



# Challenging pay inequality in the UK civil service

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# A bit about Prospect

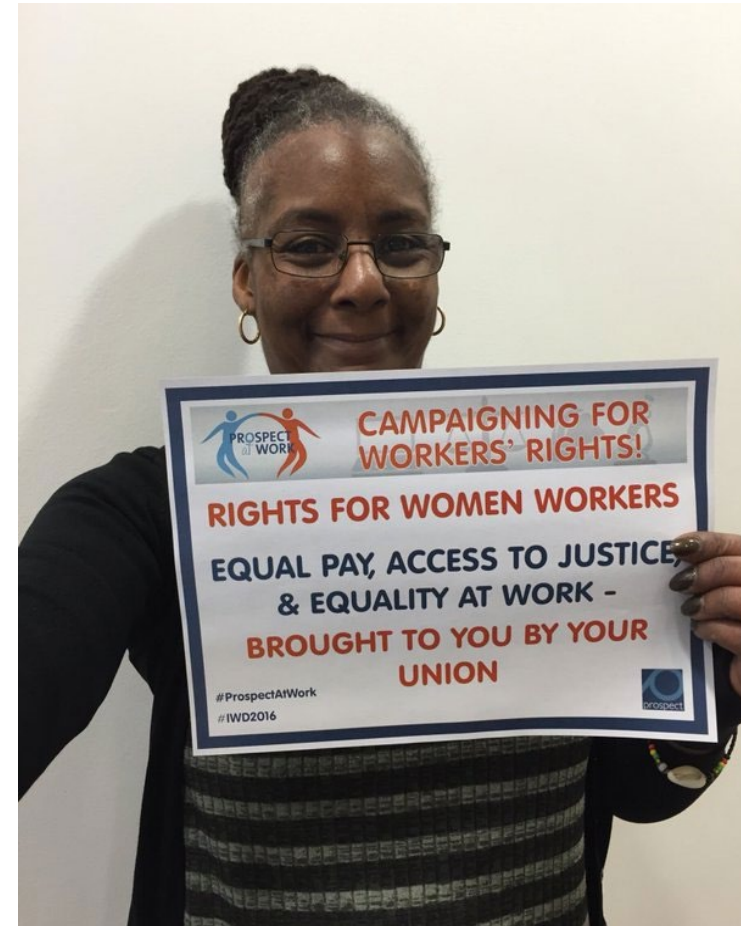
- 145,000 members in public & private sectors
- Members work in range of jobs from archaeologists to zoologists (and many others in between including; football referees, scientists, art gallery curators & engineers).
- Sectors include: aviation, agriculture, broadcasting, defence, education, energy, entertainment, environment, heritage, science, & telecommunications

## ...& in the public sector

- Employees in the UK civil service - central government departments & agencies
- Mostly specialist & professional workers
- Prospect membership in public sector 30,000
- Facing the impact of Government policy on pay restraint & austerity over last 10 years

# collective action

- unions bargaining for equality
- supporting members at work
- bringing legal cases
- Strategic litigation
- influencing the law & policy
- Campaigning against austerity
- Industrial action



# What causes pay inequality ?

- Lack of trade union
- Personal Contracts
- Opaque pay structures
- Under valued work
- Unconscious bias
- Work segregation
- Lack of flexible working
- Caring responsibilities
- Recruitment bias
- Lack of promotion, training & career development
- Pay discrimination
- Austerity

# Our equal pay challenges

Series of cases to the courts over last 20 years

Cases fall into 3 main groups:

- Length of service
- Lack of transparency
- Gender segregation of work

# Indirect discrimination due to length of service

- Traditionally civil service pay scales have been impacted by length of service
- We argue this is discriminatory where it has a disproportionate adverse effect on women
- Often women have shorter service due to family or caring responsibilities or where they are working in a male dominated field



# Leading cases against the Health & Safety Executive (HSE)



- Bernadette Cadman & Christine Wilson
- Pay differences with longer serving comparators of up to almost £9,000 pa
- 9 separate court hearings – incl. European Court of Justice & UK Court of Appeal



*Bernadette & Christine at the Court of Appeal 2009*



# principal inspector pay

Average salaries

Women £35,414

Men £39,483

Average length of service

Women – 6 years

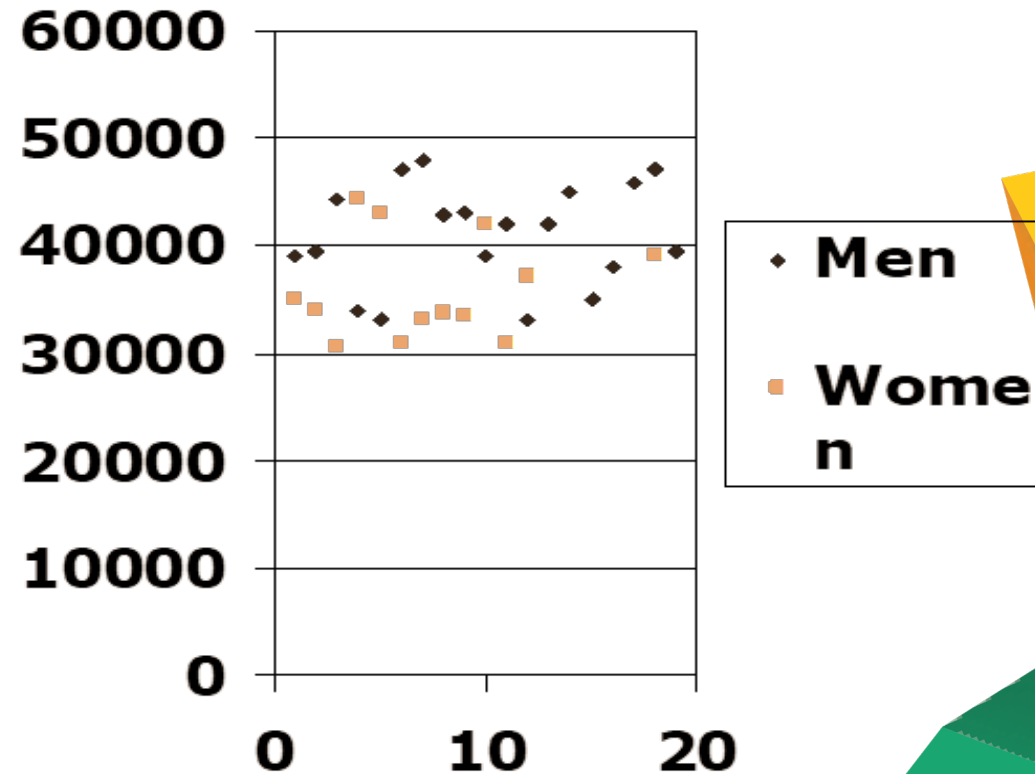
Men – 9.5 years



# clustering

Example of the clustering effect, showing where men and women are in the pay band

(based on but not accurate to HSE data)



# Impact of those 2 HSE cases

- Equal pay high on bargaining agenda across civil service
- Union negotiators secure improvements in pay
- Several other legal challenges following same principles – with new cases still being presented this year
- Some very significant increases in pay for members
- A means of challenge to Government pay policy in austerity

# success for ipo....

- 6 women members in the Intellectual Property Office brought cases
- Resulting in all employees in same pay band receiving

pay increases of up to £8k



*5 of the claimants with  
3 male comparators*

# .....& for met office – a cloudy pay system



- Lack of transparency & complex pay structure
- 76 women bring legal claims
- 3 preliminary hearings
- Eventual settlement
- Renegotiated pay system
- Increased pay up to £7k
- Pay gap reduces to 2% in 3 years





# Litigation only part of the strategy

In the Met Office the fight for equal pay was based around:

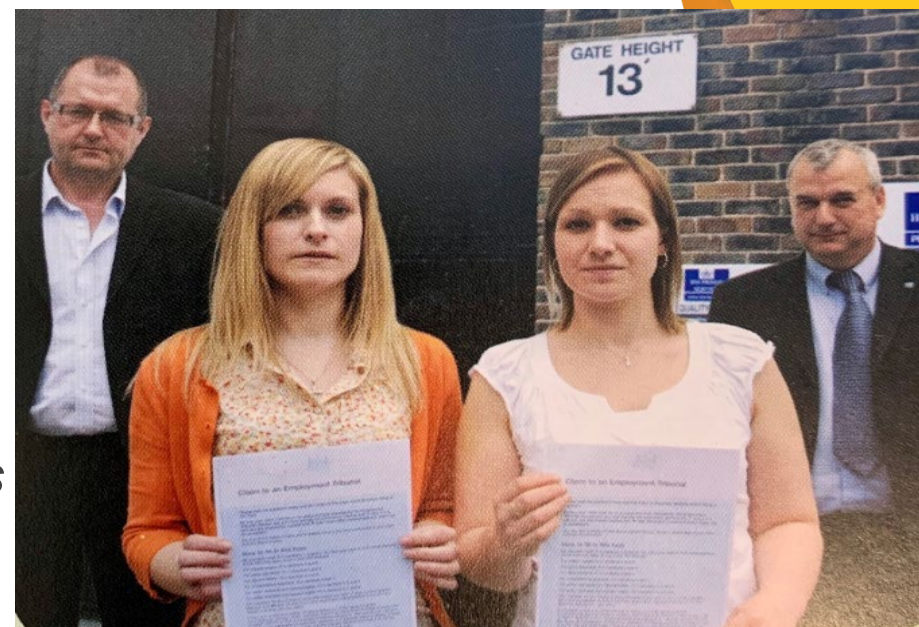
- Campaigning
- Litigation
- Lobbying of Parliament
- Industrial action – days of strike



# prison psychologists

- Predominantly female psychologists earning much less than predominately male prison officers
- More than 160 individual cases to tribunal
- Argument around justification
- Eventually settled before full hearing
- Renegotiated pay system delivers increases up to 20%
- Back pay for claimants

*2 claimants with their union reps*





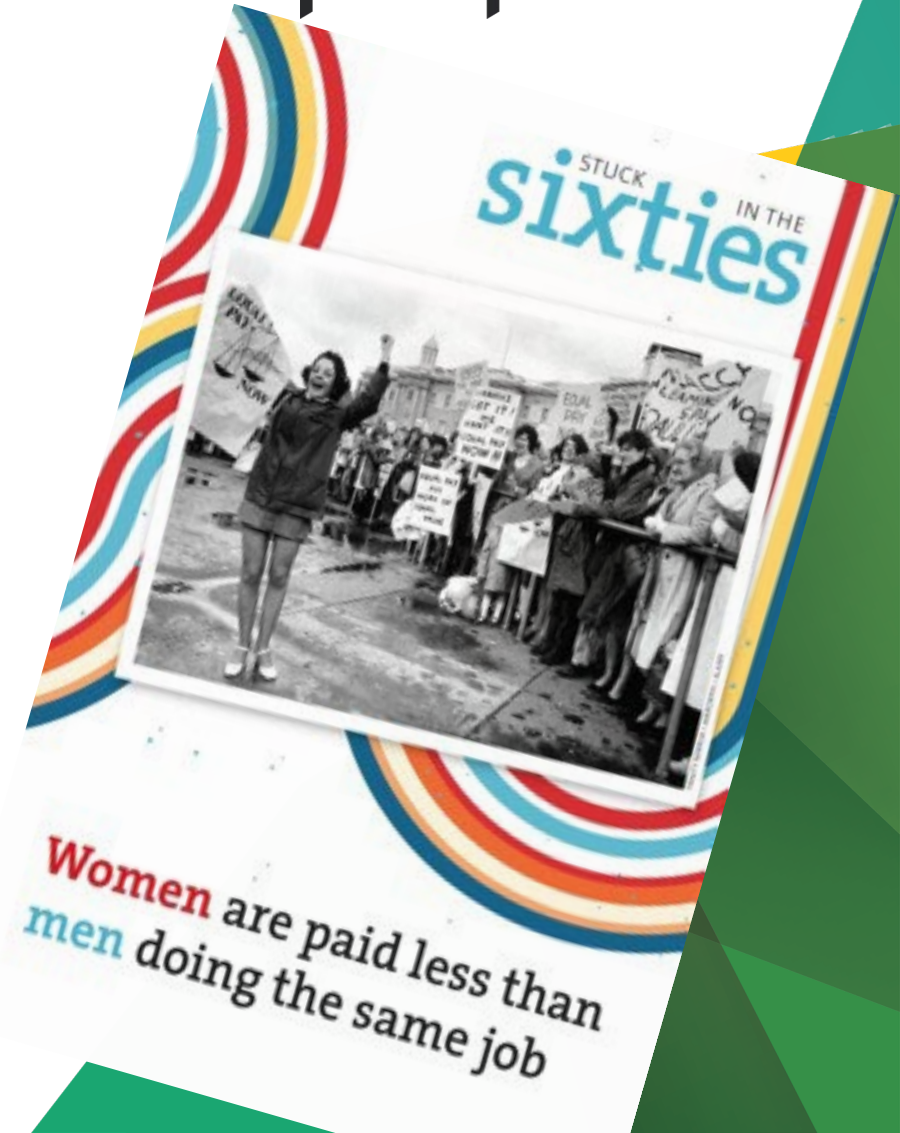
# Long running problem

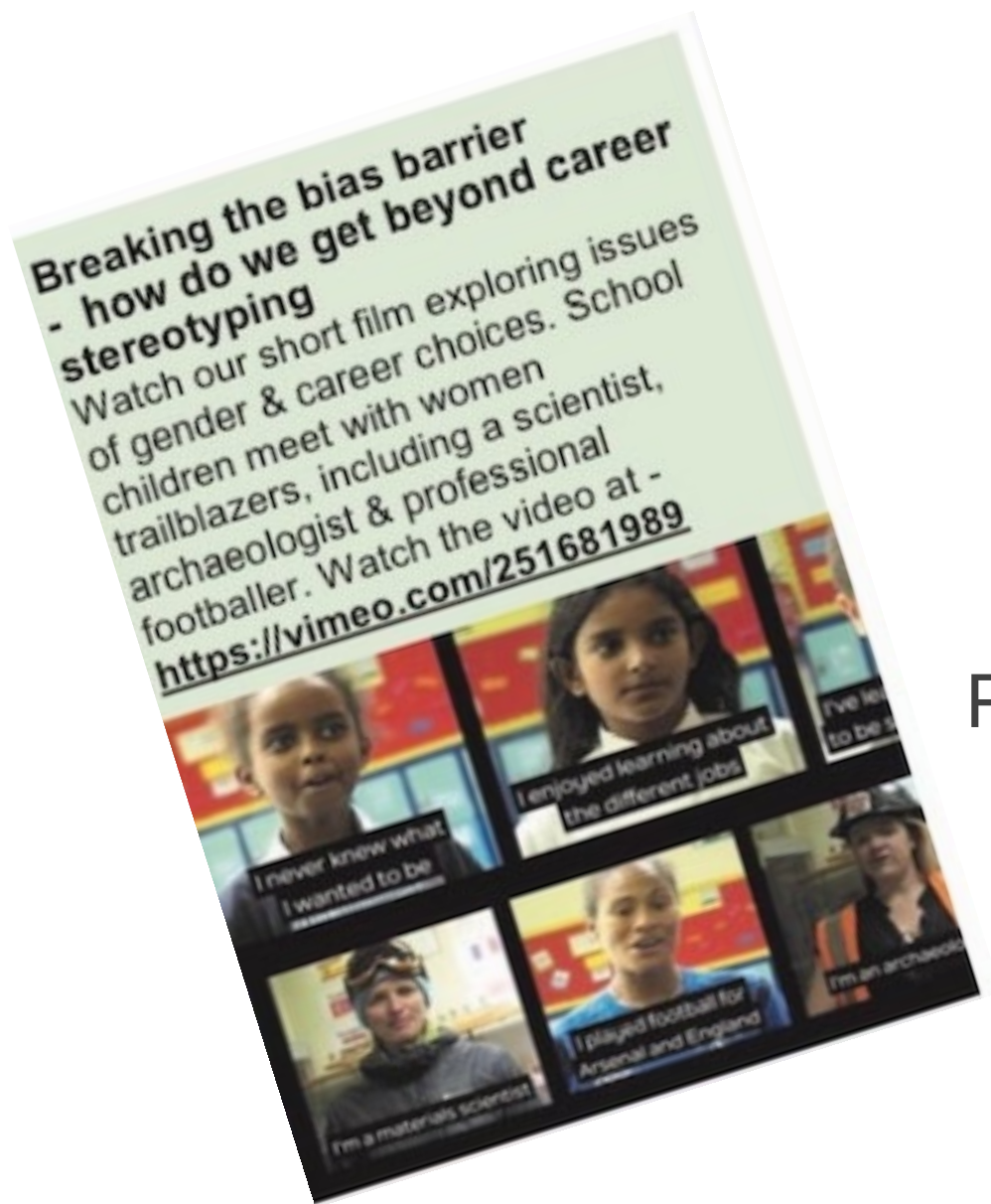
- Pay restraint in public sector & austerity programme
- Stagnation of pay & exacerbation of inequality
- Continue to see evidence of inequality in pay
- Gender pay gap (looking at overall pay of women & men across the organisation) in the public sector is 16.7%
- But alarmingly the gap has grown in 4 central government departments this year

*(Financial Times 3/2/20)*

# Union response

- Training and resources for union reps
- Ways to reduce the gender pay gap
- What to look for in pay data
- How to narrow the pay gap
- Research on Pensions Gender Gap
- Challenging bias
- Litigation – aimed at strategic impact





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