rights of staff.

This Council Further Notes That:

1. Sadiq Khan has been the first mayor to publish [a gender pay audit](#) at City Hall and said that: "[There's no excuse](#) for there to be a gender pay gap."
2. Amidst the furore at the BBC about gender pay inequality, Michelle Stanistreet, general secretary of the National Union of Journalists, said that she was aware of a "significant amount of cases" where women say they're being paid less for doing [the same or similar work](#).
3. Under the [Equality Act 2010](#), employees are legally entitled to equal pay with a person of the opposite sex where they are in the same employment and doing equal or similar work.
4. According to the [Women's Equality Party Manifesto](#), "The inflexible minimum earning threshold imposed on would-be migrants to the UK makes it doubly difficult for women to come here independently because of the gender pay gap."
5. Despite gains in school and higher education, young women are facing stark inequalities and the [gender pay gap](#) is not falling for women with A-levels or degrees.
6. The [Women's Equality Party Manifesto](#) states that "the gender pay gap is not falling for women with A-levels or degrees" and that "despite gains in school and higher education, young women are still facing stark inequalities." This is backed up by statistics published on [Gov.UK](#) (as of 1 March 2018) from councils who have already conducted a gender pay gap audit.

Summary of Findings:

Number of Councils reporting (at this point): 71

Average gap in hourly pay: -8.4%

Number of Councils where the hourly pay gap is greater than 10%:

Hourly pay gap in favour of men of at least 10%: 21

Hourly pay gap in favour of women of at least 10%: 2

Indeed one Council reported that women's hourly pay was 161.1% lower than men's.

(The full table of information is available through the web link or at the Council meeting)

The Council Believes:

1. That women are still undervalued in the workplace, regardless of their roles.
2. As specified by the [Women's Equality Party](#), we would welcome, "Gender pay gap reporting to be broken down by age, employment status, ethnicity, race, disability, industry and working hours, as well as gathering data on retention during – and up to a year after – parental leave."
3. That there should be zero tolerance for workplace discrimination, as suggested by the [Women's Equality Party](#).
4. That there should be greater investment in childcare to enable parents and care givers (male and female), especially those on lower incomes, to be able to afford to return to work.
5. As large employers with large female workforces, public sector organisations should lead the way in gender pay gap audits.
6. That women over 50, who are vulnerable to [dual discrimination](#), based on age and gender, should be valued for their experience and dedication, since they are far less likely to change jobs than younger employees.

The Council Agrees that (as a large public sector employer) the Council should, and has now completed, a gender pay gap audit. The analysis of which will include:

1. The Investigation of any difference in pay or other terms for all council employees and to note that contractors with over 250 employees are expected to carry out a gender pay gap audit of their own.
2. An assurance that greater emphasis on pay equality is embedded within Tower Hamlets Council, particularly within the Pay Policy, which states that:

3.7: The Council signed a Single Status agreement in April 2008 with trade unions. This brought former manual grades into the GLPC job evaluation scheme and replaced spot points with narrow grade bands. One of the key aims of the agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination

15.1: The Council has a keen regard for equality issues and should any changes be made to the pay policy in the future, proposals would go through an Equality Analysis. One of the key aims of Single Status agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination

3. The consideration of what flexible working options and enhanced leave options for primary care givers, including: child care, maternity leave, paternity leave, aged care

and special needs' care, are currently available with a view to ensuring that all LBTH employees are treated equally and fairly.

4. A commitment from the Mayor to encourage all employers and companies in LBTH to agree to carry out a Gender Pay Audit.

Amendment 2 to Opposition Motion by the People's Alliance Of Tower Hamlets Group regarding Gender Pay Gap Audit 2018

Proposer: Councillor Ohid Ahmed

Secunder: Councillor Oliur Rahman

The This Council Notes that:

1. **The Parliament first pressed for equal pay in 1944, in relation to equal pay for men and women teachers.**
2. **In 1970 Equal Pay Act 1970 was passed. Until that time, it was commonplace for jobs to be advertised with one rate of pay for a man, and another for a woman. The Equal Pay Act outlawed discrimination in pay and is still used today to challenge such discrimination.**
3. **Pay transparency audit, which includes the gender gap pay data, under section 78 of the Equality Act 2010 was introduced, at last, in 2016.**
4. According to the latest Government data, 74% of firms pay male staff higher wages than their female counterparts.
5. The average gender pay gap across all medium and large-sized firms is now 8.2%, as measured by median pay.
6. By law, all firms with more than 250 staff must report their gender pay gap to the government by 4 April this year. So far only 1,047 firms have complied, leaving another 8,000 to go. **For that to happen, however, the information provided must lead to change. Transparency is effective only when firms act on the information revealed, and this includes Tower Hamlets Council.**
7. According to the most recent figures from the Office for National Statistics, Tower Hamlets is also one of the top ten areas with the highest gender pay gaps.
8. More women have left Tower Hamlets Council than ever before [Note – to be clarified], in particular, from black and minority backgrounds. The following FOI shows the breakdown. FOI: 9551965 - Staff who have left/joined council by ethnicity - By ethnicity of all staff having left or joined the authority since 12 June 2015, as in the following table:

White	Asian* See note below	Black	Other	Missing/ Declined to State	Men joining
193	186	123	39	72	Women joining
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*Note: The council does use the ethnicity category 'South Asian'.

9. Approximately 9% of the council staff are consultants and agency staff. Under Mayor Biggs, the use of consultants and agency staff has doubled from 4.5% to 9%.
10. Tower Hamlets Council's joint Trade Unions are increasingly concerned about a new trend toward mass redundancies for Council Staff and launched the following petition: https://www.change.org/p/tower-hamlets-council-stop-the-mass-axing-of-tower-hamletscouncil-staff-defend-jobs-equality?recruiter=46003048&utm_source=share_petition&utm_medium=share_petition
11. The petition states the following: "It is of particular concern that Trade Unions have noticed that BME and female staff appear to be disproportionately affected; potentially reversing gains on equalities that took many years to achieve."

This Council Further Notes That:

1. **After the Section 78 was introduced**, Sadiq Khan ~~has been the first mayor to~~ published a gender pay audit at City Hall and said that: "There's no excuse for there to be a gender pay gap."
2. Amidst the furore at the BBC about gender pay inequality, Michelle Stanistreet, general secretary of the National Union of Journalists, said that she was aware of a "significant amount of cases" where women say they're being paid less for doing the same or similar work.
3. Under the Equality Act 2010, employees are legally entitled to equal pay with a person of the opposite sex where they are in the same employment and doing equal or similar work.
4. According to the Women's Equality Party Manifesto, "The inflexible minimum earning threshold imposed on would-be migrants to the UK makes it doubly difficult for women to come here independently because of the gender pay gap."
5. Despite gains in school and higher education, young women are facing stark inequalities and the gender pay gap is not falling for women with A-levels or degrees.

6. The Women's Equality Party Manifesto states that "the gender pay gap is not falling for women with A-levels or degrees" and that "despite gains in school and higher education, young women are still facing stark inequalities." This is backed up by statistics published on Gov.UK (as of 1 March 2018) from councils who have already conducted a gender pay gap. **The plight of fairness and equal pay for women must not be left for Women's Equality Party but all of us must continue to contribute and campaign for equality and justice for all, including women.**

Summary of Findings:

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- Hourly pay gap in favour of women of at least 10%: 2
- ~~Indeed,~~ A Council reported that women's hourly pay was 161.1% lower than men's.

~~(The full table of information is available through the web link or at the Council meeting)~~

The **This Council Believes:**

1. That women are still undervalued in the workplace, regardless of their roles.
2. ~~As specified by the Women's Equality Party~~ **That all our residents, the local authority and partners will benefit from a transparent and easy to understand Equality Data with a particular focus on Equal Pay Audit, Recruitment, Retention and Career Progression. In particular, the any pay gap for all protected categories under the Public Sector Equality Duty under the law, especially the gender pay gap reporting to be broken down by age, employment status, ethnicity, race, disability, industry and working hours, as well as gathering data on retention during – and up to a year after – parental leave. In order to be truly fair, accountable and transparent it should include all disadvantaged categories as identified by law.**
3. That there should be zero tolerance for workplace discrimination for **anyone**. This should be backed up by a proactive and meaningful recourse with a safe, secure and accessible whistleblowing policy. ~~the Women's Equality Party.~~
4. That there should be greater investment in childcare to enable parents and care givers (male and female), especially those on lower incomes, to be able to afford to return to work.
5. As large employers with large female workforces, public sector organisations, **like Tower Hamlets Council**, should lead the way in gender pay gap audits.

6. That women over 50, who are vulnerable to **multiple** dual-discrimination, based on age, gender, sexuality, race and faith should be valued for their experience, **output** and dedication, since they are far less likely to change jobs than younger employees.

~~The This Council Agrees (as a large public sector employer) to: the Council should:~~

1. On the cross-party basis, **Leaders of all political groups** in Tower Hamlets Town Hall and the corporate leadership of the local authority remain fully committed to implementing the Equal Pay Act, particularly the pay transparency provision under section 78 of the Equality Act 2010 introduced in 2016.
2. Carry out an immediate Equal Pay Audit, **with a proper Equality Analysis, covering all protected categories under the Public Sector Equality Duty with an emphasis on a gender pay gap.** audit.
3. Investigate the possibility of independent and transparent input into the **Equal and Gender Pay Audit** to ensure that this results in real progress to close the gender and other pay gaps.
4. Investigate any difference in pay or other terms for all council employees and contractors to be completed by the end of July ~~September~~ 2018.
5. Using the results of the **Equal Pay and Gender Pay Gap Audit**, and ~~investigation~~ investigate and address the causes of ~~into~~ difference in ~~of~~ pay, commence **a meaningful** Equality Analysis so that greater emphasis on pay equality is embedded within Tower Hamlets Council, particularly within the Pay Policy.

~~In the latest Pay Policy Statement — 1 April 2018 — 31 March 2019, there is only two clauses pertaining to pay equality as follows:~~

~~3.7: The Council signed a Single Status agreement in April 2008 with trade unions. This brought former manual grades into the GLPC job evaluation scheme and replaced spot points with narrow grade bands. One of the key aims of the agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination.~~

~~15.1: The Council has a keen regard for equality issues and should any changes be made to the pay policy in the future, proposals would go through an Equality Analysis. One of the key aims of Single Status agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination.~~

6. As part of the Equality Analysis, which should commence no later than **5 November 2018** and be completed before **10 December 2018**, create greater flexible working options and enhanced leave options for primary care givers, **fair overtime compensation**, including: child care, maternity leave, paternity leave, aged care and special needs' care, so that these options are rolled out across the Tower Hamlets' workforce and take effect no later than 1 March 2019.
7. **Launch a Tower Hamlets Equal Pay Charter, with support from relevant employers and companies in LBTH to carry out an Equal Pay and Gender Audit.**

Amendment 3 to Opposition Motion by the People's Alliance Of Tower Hamlets Group regarding Gender Pay Gap Audit 2018

Proposer: Councillor Andrew Cregan

Seconder: Councillor Rabina Khan

Under, "The Council agrees..." add:

6. The Council to make sure it has a clear Shared Parental Leave policy, that employees are aware of this and actively encouraged to take it up.

7. As well as the gender pay audit, to carry out an ethnicity pay audit, to determine whether employees from Black and Ethnic Minority backgrounds are consistently paid less. The audit should include an action plan to address any issues found.