

# Birmingham City Council

## Finance and Resources Overview and Scrutiny Committee

Date 24 January 2024



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**Subject:** Job Evaluation and Pay Equity Update  
**Report of:** Katy Fox (Human Resources Director)  
**Report author:** Richard Fitzjohn (Equal Pay Programme Lead)

### 1 Purpose

- 1.1 The Committee is asked to **NOTE** the update on progress with the Equal Pay programme, specifically the Job Evaluation programme.

### 2 Recommendations

- 2.1 The Committee is asked to **NOTE** the update on progress with the Equal Pay programme, specifically the Job Evaluation programme.
- 2.2 Progress as at January 2024:
- 2.3 The Addendum to the Principles document for Job Evaluation and Pay Equity was agreed on 21st October 2023.
- 2.4 New leads joined BCC, Katy Fox (HR Director) in October 2023 and Richard Fitzjohn (Equal Pay Lead) on 13 November 2023.
- 2.5 In line with this agreement, an Operational Steering Group (OSG) was formed on 1 December and Terms of Reference approved. OSG meetings take place fortnightly to review any issues emerging from the weekly BCC/Trade Union Joint Working Group (JWG).
- 2.6 Following an initial meeting on 22 November, BCC/Trade Union JWG established as a weekly meeting to enable collaborative working on delivering the Job Evaluation programme.
- 2.7 In keeping with commitment to transparency, a joint programme Sharepoint has been established to enable all documents to be shared and enable collaborative working on process documents. Access and training is being provided to joint trade unions on JWG / OSG in Jan 2024.

- 2.8 Detailed programme plan completed with on-going iterative work to integrate with other key programmes. Plan presented to OSG for review 14 Dec 2023 and shared with JWG on Sharepoint.
- 2.9 In accordance with the agreement, an appeals process was developed by the JWG and approved on 22 December 2023.
- 2.10 8 x Job Evaluation Analysts commenced Nov / Dec 2023. Induction training complete. 4 Further Analysts resourced – release dates 5 Feb 2024. Formal programme training with WME on track to commence in February 2024 linked to a plan to deliver all evaluations by October 2024.
- 2.11 2256 existing Job Descriptions from BCC uploaded to Role Mapper system pending review by managers.
- 2.12 Pilot JDQ workshops launched 8 January 2024. Pre-meeting / training 19 Dec 2023.
- 2.13 Next Steps
- 2.14 Appendix 1 shows the key milestones for the delivery of the Job Evaluation programme.
- 2.15 Current focus is on the evaluation of benchmark roles (c.200 roles) by end May 2024. Key stages are:
- 2.16 Reviewing job information (managers review JD/PS, employees provide detailed JDQ job context).
- 2.17 Evaluation of roles by trained Analysts
- 2.18 Moderation / Quality Assurance provided by WME as well as trained trade union evaluators reviewing 10% of roles.
- 2.19 Remaining c. 2,000 to 2,300 roles will be evaluated by 12 Analysts supported by WME and Trade Union Analysts using the same process developed and tested during the benchmarking part of the programme.
- 2.20 The Pay and Grading workstream is due to be scoped and work commenced in Q4 2023/24.
- 2.21 The key milestones for the Pay and Grading workstream, along with an updated Job Evaluation workstream update will be brought to a future meeting.

### **3 Any Finance Implications**

- 3.1 Following a Cabinet Board paper in April 2022, £3.57m was provided to fund the programme from April 2022 to March 2024.
- The funding for 2023/24 is forecast to be c.£0.9m.
  - The forecast for 2024/25 is currently c. £1.4m.

However, we are informed that work is under way to uplift the staffing numbers to support an accelerated programme and to provide additional support from WME and other external advisors to deliver the programme. An update on the potential impact on Financing will be provided to the Committee once this is confirmed.

#### **4 Any Legal Implications**

4.1 The statutory definition of a job evaluation study is:

*“A study undertaken with a view to evaluating, in terms of the demands made on a person by reference to factors such as effort, skill and decision-making, the jobs to be done... by some or all of the workers in an undertaking or group of undertakings” (s80(5) Equality Act 2010 (“EA 2010”).*

4.2 Once a job evaluation study has been conducted, an employee’s work is deemed not to be of equal value to another employee’s work if their jobs have been given different values by that study (s131(5)(b) EA 2010). This prevents employees claiming that they should be paid the same as higher graded colleagues, and it gives employers a statutory shield against equal pay claims.

4.3 However, if there are reasonable grounds for suspecting that a job evaluation system discriminates because of sex, or is otherwise unreliable, an employer cannot rely on its job evaluation study as a statutory defence to an equal pay claim (s131(6) EA 2010).

4.4 To be legally compliant, the Council must ensure that its new job evaluation study:

4.4.1 Is an analytical job evaluation study within the meaning of s80(5) EA 2010;

4.4.2 Does not discriminate because of sex; and

4.4.3 Is in no way otherwise unreliable.

4.5 At this stage of the programme, there is nothing to suggest that the job evaluation study is at risk of not being legally compliant. The emphasis at the moment is ensuring that job descriptions are up to date and accurate, so as to safeguard against any potential job enrichment (i.e. job descriptions containing duties and responsibilities that are not in reality performed), which would introduce elements of unreliability or possibly discrimination into the study and thus leave the Council susceptible to future equal pay claims.

#### **5 Any Equalities Implications**

5.1 The successful delivery of this programme is critical to ensure equal pay across BCC and to the reduction of future potential equal pay liability beyond April 2025.

## 6 Appendix – Job Evaluation Milestones

Activity	Date	Type	Owner	RAG	Comments
Mobilisation of Operational Steering Group (OSG)	8-Dec-23	Milestone	Richard Fitzjohn	Completed	
OSG - Agreement & approval of appeals process	31-Dec-23	Milestone	Richard Fitzjohn	Completed	
Commence 8 week trial of JDQ process	8-Jan-24	Milestone	Richard Fitzjohn	Completed	
Approve training plan for Union analysts	2-Feb-24	Milestone	Richard Fitzjohn	Amber	Awaiting final details of Union analysts
Training readiness STAGE GATE	2-Feb-24	STAGE GATE	Richard Fitzjohn	Green	Training will start and Union analysts will join when ready
Formal evaluator training start	5-Feb-24	Milestone	Richard Fitzjohn	Green	Training will start and Union analysts will join when ready
200 Benchmark roles all reviewed by managers	29-Feb-24	Milestone	Richard Fitzjohn	Green	
Complete 200 benchmark JDQ workshops	30-Apr-24	Milestone	Richard Fitzjohn	Green	
All 200 benchmark roles evaluated	31-May-24	Milestone	Richard Fitzjohn	Not Started	On track to Start on 04 Mar 24
Non benchmark roles (circa 2000) all reviewed by managers	30-Jun-24	Milestone	Richard Fitzjohn	Not Started	On track to Start on 04 Mar 24
Complete non benchmark (circa 2000) JDQ workshops	31-Jul-24	Milestone	Richard Fitzjohn	Not Started	On track to Start on 01 Apr 24
All non benchmark (circa 2000) roles evaluated	30-Aug-24	Milestone	Richard Fitzjohn	Not Started	On track to Start on 1 Jun 24