



Government
Legal Department

Government Legal Department Gender Pay Gap Report 2019





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Summary

Gender Pay Gap

| Year | Mean Pay Gap | Median Pay Gap |
|------|--------------|----------------|
| 2019 | -0.64% | 0.76% |
| 2018 | -0.19% | 1.70% |
| 2017 | 0.44% | 0.70% |

Bonus Pay Gap

| Year | Mean Bonus Pay Gap | Median Bonus Pay Gap |
|------|--------------------|----------------------|
| 2019 | 27.25% | 13.04% |
| 2018 | 21.76% | 40.00% |
| 2017 | 26.33% | 50.00% |

Proportion of Males and Females receiving a Bonus payment

| Year | Female | Male |
|------|--------|--------|
| 2019 | 67.45% | 67.38% |
| 2018 | 52.75% | 56.51% |
| 2017 | 42.00% | 46.00% |

Hourly Pay Quartiles

| Quartile | Female | Male |
|-----------------------|--------|--------|
| Upper Quartile | 63.69% | 36.31% |
| Upper Middle Quartile | 59.69% | 40.31% |
| Lower Middle Quartile | 67.25% | 32.75% |
| Lower Quartile | 60.78% | 39.22% |



Introduction

In 2017, the Government introduced world-leading legislation that made it a statutory requirement for organisations with 250 or more employees to report annually on their gender pay gap. Government departments are covered by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 which came into force on 31 March 2017. These regulations require GLD to publish their gender pay gap data by 30 March annually. This includes the mean and median gender pay gaps; the mean and median gender bonus gaps; the proportion of men and women who received bonuses; and the proportions of male and female employees in each pay quartile.

The **gender pay gap** shows the difference in the average pay between all men and women in a workforce. If a workforce has a particularly high gender pay gap, this can indicate there may be a number of issues to deal with, and the individual calculations may help to identify what those issues are.

The gender pay gap is different to equal pay. **Equal pay** deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman.

Definitions

The Regulations introduce two new concepts:

- “relevant employee” - this is an employee on the snapshot date, 31 March 2019. The number of relevant employees is used in some of the calculations;
- “full pay relevant employee” – this is an employee on the snapshot date, 31 March 2019 who receives their normal March salary. This is not the same as full time equivalent.

Employees who are either not being paid or are on reduced, statutory or nil pay during March 2019 are not “full pay relevant employees”. For example an employee on maternity leave whose occupational maternity pay runs out on 15 March and starts to receive statutory maternity pay will be a “relevant employee” but not a “full pay relevant employee”.

The Regulations also require information to be reported under the following definitions:

- The **mean average** is calculated by adding together all the values and dividing by the number of values. In this case a mean average is calculated for men, a mean average is calculated for women, and the two mean averages are compared.
- The **median average** is calculated by sorting the values into an order from lowest to highest, and then finding the value that is in the middle of that sorted list. In this case a



median average is calculated for men, a median average is calculated for women, and the two median averages are compared.

- The **pay quartiles** are hourly pay for all staff that are sorted into order from the lowest amount to the highest amount. This ordered list is then split into four equal parts, known as quartiles. The lowest pay quartile contains the first quarter of the ordered list, i.e. the 25% of the list with the lowest hourly rates of pay. The upper quartile contains the 25% of staff whose hourly rates of pay are the highest. Quartiles are related to the median average, as the median average marks the point between the second and third quartile.

Headline Gender Pay Gap Figures

For the third year running, GLD's headline mean (-0.64%) and median (0.76%) gender pay gap figures indicate a negligible gender pay gap. GLD's ordinary pay is approximately 99.00% of our pay bill. We acknowledge there is still work to be done on our bonus pay gap.

Reflections from our Permanent Secretary

To Be Included

Organisational Context

Building a diverse and inclusive workforce that reflects the people we serve is one of the Civil Service's top workforce priorities. The Civil Service as a whole aims to become the UK's most inclusive employer by 2020. The Civil Service Diversity & Inclusion Strategy outlines how we plan to achieve this. The Civil Service should create opportunities for all in a truly meritocratic way and reward all civil servants fairly, regardless of gender, ethnicity or any other personal characteristic.

In June 2019 we published our Diversity and Inclusion Strategy 2019-2022 (D&I Strategy) which supports GLD's vision to be "a brilliant place to work, where we can all thrive and fulfil our potential" and contribute to achieving the Civil Service vision to "become the UK's most inclusive employer".

The GLD D&I Strategy builds on the work we have done as an organisation during the previous GLD Diversity and Inclusion Action Plan 2016-2019. The success of this work is reflected in GLD's high positive score, 82.00%, for 'Inclusion and Fair Treatment', in the 2017 and 2018 People Surveys.

We have thirteen vibrant and engaged diversity networks in GLD. Through their work GLD is really proud to have been recognised as a Stonewall Diversity Champion, Social Mobility Employer Index 2018 and 2018 Business in the Community's Best Employers for Race, as well as winning the Law



Society Excellence in Diversity and Inclusion award. The networks work closely with our Director General Diversity Champion Stephen Braviner-Roman and our other diversity champions.

Organisational Structure

GLD uses Civil Service grades Administrative Officer (AO) to SCS with two additional grades, Legal Trainee (LT) and Legal Officer (LO). We also have Non-Executive Directors (NEDs).

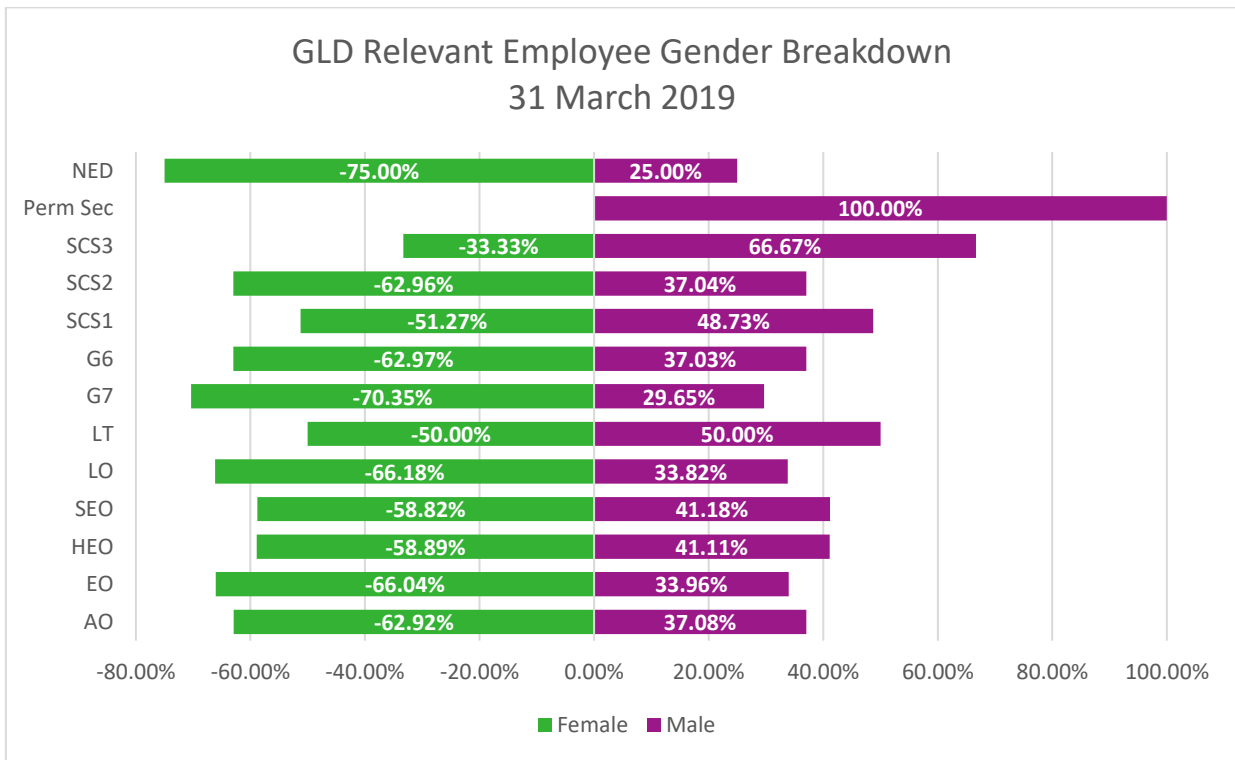
The grades are split into two groups:

- SCS whose pay and grading structures are determined by the Cabinet Office. The grading structure is underpinned by the analytical Job Evaluation for Senior Posts (JESP) system;
- Delegated grades AO to Grade 6 where GLD has the ability, within the frameworks set by HM Treasury and Cabinet Office, to determine its pay and grading structures. GLD's grading structure is underpinned by an analytical Job Evaluation and Grading System (JEGS).

On 31 March 2019, GLD had 2361 relevant employees of which 64.55% were female. GLD had 2062 full pay relevant employees of which 64.16% were female. The difference is due to employees on nil or reduced pay during March 2019.

Since 31 March 2018 GLD's headcount has increased by 127. The percentages of female relevant employees and full pay relevant employees have both increased.

Analysing gender representation across grades, there is a higher proportion of relevant female employees in the majority of grades. The exception is at senior level where the gender distribution is a more evenly split. The percentage of women in the SCS has increased from 51.40% to 52.70%.



The following gender pay gap analysis is based on the methodology set out in the Equality Act (Specific Duties and Public Authorities) Regulations 2017.

Analysis

Ordinary pay

The mean gender pay gap is the difference between men’s and women’s average hourly pay. For GLD’s full pay relevant employees the mean gender pay gap is -0.64% in favour of women. The median gender pay gap is 0.76% in favour of men.

In comparison to the published figures for 2018, there has been a reduction in the median pay gap, whilst the mean pay gap has increased slightly in favour of women. The pay gap reduction can be attributed to increased representation of females at most grades, most notably at SCS level.



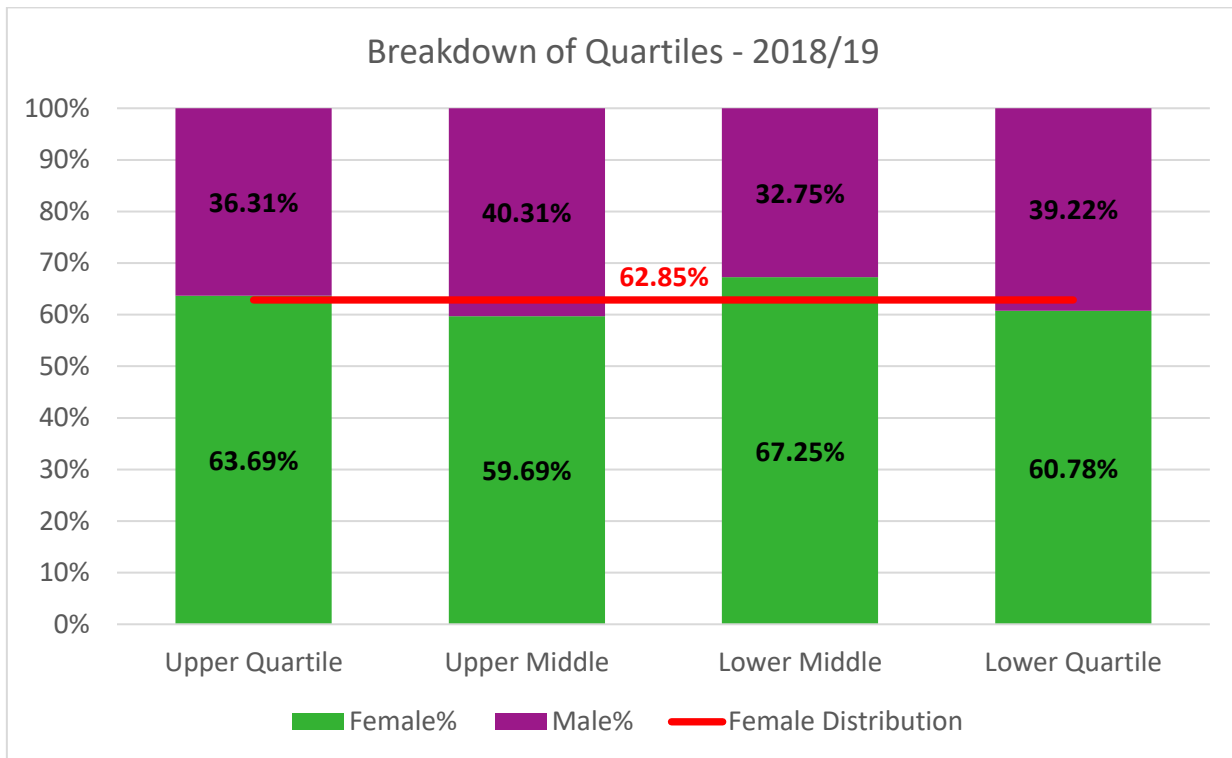
| Year | Mean Pay Gap | Median Pay Gap |
|------|--------------|----------------|
| 2019 | -0.64% | 0.76% |
| 2018 | -0.19% | 1.70% |
| 2017 | 0.44% | 0.70% |

Hourly pay quartiles

The hourly pay quartiles show the proportion of male and female full pay relevant employees in each quartile, when they are arranged in order of hourly pay rate.

| Quartile | Female | Male |
|-----------------------|--------|--------|
| Upper Quartile | 63.69% | 36.31% |
| Upper Middle Quartile | 59.69% | 40.31% |
| Lower Middle Quartile | 67.25% | 32.75% |
| Lower Quartile | 60.78% | 39.22% |

As was the case in 2018, the gender composition of all four quartiles is very similar to GLD's relevant employee gender composition. The approximate 63:37 ratio of women to men at all levels in the organisation is why GLD's mean and median gender pay gaps are negligible.



Bonus pay

Delegated grades AO to Grade 6

GLD operates a special bonus scheme which recognises and rewards individuals or teams for exceptional achievements relating to specific tasks or activities, and/or for acting as an outstanding role model in the demonstration of GLD's Values. In February 2019, changes were introduced to GLD's special bonus scheme including limiting awards to specific values (£50.00 or £100.00 vouchers or cash awards of £250.00 or £500.00). Prior to this, individuals could receive vouchers in increments of £10.00 up to £100.00, or cash awards of between £101.00 and £500.00.

As part of the 2018 pay award employees who received an "A" performance rating received a one off Non-consolidated Performance Related Pay (NCPRP) award of £770.00. All eligible employees received the £770.00 payment in full. GLD does not pro-rata the award for part time employees.

The special bonus scheme and NCPRP are subject to a cost control of 0.79% of GLD's delegated grades pay bill.

Senior Civil Servants (SCS)

GLD has discretion to make in-year non-consolidated award payments to recognise outstanding contribution to up to 20% of the SCS community. For 2018/19, GLD offered awards of £2000 and £4,000.00. GLD does not pro-rata the award for part time employees.



Cabinet Office guidance sets the policy for the SCS NCPRP award. For 2018, employees who were assessed as a “Top” performer received a one off NCPRP award of £9,000.00 (SCS1) or £12,000.00 (SCS2 and SCS3). Such payments were restricted to the top 25.00% of performers. Again, GLD does not pro-rata the award for part time employees.

Bonus gender pay gap

Analysis revealed that overall GLD has a mean bonus pay gap of 27.25% in favour of men, and a median bonus pay gap of 13.04% also in favour of men.

| Year | Mean Bonus Pay Gap | Median Bonus Pay Gap |
|------|--------------------|----------------------|
| 2019 | 27.25% | 13.04% |
| 2018 | 21.76% | 40.00% |
| 2017 | 26.33% | 50.00% |

GLD has four different bonus schemes, two for delegated grades and two for SCS. The rules and funding for the SCS schemes follow Cabinet Office guidance and are different to those for the delegated schemes. This means in one scheme an employee could receive a bonus of £10.00 (Delegated Grades Special Bonus Scheme) and in another an employee could receive a bonus of £12,000.00 (SCS NCPRP). Calculating the mean and median with such widely disparate figures can lead to a significant bonus gender pay gap.

The median is impacted by the very different numbers of relevant employees receiving a bonus under each bonus scheme. The breakdown of bonuses (i.e. count of relevant employees receiving an award) is as follows:-

| Bonus Scheme | Male | Female | Total |
|--------------------------------|------------|-------------|-------------|
| Delegated Grades Special Bonus | 539 | 974 | 1513 |
| Delegated Grades NCPRP | 174 | 307 | 481 |
| SCS Special Bonus | 19 | 18 | 37 |
| SCS NCPRP | 21 | 21 | 42 |
| Total | 753 | 1320 | 2073 |



We have also drilled down into the headline figures and analysed the gender pay gap for each bonus scheme as follows:

Delegated Grades Special Bonus Scheme

This is the in-year scheme for AO to Grade 6, where employees may receive vouchers or cash awards of between £10 and £500. The median award was £110.00 for women and £130.00 for men. The mean award was £157.98 for women and £173.67 for men.

| Year | Mean | Median |
|------|--------|--------|
| 2019 | 9.04% | 15.38% |
| 2018 | 11.67% | 0.00% |
| 2017 | 15.88% | 0.00% |

Whilst the mean award gap has been reduced since 2018, the median award gap has increased in favour of men. Following analysis of GLD's 2017 and 2018 gender pay gaps, addressing the Special Bonus pay gap was made a priority for GLD and a working group was set up with representatives from our network groups and trade union partners. The working group identified that GLD would benefit from clearer guidance for the special bonus scheme with the aim of supporting fair, inclusive and consistent nominations and decision making in the awarding of in year bonuses.

In February 2019, changes were introduced including limiting awards to specific values (£50.00 or £100.00 vouchers or cash awards of £250.00 or £500.00). Revised guidance that contained examples illustrating consideration of protected characteristics was also distributed. Whilst it may take time for the impact of these changes to be measured, GLD HR will continue to work with divisions to guide them in monitoring their application of the scheme from an equalities perspective and in investigating any potential bias in the distribution.

Delegated Grades NCPRP

This is the end of year performance bonus. A flat rate of £770.00 was paid to all Box A performers.

| Year | Mean | Median | Award |
|------|-------|--------|---------------------|
| 2019 | 0.00% | 0.00% | Flat rate £770.00 |
| 2018 | 0.00% | 0.00% | Flat rate £1,050.00 |
| 2017 | 0.00% | 0.00% | Flat rate £1,100.00 |



SCS Special Bonus

SCS are eligible to receive a maximum individual payment of £5,000.00. For 2018/19, bonuses of £2,000.00 and £4,000.00 were awarded. Should an employee also receive an end of year performance bonus then the amount received in-year will be deducted from the end of year total.

| Year | Mean | Median | Award |
|------|-----------|--------|--------------------------------|
| 2019 | 0.00% | 0.00% | Flat rate £2000.00 or £4000.00 |
| 2018 | 0.00% | 0.00% | Flat rate £3,000.00 |
| 2017 | No Scheme | | |

SCS NCPRP

Analysing the SCS end of year NCPRP there is no gender pay gap.

| Year | Mean | Median | SCS1 | SCS2 | SCS3 |
|------|--------|--------|---------------------------|------------|------------|
| 2019 | 0.00% | 0.00% | £9,000.00 / £12,000.00 | £12,000.00 | £12,000.00 |
| 2018 | -3.74% | 0.00% | £4,000.00 / £11,000.00 | £12,000.00 | £12,000.00 |
| 2017 | -0.11% | 0.00% | £11,000.00 | £15,000.00 | £15,000.00 |

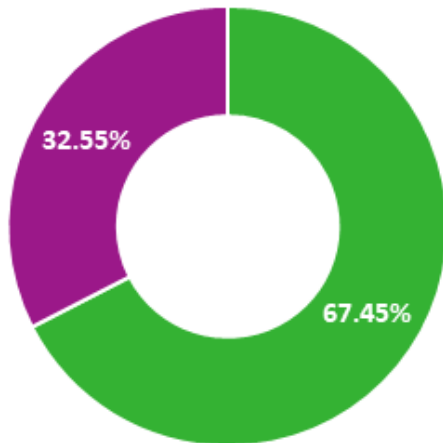
Proportion of males and females paid a bonus

GLD has 1524 female relevant employees, of these 1028 received a bonus, which is a proportion of 67.45%. GLD has 837 male relevant employees, of these 564 received a bonus, which is a proportion of 67.38%. This is a positive change from last year with more employees of both genders receiving at least one bonus and the gap between genders having narrowed to virtually nil.

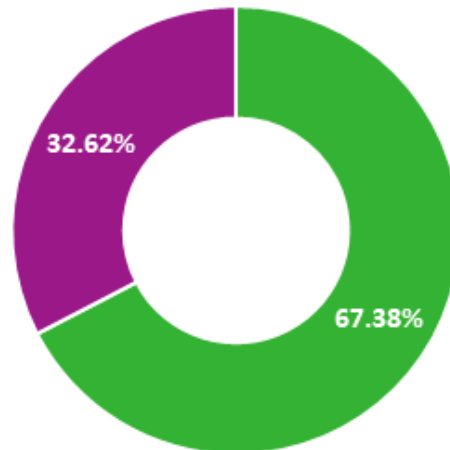
| Quartile | Female | Male |
|----------|--------|--------|
| 2019 | 67.45% | 67.38% |
| 2018 | 52.75% | 56.51% |
| 2017 | 42.00% | 46.00% |



% of Females receiving a bonus



% of Males receiving a bonus



■ Bonus % ■ No Bonus %

Actions

The Civil Service is committed to its vision of being recognised as the UK's most inclusive employer. We recruit and promote from the widest possible pool of qualified candidates, develop our staff of all backgrounds and at all grades, and aim to create a more inclusive culture with more visible diverse role models.

Whilst GLD has a negligible gender pay gap in relation to ordinary pay, we recognise the importance of existing initiatives and seek to continuously improve the diversity of our workforce. Our current initiatives include:

Bonuses: In February 2019, changes were introduced to the special bonus scheme including limiting awards to specific values (£50.00 or £100.00 vouchers or cash awards of £250.00 or £500.00). Revised guidance which contained examples that illustrate consideration of protected characteristics and valuing diversity and inclusion was also distributed. Whilst it may take time for the impact of these changes to be measured, GLD HR will continue to work with divisions to guide them in monitoring their application of the scheme from an equalities perspective and in investigating any potential bias in the distribution.



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Reward: GLD's reward strategy includes equality as a key priority. We monitor the impact of the annual pay review to ensure that, where possible gender pay differences are addressed.

Flexible working: GLD recognises the importance of flexible working in enabling employees to balance family commitments with work. In particular, flexible working can help to reduce the gender pay gap in GLD by enabling more women to move into senior roles. We run regular sessions for employees and managers to raise awareness of our flexible working policy. Our policy is to look favourably on flexible working arrangement requests at all levels of the organisation provided that the needs and objectives of both the organisation and the employee can be met. We offer a wide range of options including reduced hours, compressed hours, job share, flexi time, working from home and annualised hours.

Recruitment practices: GLD seeks to recruit a diverse workforce. We use non-discriminatory job descriptions, analytical job evaluation and name blind recruitment practices to eliminate potential bias in the recruitment process. All interview panel members undertake mandatory unconscious bias training, along with compliance training to ensure consistency and fairness throughout the recruitment process. In autumn 2018, GLD adopted new assessment and selection methods as the Civil Service moves to a more flexible and inclusive selection approach to attract a more diverse candidate group. This new approach marks the evolution of competency based assessment towards a more holistic approach where behaviours are supplemented with other elements. In addition, GLD is identifying role models from a range of backgrounds, including women, black and minority ethnic, and disabled staff in senior roles, through videos and pen profiles to inspire potential applicants and demonstrate our commitment to promoting talent regardless of protected characteristic. GLD have launched a micro-site for external lawyer recruitment and a bespoke Glassdoor page for attraction and retention purposes, with both pages including these videos to attract a diverse range of applicants.

Career Paths: GLD offers a number of talent programmes supporting people into roles that provide access to the right opportunities, exposure, stretch and development to reach their potential. These include: Future Leaders Scheme, Positive Action Pathway, Civil Service Fast Stream and Apprenticeships. Also, for SCS we have the Senior Leaders Scheme, Leading to Inspire and High Potential Development Scheme. The aim is to help tackle the under-representation of certain groups in senior management positions.

Diversity: Our Diversity and Inclusion Actions Framework has been specifically aligned to our work on the gender pay gap with the inclusion of the following *'All our managers take steps to develop skills and behaviours to ensure confidence in building effective relations and to manage performance and to reward all people fairly.'*

We have thirteen active employee networks including Gender Equality, Flexible Working, Carers, and Parents. Each network has a diversity champion at director level who support the Senior Diversity Champion, Stephen Braviner Roman. Their role is to promote the work of the diversity networks and provide senior representation and strategic direction for their areas. The networks provide a forum to discuss, and provide mutual support, for those with a common interest. They provide a voice for and support to all employees within GLD.



With these initiatives in place, there is still more to do. We will continue to raise awareness, highlight barriers and influence actions that can help further reduce these gaps across the department.

Declaration

The data reported by Government Legal Department is accurate and has been calculated according to the requirements and methodology set out in the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.