

Gender pay gap reporting – what are my obligations?

27 March 2023

The gender pay gap is the difference between the average pay of men and women in an organisation. In December 2021, research by the Institute for Fiscal Studies concluded that there had been little change in the gender pay gap over the previous 25 years, after factoring in increases in women's education. This demonstrates that there is still a long way to go in tackling this issue.

Mandatory gender pay gap reporting is a way to encourage greater transparency of this ongoing issue. Any employer with 250 or more employees on the 'snapshot date' each year must report their gender pay gap data.

The snapshot dates are fast approaching, and are as follows:

- 31 March for most public authority employers; and
- 5 April for private, voluntary and all other public authority employers.

An employer should base their gender pay gap calculations on payroll data taken on their snapshot date and should then report and publish this information within a year of that snapshot date. Therefore, reporting deadlines for employers would be as follows:

- 30 March for most public authority employers; and
- 4 April for private, voluntary and all other public authority employers

Employers would need to report the following in a prominent place (usually their website) so that it is visible to the public and their employees:

- their gender pay gap figures; and
- a written statement to confirm that the information provided is accurate (although most public authority employers do not need to do this.)

It could make things easier for employers to report and publish their gender pay gap information early. This way, employers can resolve any issues with data early on, and also take action against any perceived 'pay gaps'. It is also likely to look more favourable and positive reputationally for an employer to be perceived as being very open and proactive with their pay gap data, rather than waiting until the last second.

If you are an employer with 250 or more employees, you will need to participate in gender pay gap reporting, as failing to do so is unlawful. As well as reputational risks for failing to report your data on time (or at all) or reporting inaccurate data, the Equality and Human Rights Commission (EHRC) may take enforcement action. This could extend to court orders and fines.

Therefore, with the snapshot date fast approaching, it is recommended that employers take a proactive stance to their gender pay gap reporting obligations. If you require any further information or assistance in this regard, please get in touch with us to discuss your obligations fully.

Key contact

Mark Hickson

Head of Business Development

onlineteaminbox@brownejacobson.com

+44 (0)370 270 6000

Related expertise

Employment