

# Equal Pay Gap Report

April 2019



# Contents

**Section 1 – Introduction**

**Section 2 – NSS Workforce**

**2.1 Agenda for Change Profile**

**2.2 Executive Level / Senior Managers Profile**

**2.3 Medical and Dental Profile**

**Section 3 – NSS Ethnicity Profile by Gender**

**Section 4 – NSS Disability Profile by Gender**

**Section 5 – Conclusion and Next Steps**

**Appendix 1 – Equal Pay Statement**

## Section 1 – Introduction

NHS National Services Scotland (NSS) is committed to the principles of equality, diversity and human rights in employment and believes that staff should receive equal pay for the same or broadly similar work, for work rated as equivalent, and for work of equal value, (regardless of their gender, race, colour, nationality, ethnicity, sexual orientation, age, marital status, religion or belief or whether or not they have a disability). This is reflected in the NSS Equal Pay statement which is contained in Appendix 1.

NSS is committed to mainstreaming equality in the workplace and one way of ensuring this is to carry out a pay gap audit. In compliance with the Public Sector Equality Duty (under the Equality Act 2010), NSS has published a bi-annual Gender Pay Gap report since 2013. Since 2017 the report has also included ethnicity and disability pay gap information.

This report provides gender, ethnicity and disability pay gap information for NHS National Services Scotland (NSS), based on HR and Payroll data, as at 31 December 2018.

## Section 2 – NSS Workforce

NSS staff are employed under three distinct contract groupings - Agenda for Change (AFC), Executive Level and Senior Managers (EL/SM) and Medical and Dental (M&D) - each with their individual pay, terms and conditions of employment. Table 1 provides gender pay gap data for each contract group, confirming:

- The average basic hourly rates (for both male and female employees)
- The monetary difference between these hourly rates (male to female)
- Gender pay gap for each contract grouping and the gender pay gap for the total NSS workforce, expressed as a percentage of the male average hourly rate of pay

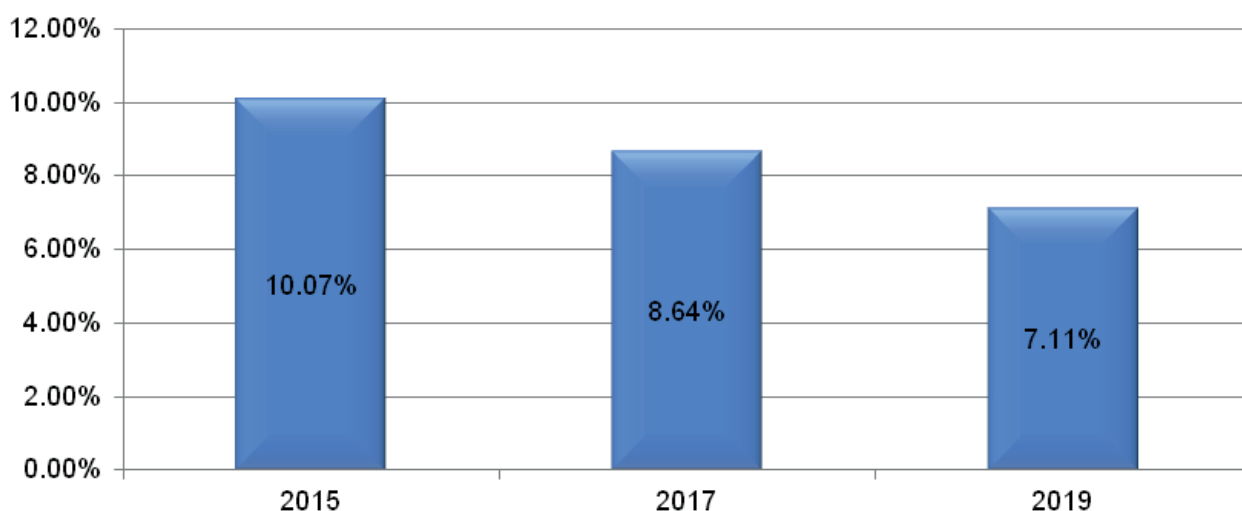
Table 1 – NSS Gender Pay Gap Data

	MALE		FEMALE		Total Headcount	Difference in Average Hourly Rate of Pay (Male to Female)	Gender Pay Gap % (Male to Female)
	Headcount	Average Hourly Rate of Pay	Headcount	Average Hourly Rate of Pay			
<b>Agenda for Change</b>	<b>1,325</b>	£17.79	<b>2,147</b>	£16.70	3,472	£1.09	6.13%
<b>Executive Level &amp; Senior Managers</b>	<b>17</b>	£42.90	<b>11</b>	£41.73	28	£1.17	2.73%
<b>Medical &amp; Dental</b> (inc Consultants & Speciality Doctors)	<b>23</b>	£46.19	<b>37</b>	£42.03	60	£4.16	9.01%
<b>NSS TOTAL PAY GAP</b>	<b>1,365</b> <b>(38.34%)</b>	<b>£18.58</b>	<b>2,195</b> <b>(61.66%)</b>	<b>£17.26</b>	<b>3,560</b>	<b>£1.32</b>	<b>7.11%</b>

\*The Gender Pay Gap is calculated by deducting the NSS average hourly rate for Females from the NSS average hourly rate for Males and expressing the difference as a percentage of the NSS average hourly rate for Males.

Table 1 confirms that the current gender pay gap for the total NSS workforce is 7.11% in favour of male employees. It should be noted that over the past 4 years the NSS gender pay gap has shortened as illustrated in Graph A below.

Graph A – Overall NSS Gender Pay Gap (2015 - 2019)



## 2.1 Agenda for Change - Pay Gap

The majority of the NSS workforce (97.53%) currently sit within the Agenda for Change (AFC) contract group and are predominantly female (61.84%). Each staff member employed under AFC terms and conditions is attached to a post which is assigned to an AFC Job Family. Table 2 below shows the gender pay gap within each job family.

Table 2 - Pay Gap by Agenda for Change Job Family

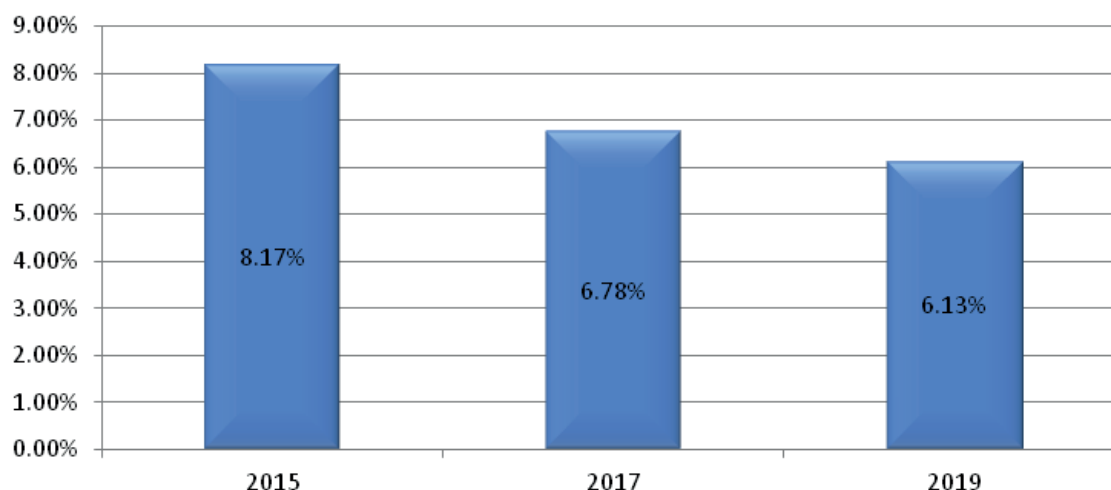
AFC Job Families	MALE		FEMALE		Total Headcount	Difference in Average Hourly Pay (Male to Female)	Gender Pay Gap % (Male to Female) *
	Headcount	Total Average Hourly Pay	Headcount	Total Average Hourly Pay			
Administrative Services	871	£19.75	1,477	£17.01	2,348	£2.74	13.82%
Health Science Services	153	£17.28	265	£18.05	418	- £0.77	- 4.46%
Nursing & Midwifery	35	£14.38	308	£15.34	343	- £0.97	- 6.75%
Support Services	259	£11.55	91	£11.16	350	£0.39	3.38%
Allied Health Professions, Personal Social Services and Other Therapeutic**	7	£33.75	6	£34.28	13	- £0.53	- 1.57%
<b>AFC TOTAL</b>	<b>1,325</b> <b>(38.16%)</b>	<b>£17.79</b>	<b>2,147</b> <b>(61.84%)</b>	<b>£16.70</b>	<b>3,472</b> <b>(100%)</b>	<b>£1.09</b>	<b>6.13%</b>
<b>NSS TOTAL</b>	<b>1,365</b>	<b>£18.58</b>	<b>2,195</b>	<b>£17.26</b>	<b>3,560</b>	<b>£1.32</b>	<b>7.11%</b>

\*A positive figure means that the pay gap favours male staff. Where there is a minus sign, this means that the pay gap favours female staff

\*\*Due to the small number of staff employed in the Allied Health Professions Job Family and the Personal, Social Services and Other Therapeutic Job Family, these have been combined in the above table.

Table 2 confirms that the current gender pay gap for the total workforce employed in the Agenda for Change (AFC) contract group is 6.13% in favour of male employees. Over the past four years, the AFC gender pay gap has shortened as illustrated in Graph B below. This suggests an improving trend.

Graph B – Pay Gap Comparison of the Workforce employed in the Agenda for Change Contract Group between 2015 and 2019



Staff who are employed under AFC terms and conditions occupy posts which have been assigned an AFC pay band through the application of the NHS Job Evaluation Scheme. Job Evaluation is undertaken by trained job evaluators and focuses on the skills and responsibility demands of each job. It should also be noted that staff on AFC pay bands progress incrementally through a number of pay points in each band. Given this, the length of service in grade, incremental placement and timing of each employee’s incremental date will have a direct influence on the pay gap.

**Analysis:**

- Table 2 above shows that in NSS there is a higher proportion of female staff employed in Administrative Services, Nursing and Midwifery and Health Science Services job families and it is noted that administrative and nursing/caring roles traditionally comprise female employees. In particular, the Administrative Services job family continues to hold the greatest proportion of female employees, accounting for 41.49% of the total NSS Workforce – a slight increase of 1.49% on the 2017 figures. The proportion of female and male employees attached to bands/grades within each contract group will influence the overall NSS pay gap outcome. At present, there are proportionately more female employees occupying the lower graded/salaried posts i.e. AFC bands 2 – 7, with the majority of these being in the Administrative Services job family which comprises secretarial, administrative and office based jobs that continue to attract female rather than male employees.
- Administrative Services is also the job family with the highest pay gap in favour of males at 13.82%. However, it should be noted that the pay gap has shortened since 2017, closing by 1.42% over the two year period. An analysis of the pay data within this job family suggests that a contributory factor to the pay gap is that a higher proportion of males (71%) in the more senior AFC grades (band 7 and above) are on the maximum point of their pay band compared with 59% of female employees. Whilst this indicates that there are currently more long-serving male employees in the senior grades, it means that female employees will catch up in the future through annual incremental progression.
- Within Health Science Services and Nursing and Midwifery, it is evident from Table 2 that the pay gap favours female employees at 4.46% and 6.75% respectively although it should be noted that the pay gap between women and men in the Nursing and Midwifery has shortened by 3.44% since the 2017 report.

- Further evidence of the impact of gender historic roles can be seen within the Support Services job family which includes functions that traditionally comprise male roles such as estates, transport services and warehouse operations. Male employees comprise 74% of the Support Services workforce and the pay gap in this job family favours male employees by 3.38%. However, the workforce profile shows a 4% increase in the proportion of female employees since 2017 and also that the pay gap has shortened from 4.20%, which suggests an improving trend. In addition, further analysis of the workforce within the Support Services Job Family shows that the majority of the male workforce (66.80%) has reached the maximum of their payscale compared with only 47.25% of the female workforce, and, as already indicated, length of service in grade and resultant incremental point will impact on the pay gap figures.

Across the AFC contract group, a more detailed analysis of the gender pay gap by grade/pay band can also be presented, as illustrated in Table 3 below.

Agenda for Change	MALE		FEMALE		Total Headcount	Difference in Average Hourly Pay (Male to Female)	Gender Pay Gap % (Male to Female)
	Headcount	Total Average Hourly Pay	Headcount	Total Average Hourly Pay			
<b>Band 2</b>	33	£9.30	67	£9.40	100	- £0.10	-1.07%
<b>Band 3</b>	343	£10.63	425	£10.70	768	- £0.07	-0.66%
<b>Band 4</b>	72	£11.78	261	£11.81	333	- £0.03	-0.25%
<b>Band 5</b>	157	£13.81	350	£14.30	507	- £0.49	-3.56%
<b>Band 6</b>	222	£17.21	409	£17.20	631	£0.01	0.06%
<b>Band 7</b>	248	£20.87	374	£20.71	622	£0.17	0.80%
<b>Band 8a</b>	102	£25.02	107	£24.78	209	£0.23	0.92%
<b>Band 8b</b>	81	£30.13	72	£29.59	153	£0.55	1.83%
<b>Band 8c</b>	42	£36.19	68	£36.07	110	£0.12	0.33%
<b>Band 8d / 9 *</b>	25	£43.98	14	£41.96	39	£1.05	2.38%
<b>TOTAL</b>	<b>1,325</b>	<b>£17.79</b>	<b>2,147</b>	<b>£16.70</b>	<b>3,472</b>	<b>£1.09</b>	<b>6.13%</b>

\* Data relating to Band 9 employees has been combined with Band 8d data.

#### Analysis:

- The proportion of female employees continues to be significantly higher than males in Agenda for Change pay bands 2 to 7, with the biggest differences evident in band 5.
- An analysis of the workforce suggests that this remains in part due to gender historic roles – for example, more women work in secretarial, office based posts, administrative roles, donor carer positions and nursing roles – which attract grades within this range.

- In Bands 2-5, the pay gap favours women and in Bands 7-9 it favours men. It is noted that posts graded at Band 5 are the most commonly recruited to within the organisation, with 90 band 5 vacancies filled over the last 2 years. Examples of posts include Information Analysts, Programme Support Officers and PA/Administrative support roles (which fall within the AfC Administrative Services job family), all of which have proven to attract more females.
- In Band 6, the pay gap is almost in balance with a difference of only 0.06% (an improvement in this pay band from 0.72 in 2017). Across the AFC pay bands, the pay gap is relatively small. The highest pay gaps within the grades are 3.56% in favour of females in band 5 and 2.38% in favour of males in bands 8d/9.
- An analysis of the workforce would suggest that these pay gap differences are principally due to length of service in grade, incremental credit and position on the payscale within each band.

## 2.2 Executive Level / Senior Management - Pay Gap

Table 4 gives the pay gap in the Executive Level/Senior Management Grades, broken down into three grade groupings – Executive Level A-B, C-D and E-H.

	MALE	FEMALE	Diff in average hourly pay Male to Female	Gender pay gap % Male to Female 2019
	Total Avg hourly rate	Total Avg hourly rate		
<b>Executive Level / Senior Manager Grades A - B</b>	£33.98	£33.87	£0.11	0.33%
<b>Executive Level/Senior Manager Grades C - D</b>	£42.87	£43.33	- £0.45	-1.06%
<b>Executive Level/Senior Manager Grades E - H</b>	£51.84	£48.39	£3.45	6.65%
<b>TOTAL</b>	<b>£42.90</b>	<b>£41.73</b>	<b>£1.17</b>	<b>2.74%</b>

<b>NSS TOTAL</b>	<b>£18.58</b>	<b>£17.26</b>	<b>£1.32</b>	<b>7.11%</b>
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Grades of posts in the Executive Level and Senior Management (EL/SM) grouping within NHS Scotland are determined by a National Evaluation Committee which evaluates posts in line with the Hay Evaluation system. Executive Level grades have a salary range, and differentials in pay between staff in the EL/SM cohort will be influenced by the positioning of employees in the salary range for their grade which is also linked to performance in post/annual performance rating.

## Analysis:

- Table 4 above confirms that the total pay gap within the EL/SM grouping is 2.74% in favour of male employees. This shows a shortening of the pay gap over the last two years from 6.01% in 2017. A contributory factor is length of time in grade in that more employees are reaching the maximum of their salary range or progressing further towards the maximum, thereby reducing salary differentials.
- The biggest pay gap is in the E-H grade group which has widened since 2017 from 5.39% to 6.66% in favour of male employees. Further analysis shows that four out of the highest six salaries in this group are paid to male employees - either as a result of the grade of their post and/or as a result of where the employees are placed within their respective grades.
- The EL grade A-B group shows a shortening of the pay gap from 1.89% in 2017 to 0.32% in 2019 and in the EL grade C-D group, the pay gap has moved from male positive in 2017 to favouring female employees in 2019, by 1.06%. A key contributory factor is that more employees in these grade groups are reaching the maximum of their salary range.
- Overall, the analysis of the EL/SM workforce would suggest that pay gap differences are closely associated with length of service in grade and position in the EL grade salary range.

## 2.3 Medical and Dental Profile

Table 5 gives the pay gap for Medical and Dental staff categorised by those employed as Consultants and those employed as Specialty Doctors/Associate Specialists.

Table 5 – Medical and Dental Gender Pay Gap

	MALE	FEMALE	Difference in Average Hourly Pay (Male to Female)	Gender Pay Gap % (Male to Female)
	Total Average Hourly Pay	Total Average Hourly Pay		
<b>Medical &amp; Dental Grade - Consultant</b>	£48.69	£45.79	£2.89	5.93%
<b>Medical and Dental Grade – Specialty Doctor/Associate Specialist</b>	£34.37	£35.08	-£0.71	-2.06%
<b>M&amp;D TOTAL</b>	<b>£46.19</b>	<b>£42.03</b>	<b>£4.16</b>	<b>9.01%</b>
<b>NSS TOTAL</b>	<b>£18.58</b>	<b>£17.26</b>	<b>£1.32</b>	<b>7.11%</b>

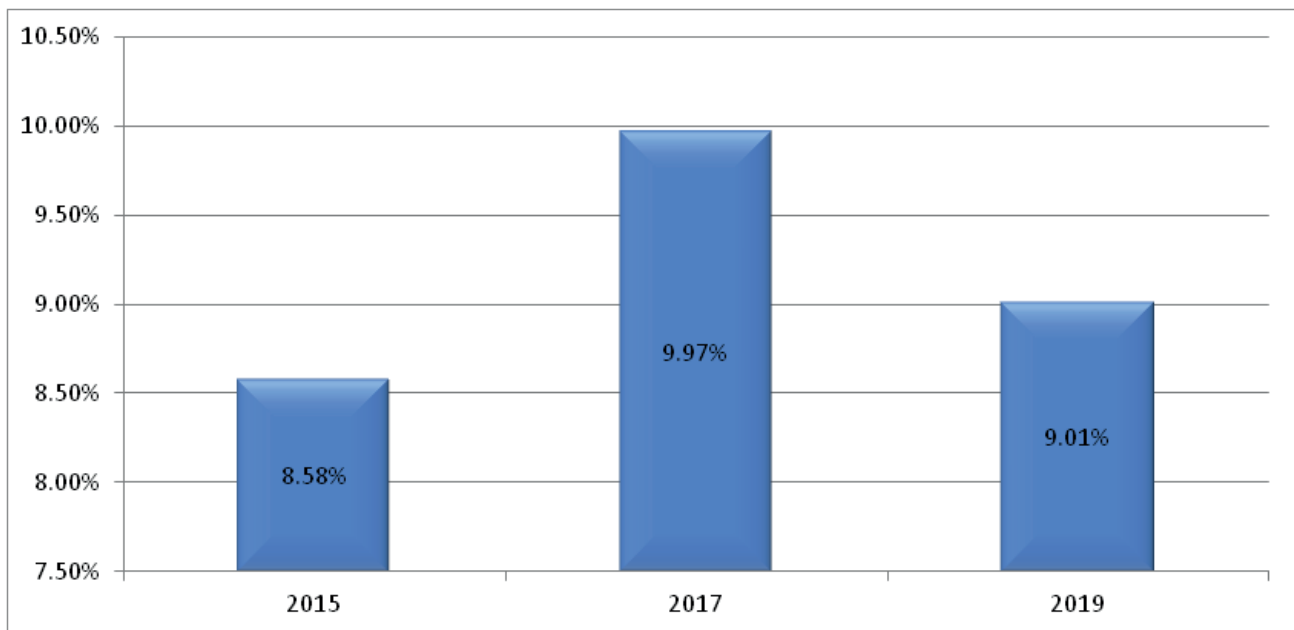
The above table shows that both the Consultant and the Specialty Doctor/Associate Specialist groupings have proportionately more female than male employees which influences the pay gap outcome.

In addition, Medical and Dental staff progress incrementally on their payscale. As such, the length of service in grade, incremental placement and timing of each employee's incremental date are strong contributory factors on pay gap results.



Graph C below illustrates the Medical and Dental (M&D) staff pay gap trend since 2015.

Graph C – Medical and Dental Gender Pay Gap Comparison (2015 – 2019)



- Graph C shows a slight shortening of the overall Medical and Dental pay gap over the last two years from 9.97% in 2017 to 9.01% in 2019.
- The Consultant group presents the widest pay gap in the Medical and Dental cohort although a reduction is evident since 2017, falling from 6.59% to 5.94%. Analysis of the pay data shows that a higher proportion of male consultants (47%) are at the top of their payscale compared with only 25% of female consultants which would be a contributory factor to the pay gap differential. It should also be noted that over the last two years, 88% of Consultant appointments have been female - resulting in the number of female employees in the Consultant grade now exceeding male employees. This recent recruitment is another contributory factor to the pay gap as newly recruited Consultants will be at the lower end of the Consultant payscale.
- The gender pay gap in the Specialty Doctor/Associate Specialist grouping – which is predominantly female - presents as female positive, with women collectively paid 2.07% more favourably than men. This shows a significant change from the 2017 position, where men collectively were paid 4.24% more than females. One reason for this is that over the two year period, the male headcount has reduced by 50% (four employees), due to retirement and voluntary resignation. This reduction in headcount, in addition to length of service in grade and incremental placement, has been a contributory factor to the change in the pay gap.

### Section 3 – NSS Ethnicity Profile by Gender

NSS has referred to the Coalition of Racial Equality and Rights (CRER) document “Equal Pay Duties – Race and Disability” for guidance on presenting ethnicity pay gap information. This document recommends categorising staff into three high level ethnicity groupings, that of:

- White Scottish, White British and White Irish
- White Minority Ethnic – including White Polish, White Gypsy Traveller, White Other
- Non-white Minority Ethnic – including African, African – other, Arab, Asian – other, Bangladeshi, Caribbean, Caribbean – other, Chinese, Indian, Mixed Races, Pakistani, Other Ethnic Group

Using the above groupings, the Ethnic profile of the NSS Workforce is illustrated in Table 6 below.

Table 6 Ethnic Grouping Profile

	<b>MALE</b>	<b>FEMALE</b>	<b>Total Headcount</b>	<b>% of Total NSS Headcount</b>
<b>Ethnic Group</b>	<b>Headcount</b>	<b>Headcount</b>		
White Scottish, British and Irish	1,191	1,933	3,124	<b>87.75%</b>
White Minority Ethnic Group	47	78	125	<b>3.51%</b>
Non White Minority Ethnic Group	54	81	135	<b>3.79%</b>
No response / no data held	73	103	176	<b>4.94%</b>
<b>TOTAL</b>	<b>1,365</b>	<b>2,195</b>	<b>3,560</b>	

The Ethnicity pay gap for NSS is based on the following categories as recommend in the CRER guidance document “Equal Pay Duties – Race and Disability”:

- Overall Race Pay Gap – comparison of the average basic hourly pay rate of staff in the White Scottish, British, Irish and White Minority Ethnic groupings with the Non-white Minority Ethnic grouping expressed as a percentage of the average pay rate of the White Scottish, British, Irish and White Minority Ethnic groupings
- White Minority Ethnic Pay Gap – comparison of the average basic hourly pay rate of staff in the White Scottish, British, Irish grouping with the White Minority Ethnic grouping expressed as a percentage of the average pay rate of the White Scottish, British, Irish grouping
- Non-white Minority Ethnic Pay Gap - comparison of the average basic hourly pay rate of staff in the White Scottish, British, Irish grouping with the Non-white Minority Ethnic grouping expressed as a percentage of the average pay rate of the White Scottish, British, Irish grouping



### 3.1 Overall Race Pay Gap Categorised by Contract Grouping

Table 7 – Overall Race Pay Gap by Contract Group and Job Family

	White Scottish/British /Irish and White Minority Ethnic Group		Non-White Minority Ethnic Group		Difference £	Difference %
	No of staff	Average basic hourly pay rate	No of staff	Average basic hourly pay rate		
<b>Agenda for Change (Job family breakdown below)</b>	<b>3,171</b>	<b>£17.13</b>	<b>129</b>	<b>£16.99</b>	<b>£0.14</b>	<b>0.82%</b>
Administrative Services	2,148	£18.05	93	£17.46	£0.59	3.27%
Health Science Services	368	£17.81	25	£17.04	£0.77	4.32%
Nursing and Midwifery	318	£15.15	*	*	*	*
Allied Health Professionals, Personal and Social care Other therapeutic	12	£34.67	0	-	-	-
Support Services	325	£11.55	7	£11.26	£0.29	2.51%
<b>Executive Level and Senior Managers</b>	<b>28</b>	<b>£42.44</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Medical and Dental</b>	<b>50</b>	<b>£44.07</b>	<b>6</b>	<b>£41.78</b>	<b>£2.29</b>	<b>5.20%</b>

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

With respect to the AFC contract group, the overall race pay gap is shown as 0.82% in favour of the White Scottish British/ Irish and White Minority ethnic grouping. This shows an improvement on the 2017 AFC figure which was 2.70%. When the AFC pay gap is analysed further by AFC job family, it shows that the Health Science Services job family has the highest pay gap at 4.32%. In contrast, the Administrative Services job family - which employs 72% of the total Non White Minority Ethnic Group - shows a shortening of the overall race pay gap with a reduction from 7.56% in 2017 to 3.27% in 2019. An improving trend is also evident in the Medical and Dental overall race pay gap which has shortened from 8.00% in 2017 to 5.20 in 2019.

Table 8 below gives more detail about the overall race pay gap in the Agenda for Change contract group by providing pay gap details categorised by AFC pay band.

Table 8 Overall Race Pay Gap Categorised by Pay Band/Grade

Agenda for Change	White Scottish/British /Irish and White Minority Ethnic Groups	Non-White Minority Ethnic Group	Difference £	Difference %
Band 2	£9.38	*	*	*
Band 3	£10.69	£10.46	£0.23	2.15%
Band 4	£11.82	£11.78	£0.04	0.34%
Band 5	£14.21	£13.76	£0.45	3.17%
Band 6	£17.26	£16.68	£0.58	3.36%
Band 7	£20.84	£20.18	£0.66	3.17%
Band 8a	£24.92	*	*	*
Band 8b	£29.92	*	*	*
Band 8c	£36.12	*	*	*
Band 8d/9	£43.25	-	-	-
Executive Level and Senior Managers	£42.44	-	-	-
Medical and Dental	£44.07	£41.78	£2.29	5.20%

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

- Table 8 above shows that an overall race pay gap exists across bands 2 – 8c, with the majority (92.25%) of staff in the non White Minority ethnic group employed in bands 2-7. The pay gap in each of these pay bands favours the White Scottish/British/Irish and White Minority Ethnic groupings. However, the differentials are relatively small and can be accounted for by differences in length of time in grade and where employees sit on the incremental scale within their respective pay band.
- With respect to this, it should be noted that NSS employees in any of the ethnic groupings will be employed in posts that have been evaluated under the NHS Agenda for Change system and all employees in the same post will be paid according to the band for that job – which has been graded/evaluated according to the skills and responsibility requirements of the role. Therefore, differentials in pay will be principally associated with length of service in grade, incremental placement in the band range and incremental dates.
- The overall race pay gap of 5.20% in the Medical and Dental contract grouping is also principally associated with factors such as length of service in grade and incremental placement.

### 3.2 White Minority Ethnic Pay Gap Categorised by Contract Grouping/Job Family

Table 9 gives the overall White Minority Ethnic Pay Gap which is determined by comparing the average rate of pay for employees who belong to the White Minority ethnic group with those who belong to the White Scottish/British/Irish ethnic group.

Table 9 White Minority Ethnic Pay Gap Categorised by Contract Grouping/Job Family

	White Scottish/British /Irish		White Minority Ethnic Group		Difference £	Difference %
	No of staff	Average basic hourly pay rate	No of staff	Average basic hourly pay rate		
<b>Agenda for Change (Job family breakdown below)</b>	<b>3,048</b>	<b>£17.18</b>	<b>123</b>	<b>£16.01</b>	<b>£1.17</b>	<b>6.81%</b>
Administrative Services	2,060	£18.08	88	£17.36	£0.72	3.98%
Health Science Services	353	£17.92	15	£15.30	£2.62	14.62%
Nursing and Midwifery	315	£15.18	*	*	*	*
Allied Health Professionals, Personal and Social care Other therapeutic	12	£34.67	-	-	-	-
Support Services	308	£11.63	17	£10.22	£1.41	12.12%
<b>Executive Level and Senior Managers</b>	<b>28</b>	<b>£42.44</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Medical and Dental</b>	<b>48</b>	<b>£44.05</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the equality information and where low numbers are reported, data that is 5 or less is protected.

Table 9 shows that for employees in the Agenda for Change contract group, the pay gap of 6.81% in favour of the White Scottish/British/Irish ethnic group is a slight improvement on the 2017 figure of 7.60%. There has been a shortening of the pay gap in Administrative Services – which employs the majority of employees (71.54%) in the White Minority Ethnic Group - from 8.29% in 2017 to 3.98% in 2019. There are high pay gaps across the Health Science Services (14.62%) and Support Services (12.12%) job families but this appears to be associated with such factors as proportion of employees within grade, length of time in grade and incremental placement.

Table 10 below gives more detail about the White Minority Ethnic pay gap in the Agenda for Change contract grouping by providing pay gap details categorised by AFC pay band.



Table 10 White Minority Ethnic Pay Gap Categorised by Grade/Pay Band

Agenda for Change	White Scottish/British /Irish	White Minority Ethnic Group	Difference £	Difference %
Band 2	£9.39	*	*	*
Band 3	£10.70	£10.26	£0.44	4.11%
Band 4	£11.83	£11.48	£0.35	2.96%
Band 5	£14.23	£13.73	£0.50	3.51%
Band 6	£17.31	£16.23	£1.08	6.24%
Band 7	£20.87	£20.18	£0.69	3.31%
Band 8a	£24.95	*	*	*
Band 8b	£29.92	*	*	*
Band 8c	£36.10	*	*	*
Band 8d/9	£43.30	*	*	*

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

- Table 10 shows the pay gap that exists across bands 3 – 7 with the highest gap of 6.24% within band 6. Nevertheless, this figure reflects a shortening of the pay gap in this band from 7.19% in 2017 and a similar improving trend is evident in bands 3 and 5. Since 2017, the pay gap has widened in bands 4 (from -0.35% to 3.29%) and 7 (from 1.44% to 3.31%)
- Staff who are in the White Minority ethnic group are employed in posts that have been evaluated under the NHS Agenda for Change system and all staff in the same post will be paid according to the band for that post. Therefore, differentials in pay noted above are principally associated with length of service

### 3.3 Non White Minority Ethnic Pay Gap Categorised by Contract Grouping/Job Family

Table 11 gives the overall Non White Minority Ethnic Pay Gap which is determined by comparing the average rate of pay for employees who belong to the Non White Minority ethnic group with those who belong to the White/Scottish/British/Irish ethnic group.

Table 11 Non-white Minority Ethnic Pay Gap Categorised by Contract Grouping/Job Family and Headcount

	White Scottish/British /Irish		Non-White Minority Ethnic Group		Difference £	Difference %
	No of staff	Average basic hourly pay rate	No of staff	Average basic hourly pay rate		
Agenda for Change (Job family breakdown below)	<b>3,048</b>	<b>£17.18</b>	<b>129</b>	<b>£16.99</b>	<b>0.19</b>	<b>1.11</b>
Administrative Services	2,060	£18.08	93	£17.46	0.62	3.43
Health Science Services	353	£17.92	25	£17.04	0.88	4.91
Nursing and Midwifery	315	£15.18	*	*	*	*
Allied Health Professionals, Personal and Social care Other therapeutic	12	£34.67	0	-	-	-
Support Services	308	£11.63	7	£11.26	0.37	3.18
Executive Level and Senior Managers	<b>28</b>	<b>£42.44</b>	<b>0</b>	-	-	-
Medical and Dental	<b>48</b>	<b>£44.05</b>	<b>6</b>	<b>£41.78</b>	<b>2.27</b>	<b>5.15</b>

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

Table 11 shows that for staff in the Agenda for Change contract grouping there is a pay gap of 1.11% in favour of the White Scottish/British/Irish ethnic group, which is an improvement on the 2017 figure of 2.94%. When this is broken down further by AFC job family, it shows that the majority of staff in this ethnic grouping (72.10%) are employed in Administrative Services where the pay gap is 3.43%. This figure reflects a shortening of the pay gap in Administrative Services from 7.83% in 2017.

With respect to the Medical and Dental contract grouping, Table 11 shows a pay gap of 5.15% in favour of the White Scottish/British/Irish ethnic group, which has also reduced from 7.70% in 2017.

Table 12 below gives more detail about the Non-white minority Ethnic pay gap in the AFC contract group by providing pay gap details categorised by pay band.

Table 12 Non-white Minority Ethnic Pay Gap Categorised by Pay Band/Grade

Agenda for Change	White Scottish/British /Irish	Non-White Minority Ethnic Group	Difference £	Difference %
Band 2	£9.39	*	*	*
Band 3	£10.70	£10.46	£0.24	2.24%
Band 4	£11.83	£11.78	£0.05	0.42%
Band 5	£14.23	£13.76	£0.47	3.30%
Band 6	£17.31	£16.68	£0.63	3.64%
Band 7	£20.87	£20.18	£0.69	3.31%
Band 8a	£24.95	*	*	*
Band 8b	£29.92	*	*	*
Band 8c	£36.10	*	*	*
Band 8d/9	£43.30	-	-	-

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

Table 12 shows that a pay gap exists across bands 2 – 8c. Staff who are in this ethnic group are employed in posts that have been evaluated under the NHS Agenda for Change system and all staff in the same post are paid according to the band for that post. Therefore, differentials in pay are principally associated with length of service in grade, incremental placement in the band range and incremental dates. The highest pay gap exists in the Medical and Dental contract group (5.15%). This is in part associated with combining Consultant and Speciality Doctor/ Associate Specialists grades and in part associated with length of service in grade, incremental placement and timing of incremental dates.

#### Section 4 – NSS Workforce Profile of Staff who have disclosed that they have a Disability and Staff who have disclosed that they do not have a Disability

The profile of the NSS Workforce in relation to staff who have disclosed that they have a disability compared with staff who have disclosed that they do not have a disability is illustrated in Table 13 below.

	MALE	FEMALE	Total Headcount	% of Total NSS Headcount
	Headcount	Headcount		
Employees who have disclosed that they have a disability	40	81	121	3.40%
Employees who have disclosed that they do not have a disability	1,259	1,983	3,242	91.07%
No response / no data held	66	131	197	5.53%
<b>TOTALS</b>	<b>1,365</b>	<b>2,195</b>	<b>3,560</b>	



Table 13 shows that staff who have disclosed a disability account for 3.40% of the NSS workforce. This reflects a positive increase in the number of employees who have disclosed a disability compared with 1.94% in 2017.

#### 4.1 Pay Gap by Contract Grouping/AFC Job Family in relation to staff who have disclosed that they have a Disability

Pay Gap data comparing the average basic hourly rates of pay of NSS staff who have disclosed a disability with those who have disclosed that they do not have a disability, categorised by Contract Grouping and AFC Job Family, is illustrated in Table 14 below.

The pay gap has been calculated as the difference in the average basic hourly pay rate between staff who have disclosed that they have a disability and staff who have disclosed that they do not have a disability, expressed as a percentage of the average pay rate of staff who have disclosed that they do not have a disability.

Table 14 – Pay Gap by Contract Grouping/AFC Job Family – Staff who have disclosed and have not disclosed that they have a disability

Agenda for Change	Staff who have disclosed that they do not have a Disability	Staff who have disclosed that they have a Disability	Difference £	Difference %
Band 2	£9.39	*	*	*
Band 3	£10.70	£10.26	£0.44	4.11%
Band 4	£11.82	£11.48	£0.34	2.88%
Band 5	£14.20	£13.80	£0.40	2.82%
Band 6	£17.28	£16.89	£0.39	2.26%
Band 7	£20.82	£20.46	£0.36	1.73%
Band 8a	£24.96	£24.67	£0.29	1.16%
Band 8b	£29.94	*	*	*
Band 8c	£36.25	-	-	-
Band 8d/9	£43.12	-	-	-

\* NSS has gathered the equality information in line with the Data Protection Act 1998. Due to the sensitive nature of the quality information and where low numbers are reported, data that is 5 or less is protected.

The highest pay gap sits within band 3 at 4.11%. Initial analysis does not suggest any anomalies or issues of concern but indicate that length of service in the AFC grade, incremental placement and timing of incremental dates are key contributory factors to the size of the pay gap.

## Section 5 – Conclusion and next steps

Within NSS, the majority of the workforce are employed under Agenda for Change terms and conditions (97.53%) and predominantly female (61.66%). Under Agenda for Change, jobs are graded in accordance with the NHS Job Evaluation Scheme and on the basis of the skills and responsibility demands of the job. Similar arrangements apply in relation to nationally agreed Medical and Dental terms and conditions and the Executive Level and Senior Management cohort. In the Agenda for Change and Medical and Dental contract groups, in particular, the grades comprise a series of annual increments, which means that the gender, ethnicity and disability pay gap will be affected by such factors as band/grade ranges, progress through the incremental scale, timing of incremental dates and length of service in grade.

The report has identified a number of key points for further consideration, including:

- The NSS Gender Pay Gap whilst currently favouring male employees has shortened over the last four years from 10.07% in 2015 to 7.11% in 2019 and this positive trend appears likely to continue.
- There has also been a corresponding shortening of the gender pay gap in all contract groups since 2017 –
  - o AFC: from 6.78% to 6.13%;
  - o EL/SM: from 6.01% to 2.73%
  - o Medical and Dental: from 9.97% to 9.01%.

This improving trend is anticipated to continue as new employees remain with the organisation and progress through the incremental points in their grade.

- Employees who belong to the Non White Minority Ethnic Group are employed under either AFC or Medical and Dental terms and conditions and the overall race pay gap has shortened in both these contract groups since 2017 (when NSS commenced reporting this information). The overall race pay gap under AFC has shortened from 7.60% in 2017 to 7.31% in 2019 and under Medical and Dental, it has shortened from 8.00% in 2017 to 5.15% in 2019. There has also been a shortening of the White Minority Ethnic Pay Gap and the Non White Minority Ethnic Pay Gap in both the AFC and the Medical and Dental Contract Groups. The White Minority Pay Gap is high in Health Science Services and Support Services but this appears to be associated with such factors as length of service in grade and incremental placement.
- The proportion of NSS employees who have disclosed a disability shows an improving trend with an increase from 1.94% in 2017 to 3.40% in 2019. All staff who have disclosed a disability are employed in the AFC contract group. However, the pay gap between employees who have disclosed that they have a disability and those who have disclosed that they do not have a disability has widened from 8.81% in 2017 to 10.60% in 2019. An analysis of the pay data would suggest that length of service in grade and incremental placement are key contributory factors.

Overall, the analysis of the NSS pay gap information does not identify any cause for concern but suggests that the pay gap principally relates to such factors as length of service in grade, incremental dates and incremental progression within the grade. NSS will continue to monitor and review the pay gaps relating to gender, ethnic grouping and for staff who have disclosed a disability over the coming months, exploring any anomalies or areas of concern as they arise, identifying trends and formally reporting on findings/progress annually.

# NSS EQUAL PAY STATEMENT

## Appendix 1

This statement has been agreed in partnership and will be reviewed on a regular basis by the NHS National Services Scotland (NSS) Partnership Forum and Staff Governance Committee.

NSS is committed to the principles of equality of opportunity in employment and believes that staff should receive equal pay for the same or broadly similar work, or work rated as equivalent and for work of equal value, regardless of age, disability, ethnicity or race, gender reassignment, marital or civil partnership status, pregnancy, political beliefs, religion or belief, sex or sexual orientation.

NSS understands that the right to equal pay between women and men is a legal right under both domestic and European law. In addition, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires NSS to publish pay gap information on a bi-annual basis. NSS must also publish information on occupational segregation within its workforce, being the concentration of women and men, persons who are disabled and those who are not, and persons who fall into a minority racial group and persons who do not, in particular grades and in particular occupations.

It is good practice and reflects the values of NSS that pay is awarded fairly and equitably. NSS recognises that in order to achieve equal pay for employees doing the same or broadly similar work, work rated as equivalent, or work of equal value, it should operate pay systems which are transparent, based on objective criteria and free from unlawful bias.

NSS also recognises underlying drivers of pay inequality, including occupational segregation, inequality of unpaid care between men and women, lack of flexible working opportunities, and traditional social attitudes, and will take steps within its remit to address those factors in ways that achieve the aims of the NHSScotland Staff Governance Standard and the Equality Duty.

### **In line with the General Duty of the Equality Act 2010, NSS objectives are to:**

- Eliminate unfair, unjust or unlawful practices and other discrimination that impact on pay equality
- Promote equality of opportunity and the principles of equal pay throughout the workforce
- Promote good relations between people sharing different protected characteristics in the implementation of equal pay

### **NSS will:**

- On an annual basis, through the NSS Staff Governance Committee, review and monitor this policy statement and action points detailed below
- Ensure there are communication systems in place to inform employees on how pay practices work and how their own pay is determined. Included will be information about what policies exist to deal with any concerns about their pay
- Ensure that all managers and those involved in making decisions about pay, benefits and grading decisions are provided with training, policies and guidance to enable consistent and fair practice

- Continuously monitor our existing and future pay practices for all our employees, including part-time workers, those on fixed term contracts or contracts of unspecified duration, and those on pregnancy, maternity or other authorised leave
- Undertake regular monitoring of the impact of our practices in line with the requirements of the Equality Act 2010
- Ensure that equal pay is central to our commitment to fair organisational change, and that the outcomes for staff in relation to equal pay and occupational segregation are monitored
- Develop and implement a planned programme of equal pay reviews in line with Equality and Human Rights Commission guidance which will be developed in partnership with Trade Unions and Professional organisations

Responsibility for implementing this policy is held by the NSS Chief Executive.

If a member of staff wishes to raise a concern, they should do so informally in the first instance with their Line Manager. If the issue is not resolved informally, staff can use the NSS Dealing with Employee Grievance Policy to formally raise their concerns.