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Kent Fire &
Rescue Service

People Team

Equal Pay Review

Approved by CMB March 2023

Introduction

Women and men have the right to receive equal remuneration for work of equal value (commonly referred to as “equal pay”). The Equality Act 2010 aims to achieve the objective of equal pay by implying an equality clause into all contracts of employment. This gives each employee a contractual right to receive equal pay with a comparator of the opposite sex (man or woman) who is doing equal work.

“Pay” is not limited to salary, in this context, it is in the same employment doing equal work in relation to their contractual terms.

Equal pay is different from the gender pay gap, which measures the differences between the average pay of male and female employees, irrespective of job role or seniority.

An equal pay audit is a tool to ensure that pay, benefits policy, and practice are applied consistently between male and female employees. Kent and Medway Fire and Rescue Authority (KMFRA) last did an equal pay audit in 2017.

Although there were no areas of concern at that time, it is good practice to audit regularly to ensure this remains the case. Furthermore, equal pay audits assist KMFRA to comply with the requirements of the Public Sector Equality Duty.

For consistency with other workforce data reports, we have used a snapshot date of **31 March 2022**.

Volunteers and members have not been included in this audit.

Pay framework

The overarching framework for pay and conditions of service for staff employed by the Authority is governed by three national joint councils (NJC). These are:

- the NJC for Local Authority Fire and Rescue Services

- the NJC for Local Government Services

- the NJC for Brigade Managers of Local Authority Fire and Rescue Services.

The principle role of each of these national bodies is to reach agreement on a national framework of pay and conditions of service for authorities to apply locally. Each NJC is made up of people who represent the employers and others who represent employees; the latter typically being trade union representatives.

The frameworks of pay and conditions set by each of these national bodies are locally referred to as the ‘Grey book’ (generally applies to uniformed colleagues); the ‘Green book’ (generally applies to colleagues who do not wear a uniform); and the ‘Gold book’ (applies to the Chief Executive and Directors) respectively.

Each NJC acknowledges that its national framework of pay, and conditions will need to be adjusted locally to reflect local needs. Where appropriate this will be undertaken through local agreement, with recognised trade unions where they exist, or alternatively through local decision-making processes.

Pay structure

Each 'book' is linked to a pay structure, directly linked to a national pay agreement.

Grey book - The pay structure for uniformed colleagues is based on the national pay agreement which is negotiated and issued by the NJC for Local Authority Fire and Rescue Services annually and is based upon six roles.

The annual salary within each role is a fixed-point salary. This means that unless the employee is promoted, or a national pay award is agreed, the salary will remain unchanged.

Colleagues may move up through the pay structure via promotion into a higher role. For them to do this they must be approved by their line manager, demonstrated by the type of behaviours and skills required of an employee operating at the higher level through our talent process and then by being successful through our selection process.

KMFRA has chosen to remove development pay (a nationally agreed pay point) for all levels above firefighter. Development pay is only applied to a firefighter whilst they are a trainee, meaning pay equity for all firefighting operational colleagues on completion of their initial training period.

Green book - In 2018 the job evaluation process was reviewed and revised. The scheme follows the principles of the NJC scheme, but some factors have been updated to ensure the scheme better relates to specialist/professional roles.

Colleagues on green book contracts are appointed to a post which has a specific pay grade assigned to it. Within each grade there are between five and six pay points.

A job evaluation process is used to determine the grade of each green book post. The process of job evaluation considers a range of factors relating to the demands of the job, including knowledge necessary to do the job; complexity; level of discretion in, and potential impact of, decision-making; and accountabilities in relation to people, finance, and physical resources such as equipment or property.

The job evaluation process ensures that the principle of equal pay for work of equal value is met and that the demands required of the post are assessed as objectively as possible. The job evaluation process includes input from trained individuals from across the organisation including union representatives.

A colleague's experience and skills are evaluated against the requirements of the job which will then determine the pay point to which they are appointed. Progression to higher pay points within the grade will be dependent on the employee demonstrating continued development and performance against the requirements of the role which is measured regularly through performance review.

When a post is created or changes significantly it is evaluated in order that it can be matched against the appropriate grade for the role.

Whilst this means green book colleagues may sit within different points within grade but this variance in pay only occurs through a formal process i.e., recruitment, appraisal, and capability. The variance is limited within the grade, based on job evaluation. All green book colleagues can progress through these pay points within their grade.

An annual progression of one incremental point is normally applied to all colleagues in April, (this may not occur if the individual is in capability). In exceptional circumstances, more than one point can be applied through a formal, monitored process.

Designing the Service

KMFRA regularly succession plans its workforce to ensure it keeps pace with the changing needs of society. Where uniformed vacancies arise or are anticipated consideration is given to the post being converted from uniformed (grey book) to non-uniformed (green book) terms and conditions.

Market premiums

The recruitment of certain specialists, particularly within the Information Technology (IT) department, has proved difficult with roles being advertised and subsequent applications being poor in quality and quantity. Therefore in 2018 KMFRA introduced the use of market premium payments for the purpose of the attraction, recruitment, and retention of key staff.

The application of a market premium undergoes a rigorous process and must be approved through the Establishment Group. Even with the application of market premiums the recruitment to IT roles continues to be difficult.

Pay and benefits

It is difficult to compare equal pay for 'like' work where there are teams with a mix of grey and green book colleagues. However, it is important to note that although there are distinct differences between pay, leave, terms and conditions, and processes for evaluation between them. Both mechanisms are assessed based on the job content, skills, qualifications, and experience. In addition, there is a formal process which evaluates and establishes whether a job is green or grey book.

The following points are noted regarding benefits:

- Basic pay and allowances are applied consistently dependent on terms and conditions and are gender neutral
- Overtime rates for grey book colleagues are agreed by NJC
- Overtime for green book colleagues is restricted to grades below senior levels and is applied equally to colleagues where overtime is authorised
- Hours of work are determined by the post and the demands of the role
- It is expected that colleagues will maintain a high level of continuous professional development (CPD) and commitment to their job. CPD is paid monthly in recognition and to reward experienced colleagues. Where there are concerns about performance and an individual becomes subject to the Authority's formal capability procedure, this may influence their pay, including payment for CPD.

- KMFRA does not currently have arrangements in place for performance related pay or 'buy back' neither does it have any arrangements in place for the payment of bonuses.

Update on our previous equal pay audit (2017)

Whilst there were no areas of concern in the last audit there were several recommendations. Since 2017 we have:

- made improvements to our sensitive data collection. Now when colleagues update their equality data the field can no longer be left blank
- encouraged and educated colleagues in equality data use, with the intent of reducing the number of colleagues using the "prefer not to say" category
- introduced two new categories of disability "long term condition" and "neurodiversity" to support colleagues to share disability data
- reviewed our terminology regarding sexual orientation
- introduced on-line recruitment data collection within iTrent in all external recruitment
- worked with Community Safety and Technical Safety to transition roles from grey to green book terms and conditions
- completed People Impact Assessment for the allocation of specialisms and additional responsibility allowances within the Level 2/3 FDFS project
- Reviewed procedures and packages available to support employees with disabilities specifically in relation to neurodiversity, and contracted some additional resources such as specific coaching and training and an assessment tool
- Introduced an annual review of equality data.

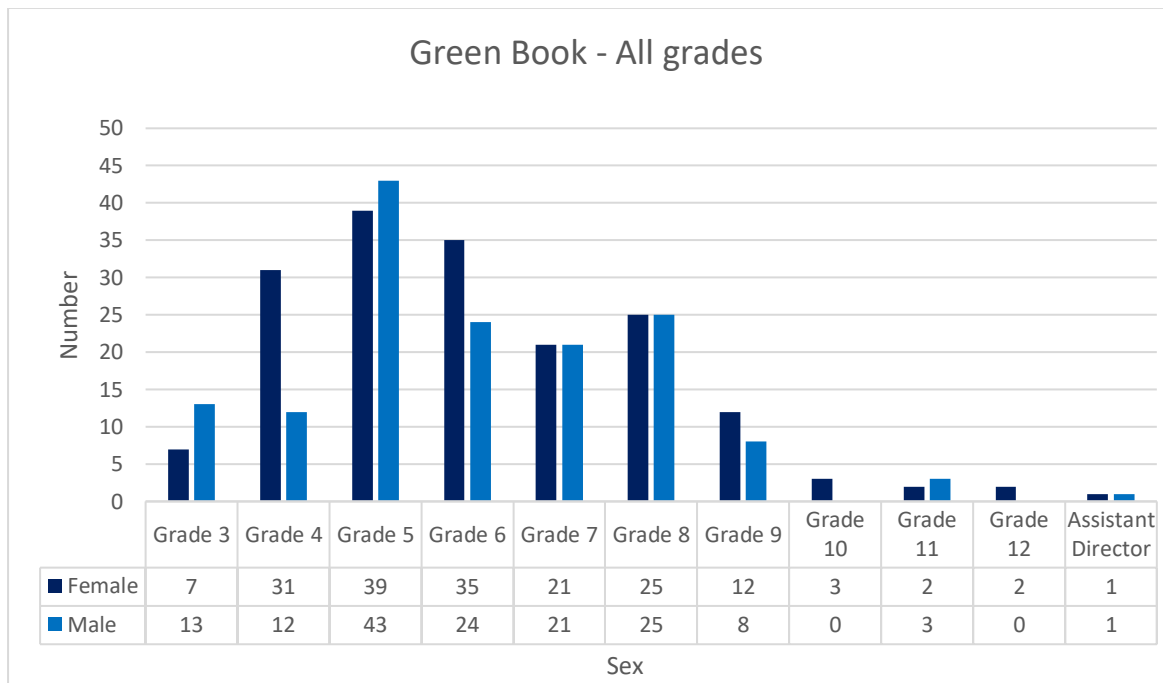
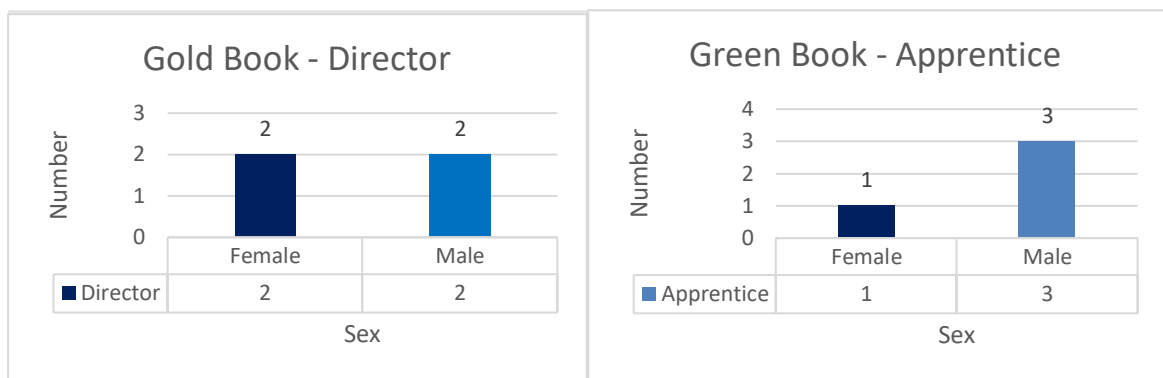
Departmental comparison

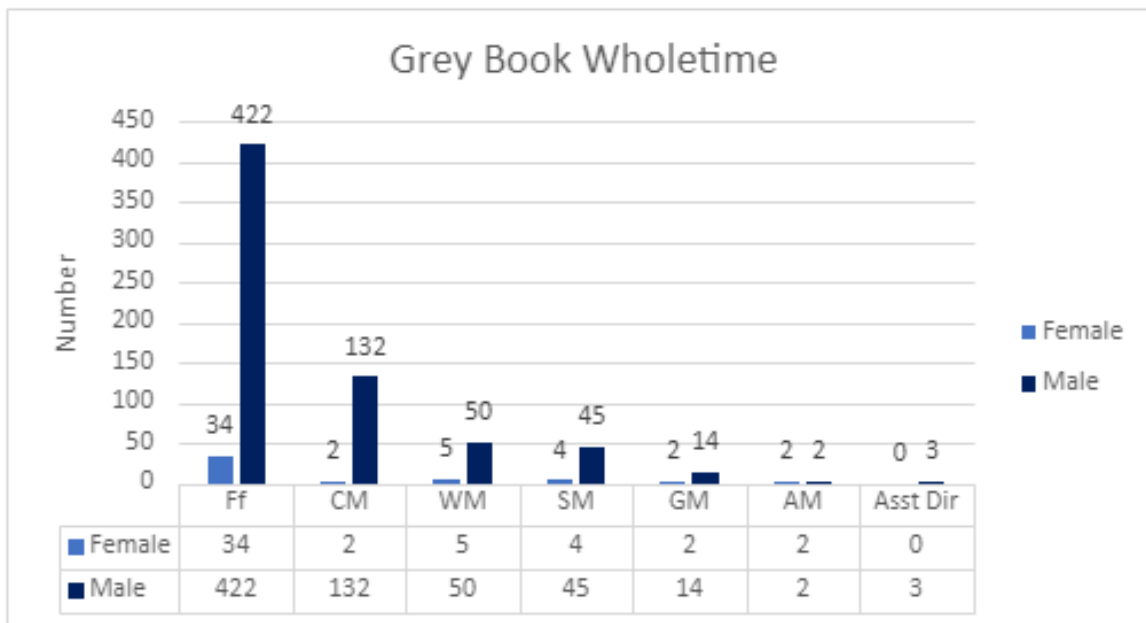
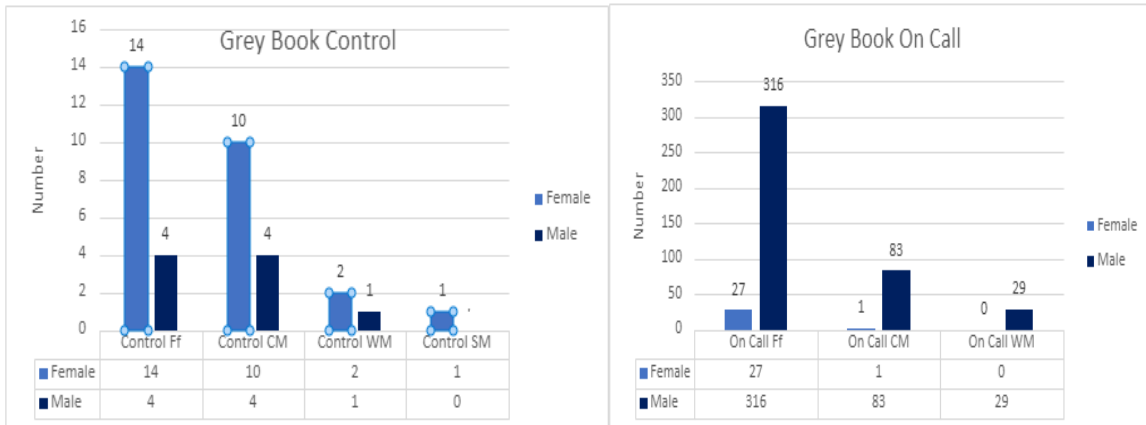
In our Workforce Data Report, we consider the identities of our colleagues based on headcount (1412). For equal pay we compare salaries against job contracts and the post holders within them. The total number of active contracts as of 31 March 2022 was 1545.

Colleagues span various pay groups, roles and have different working patterns to meet our business needs and as already mentioned they work to differing terms and conditions.

Some colleagues are employed on contracts which are regarded as secondary employment, meaning they can undertake their contract in addition to other full-time employment.

Gold, grey & green book breakdown





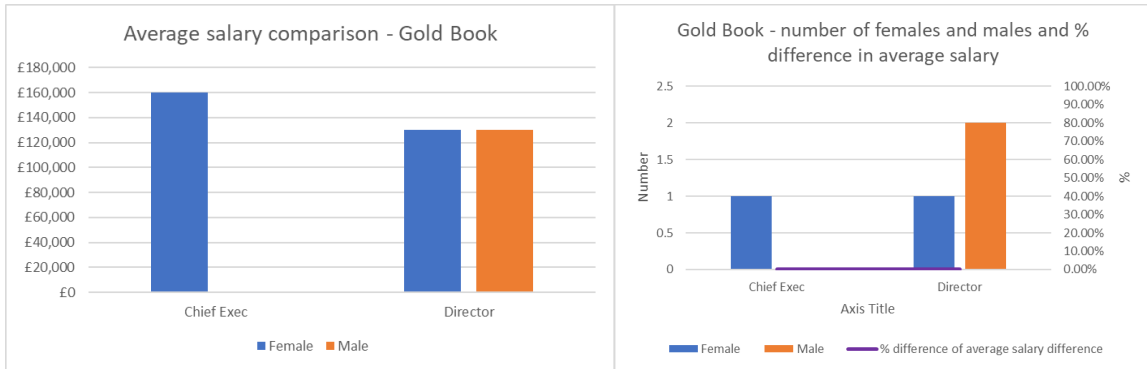
Workforce salary comparisons

Green book

Green book salary pay scales are agreed locally and consist of 67 scale points. Within each grade salary band, employees can increase their basic salary through the scale points within that band.

Green book salaries are normally automatically increased in April each year by one increment until they reach the top of the grade. Employees can receive a second increment in a twelve-month period if they are signed off through their performance review, to having performed over and above.

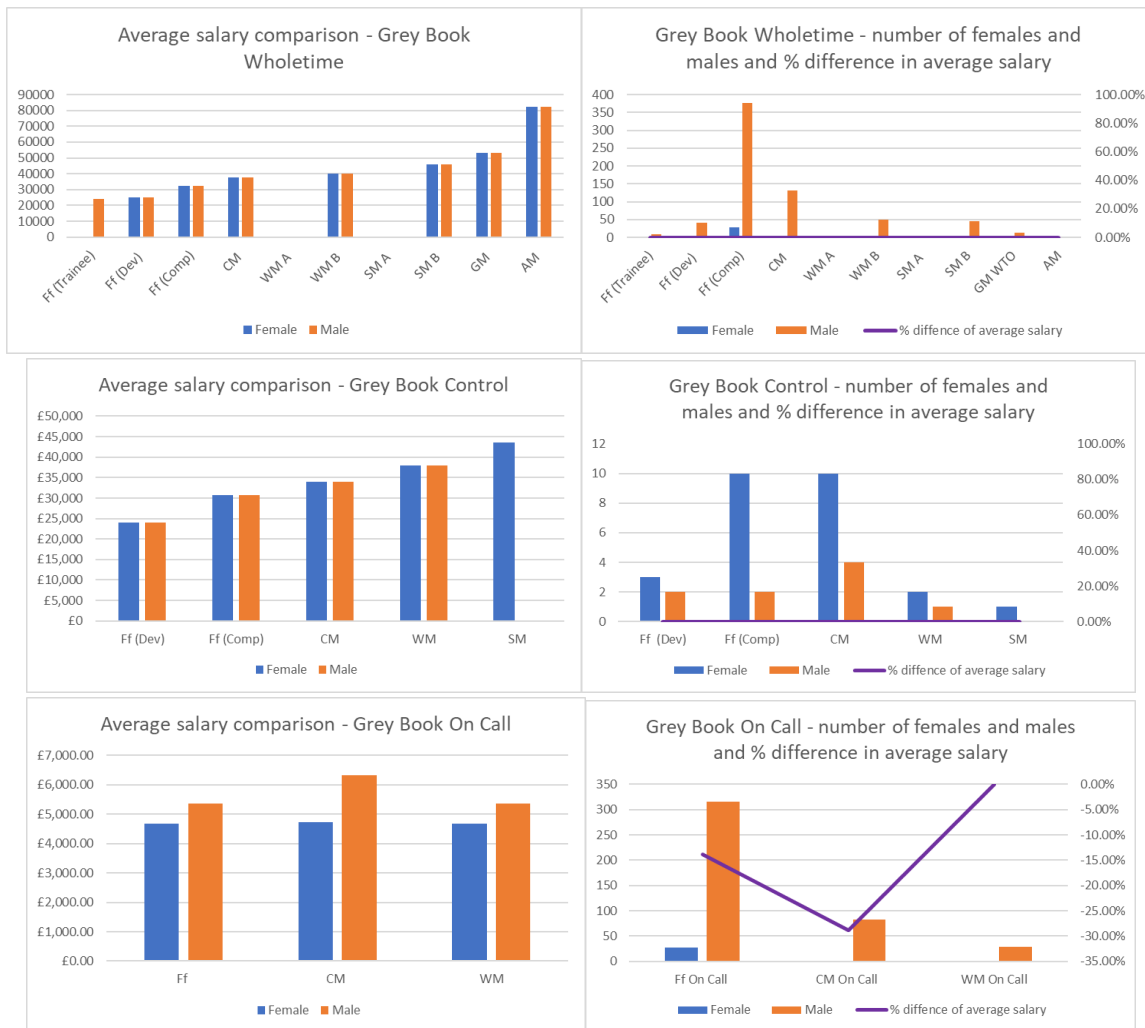
At recruitment, employees can start at any scale point within the grade for the role. Their starting salary will be based on the skills and experience they bring. Because of this there will be a slight variance of the average salary within each pay grade as the average will be calculated across the scale points.



Grey Book

Grey book whole-time and control salaries are set nationally through the NJC. Employees are placed on a fixed salary for the role. As a result of this there will be no variance of the average salary between roles.

There is a variance between on-call salaries for male and female and this due average number of hours worked, female on-call colleagues on average do less committed hours to their male counterparts, at crew manager level this is 43 vs 48 hours and at firefighter level this is 43 vs 45.5 hours.



Within departments

As highlighted in Appendix 1 and the graphs above, differentials occur in Green Book grades 4, 5 and 6. These have been explored in more detail. In the roles of Financial Services Support Officer and Driving Instructor. There is a valid reason for this, these roles are graded based on the qualification of the post holder. Individuals already holding the required qualification are paid within one grade boundary of individuals without the qualification. Individuals are provided the opportunity to obtain qualification and upon successful completion of the associated qualification are regraded.

Grey and green book comparable role information

A feature of previous equal pay audits (2012 and 2017) was a variance in pay between green and grey book employees who were carrying out the same job under different terms and conditions.

We recognise the need to minimise this occurrence and have taken an 'ongoing' remedial approach that will appear in the equal pay audits for some time. This is because we have taken the approach of phasing out colleagues on grey book terms and conditions as they

retire. Where it reasonably practicable to do so, the roles are then replaced with green book contracts. This has ensured valuable experience is not lost from the organisation and the individuals do not experience significant personal impact on their pensions

At the time of this report, the role of "Education Officer" is the only role occupied by both green and grey book colleagues (3 of each).

Pay distribution

As part of our pay policy the authority regularly considers the difference between the pay of the highest paid employee which is the Chief Executive (CE) to the average pay (total pay divided by the number of employees) of all other employees. The information illustrates that the CE's pay is 3.3 times more than the average pay of all other employees as 31 March 2022. (This calculation is based on scale point valuations).

CE's salary - £160,273 vs average salary - £48,515 = Ratio - 3.3 times

This ratio is calculated by dividing the CE' salary by the average salary for other staff (excluding on-call).

Lowest paid employees

KMFRA regards its lowest-paid employees to be those employed on its green book conditions of employment. Whilst grades currently range from 1-12, the authority does not have any grade 1 or 2 posts in its establishment.

In 2021, as part of the authority's inclusive approach to our working environment we made the decision to move away from apprenticeship pay. We are committed to valuing colleagues and rewarding them appropriately therefore all apprentices are paid at grade 3. The salary range that applies to grade 3 is £19,333 - £21,794.

The hourly rate for a grade 3 role is £10.01 per hour, this being greater than the current national minimum wage and national living wage (£9.50 per hour as of 1 April 2022).

Conclusion and recommendations

The grey and green book pay structure enables the organisation to apply pay in a fair and consistent way. There was no evidence of any disparity between pay and gender found in this review.

There is some disparity in relation to where green and grey book colleagues work within the same department, carrying out the same or a similar job. We have progressively addressed this disparity through the conversion of grey book roles to green book roles as people retire. Although this will take some time it is recommended the authority continue to progressively convert the Education Officer Grey book roles to green book roles as people retire so that there is no adverse impact on individual's pensions.

Compiling this audit was complicated, it is recommended that a report enabling a regular publication of equal pay is developed.

