




Wemyss Lodge Limited

Wemyss Lodge Care Home, Ermin Street, Stratton St Margaret, Swindon, Wiltshire, SN3 4LH, England



Review Sheet

Last Reviewed
12 Feb '20Last Amended
12 Feb '20Next Planned Review in 12 months, or
sooner as required.

Business impact	 <p>These changes require action as soon as possible.</p> <p>HIGH IMPACT</p>
Reason for this review	Scheduled review
Were changes made?	Yes
Summary:	This policy outlines how a service can meet the Gender Pay Gap requirements, where required. There are some additional guidance notes in the Forms section for managers to utilise. The policy has been reviewed and amendments made to reflect more closely the style guide and to simplify the language used. References also checked to ensure they remain current.
Relevant legislation:	<ul style="list-style-type: none"> • Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 • Equality Act 2010 • Human Rights Act 1998 • General Data Protection Regulation 2016 • Data Protection Act 2018
Underpinning knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> • Author: ACAS, (2017), <i>Gender pay gap reporting</i>. [Online] Available from: http://www.acas.org.uk/index.aspx?articleid=5768 [Accessed: 12/2/2020] • Author: Office for National Statistics, (2019), <i>Gender pay gap in the UK: 2019</i>. [Online] Available from: https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours [Accessed: 12/2/2020]
Suggested action:	<ul style="list-style-type: none"> • Encourage sharing the policy through the use of the QCS App • Establish process to confirm the understanding of relevant staff • Arrange specific meetings to discuss the policy changes and implications • Widely distribute the 'Key Facts' of the policy

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**1. Purpose**

1.1 To ensure that employers with 250 or more employees understand their responsibilities in relation to the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 ("the Regulations").

1.2 Wemyss Lodge Limited understands that the gender pay gap is an issue that is currently attracting a lot of scrutiny and attention. Wemyss Lodge Limited is committed to taking all steps possible to reduce any gender pay gap.

1.3 To support Wemyss Lodge Limited in meeting the following Key Lines of Enquiry:

Key Question**Key Lines of Enquiry**

WELL-LED

W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?

1.4 To meet the legal requirements of the regulated activities that Wemyss Lodge Limited is registered to provide:

- | Equality Act 2010 (Gender Pay Gap Information) Regulations 2017
- | Equality Act 2010
- | Human Rights Act 1998
- | General Data Protection Regulation 2016
- | Data Protection Act 2018

**2. Scope**

2.1 The following roles may be affected by this policy:

- | All staff

2.2 The following stakeholders may be affected by this policy:

- | Commissioners
- | Local Authority
- | NHS

**3. Objectives**

3.1 To ensure that, should Wemyss Lodge Limited be caught by the Regulations by having 250 employees or more on the snapshot date (5th April), it is aware of its obligations in respect of gender pay gap reporting.

3.2 To encourage and initiate an action plan that aims to reduce the gender pay gap if a gender pay gap exists.

3.3 To encourage pay transparency.

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**4. Policy**

4.1 Wemyss Lodge Limited understands that if it employs over 250 employees on the snapshot date each year as defined in the Regulations, it is required to calculate:

- | The difference between the mean hourly pay rate of male and female employees
- | The difference between the median hourly pay rate of male and female employees
- | The difference between the mean bonus paid to male employees and that paid to female employees
- | The difference between the median bonus paid to male employees and that paid to female employees
- | The proportion of male and female employees who received bonus payments
- | The proportion of male and female employees in each quartile band

This information must be published within 12 months of the snapshot date.

4.2 Wemyss Lodge Limited understands that it can volunteer to publish a narrative along with its report, highlighting any circumstances which may have caused a pay gap and setting out what action it plans on taking to reduce any gap.

Wemyss Lodge Limited will ensure that the gender pay gap information is accompanied by a written statement signed by a director/member/partner to confirm that the information is accurate.

4.3 Any data collected as part of this policy will be processed in accordance with current data protection legislation, the Privacy Notice issued to staff and the Data Security and Data Retention Policy and Procedure at Wemyss Lodge Limited.



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5. Procedure

5.1 Wemyss Lodge Limited can refer to the Gender Pay Gap Reporting Manager's Guidance Notes, within the Forms section, for detailed information on how to:

- | Calculate hourly rates
- | Calculate the gender pay gap
- | Calculate the number of males and females employed in each quartile
- | Calculate the proportion of men and woman receiving a bonus
- | Understand what should be reported

5.2 Part-Time Work and Job-Sharing

Each part-time worker will count as one employee for gender pay reporting purposes. If Wemyss Lodge Limited uses job-share arrangements, then every employee within a job-share counts as one employee each. So, if two people job-share, they would still count as two employees for gender pay reporting purposes. It is particularly important for Wemyss Lodge Limited to be aware of this if it is accustomed to handling employee numbers as 'full-time equivalents' because the obligation to report and the calculations that follow are based on the number of individual employees. If Wemyss Lodge Limited is close to 250 employees on the 'Snapshot' day, this must be checked to ensure that it is still excluded from reporting. Further guidance can be obtained from ACAS.

5.3 Gender Reporting and Gender Identity

It is important for Wemyss Lodge Limited to be sensitive to how an employee chooses to self-identify in terms of their gender. The Regulations do not define the terms 'male' and 'female' and the requirement to report gender pay should not result in employees being singled out and questioned about their gender. For more information please refer to the Transgender Policy and Procedure.

5.4 On-Call and Sleep-In

It is important that the hours where an employee is required to be on-call, awake for the purposes of working and available must be included in their weekly working hours for gender pay gap reporting purposes. Please refer to the Minimum Wage Policy and Procedure for details of what is payable when an employee or worker is on-call, awake and available.

5.5 Supporting Statement

Wemyss Lodge Limited must prepare a written statement which will be published alongside the results of the calculations. As a minimum, this statement must confirm that the published information is accurate and be signed by an appropriate person. The appropriate person will depend on the type of employer involved:

- | For any corporate body other than a limited liability partnership, this will be a director (or equivalent)
- | For a limited liability partnership, this will be a designated member
- | For a limited partnership, this will be a general partner
- | For any other kind of partnership, this will be a partner
- | For an unincorporated body of persons other than a partnership, this will be a member of the governing body or a senior officer
- | For any other type of body, this will be the most senior employee

Wemyss Lodge Limited will also use the statement to provide a narrative that explains the view of Wemyss Lodge Limited as to why a gender pay gap exists, and what measures Wemyss Lodge Limited intends to take to close it.

5.6 Retention of Records and Data Protection

- | The gender pay gap information must be maintained online on the website of Wemyss Lodge Limited for a minimum of three years to show what progress has been made
- | Wemyss Lodge Limited will consider maintaining this information on the website beyond that period to show its longer-term progress
- | Only the calculation results and written statement will be published, so there will not be any employee data protection issues if the process is properly followed
- | Wemyss Lodge Limited will ensure that, as the collection of the data in order to prepare the report may involve the processing of personal data, it will comply with the Privacy Notice issued to staff and its policy. For more information see the Data Security and Data Retention Policy and Procedure

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5.7 Visibility

Wemyss Lodge Limited will ensure that the Gender Pay Gap Report is easily accessible to both employees and members of the public.

Wemyss Lodge Limited is also obliged to publish its Gender Pay Gap report on the Government-sponsored [website](#).

**6. Definitions****6.1 Gender Pay Gap**

- | Gender pay gap differs from equal pay as it is concerned with the differences in the average pay between men and women over a period of time, no matter what their role is

6.2 Equal Pay

- | Equal pay is an employee's entitlement to the same wage as someone doing work of an equal value to them, the same or broadly similar work as them or work rated as 'of equivalent value' by a job evaluation study

6.3 The Snapshot Date

- | This is the key date that many of the details needed to carry out the calculations will come from. It is also the date from which an employer has a year to publish their Gender Pay Report. This will always be 5th April in any year where an employer has 250 or more employees

6.4 Employees

- | The Regulations use a broad definition of an employee from the Equality Act 2010. Employees are anyone working in Great Britain whose contract of employment is governed by UK legislation. Employees who work overseas are not included. The broader definition includes:
 - | Employees (those with a contract of employment)
 - | Workers and agency workers (those with a contract to do work or provide services)
 - | Apprentices
 - | Contractors and consultants who provide personal services (no substitution)
 - | Some overseas employees
- | Only those Employees defined as "full-pay relevant employees" should be included. Those being paid a reduced rate on the 'Snapshot' date will be excluded, e.g. those on sick leave, maternity leave or special leave

6.5 Pay-Quartiles

- | The Regulations state that this involves splitting the workforce into four equal-sized groups that are organised according to the hourly pay rate, from the lowest to the highest paid

**Key Facts - Professionals**

Professionals providing this service should be aware of the following:

- | Employers with 250 or more employees on the Snapshot Date must report on gender pay gaps every year
- | The report must be published on the company website in an easily accessible place and also published on the Government-sponsored site <https://genderpaygap.campaign.gov.uk/>
- | Employers must be mindful of how employees choose to identify their gender
- | Employers must be aware of the regular new reports relating to the gender pay gap and equal pay



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Key Facts - People affected by the service

People affected by this service should be aware of the following:

- Gender pay gap reporting is a hot topic at the moment. There are more new reports surrounding the matter of the gender pay gap and equal pay. Service Users, their families and members of the public have an interest in knowing what the current gender pay gap is for relevant companies. Reputational issues can arise if there is a large gender pay gap



Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

Wemyss Lodge Limited - Gender Pay Reporting Guidance - A Manager's Guide

For a list of sector-specific employers who have published their Gender Pay Gap Report, please see:

<https://gender-pay-gap.service.gov.uk/Viewing/search-results?search=&s=Q>

The three most common mistakes made in gender pay gap reports:

<https://www.personneltoday.com/hr/gender-pay-gap-reporting-errors/>

Press coverage on a recent Equal Pay claim against the BBC:

<https://www.bbc.co.uk/news/entertainment-arts-50599080>

Press coverage on the difference between Equal Pay and Gender Pay Gap:

<https://www.independent.co.uk/life-style/women/gender-pay-gap-equal-pay-women-paid-less-motherhood-a8856121.html>

See the Minimum Wage Policy and Procedure for details of what payments are due to employees and workers

Please also refer to the Data Security and Data Retention Policy and Procedure and the Transgender Policy and Procedure for useful guidance on relevant areas when preparing a Gender Pay Gap Report



Outstanding Practice

To be 'outstanding' in this policy area you could provide evidence that:

- Wemyss Lodge Limited takes action to address the gender pay gap
- Wemyss Lodge Limited reports successes which highlights how their strategy has reduced gender pay gaps
- Wemyss Lodge Limited understands the Equality Act, and this is reflected in its recruitment, pay and reward strategies
- Wemyss Lodge Limited has signed up to the voluntary initiative to address the gender pay gap
- The wide understanding of the policy is enabled by proactive use of the QCS App

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**Forms**

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Managers Guidance Note - Gender Pay Gap Reporting - PE08	To be used for general guidance only - it is your responsibility to seek bespoke guidance and advice on your individual circumstances	QCS