

Pregnancy and Maternity Discrimination Working Group

Tuesday 22 May, 10:00 – 11:30

Minutes of the sixth meeting of the Pregnancy and Maternity Discrimination Working Group, held at Turning Point, Glasgow Drug Crisis Centre, 121 West Street, Glasgow, G5 8BA.

Members Present:

Jamie Hepburn, Minister for Employability and Training (Chair) (JH)
Frank Blair, ACAS (FB)
Geraldine Higgins, FFWS (GH)
Clare Hussain, Police Scotland (CH)
Louise Lissaman, COSLA (LL)
Susan Love, FSB (SL)
Helen Miller, EHRC (HM)
Katherine Wainwright, CCPS (KW)

Guest Speaker:

Sharon Currie, NHS Health Scotland (SC)

Scottish Government (SG) Officials:

Victoria Beattie (VB)
Lindsay Edgar (LE)
Andrew Boney (AB)

Apologies:

Lisa Gallagher, FFWS (LG) (on maternity leave)
Helen Martin, STUC (HMa)
Nikki Slowey, FFWS (NS)
Chris Oswald, EHRC (CO)
Kenneth Small, NHS Scotland (KS)
Paula Smith, Carpetright (PS)

1. Welcome and Introductions

JH welcomed everyone to the meeting and thanked KW for hosting. He noted the apologies and that SC was attending in place of Annette Bell for the NHS Health Scotland presentation. JH welcomed GH who was representing FFWS for NS. JH intimated that PS would be standing down from the group due to the recent restructuring in Carpetright. JH noted her service and said that he would write to PS expressing his thanks for the work that she had done with the group.

JH then provided an overview of the agenda for the meeting. A group photograph was taken and subsequently tweeted on the Minister's twitter page.

2. Minutes of the Last Meeting and Action Points

Action Points:

1. CH, FB and KW to provide amended lines for the Summary Paper – *Completed*
2. LE to invite Ben Warrington to future meeting for update on the single website – *In progress and update to be provided during workplan discussion*
3. VB to check with business engagement staff on SG support for ACAS collaborative events for trade associations – *In progress; VB said that SG support can be provided*

4. LE to check if some group members could address a summer conference on the gender pay gap hosted by the LA Improvement Team – *In progress and update to be provided during workplan discussion*
5. All group members to provide ideas on milestones for commitment 6 in the Work Plan – **Outstanding** as no comments received; so the SG invited some members to join a sub-group to take this forward. It was agreed that the first meeting of the sub-group would take place in the next few weeks
6. FB to obtain ACAS complaints statistics on pregnancy and maternity discrimination – *Completed - these stats have been shared with members*

On this last action point some comments were made:

- FB commented that the statistics were more of enquiries to ACAS rather than complaints and that it was not possible to extract specific Scottish statistics.
- LL asked what the split of enquiries were. FB confirmed that there was an approximate 60-40% split on degrees of enquiries and complaints received.
- LL commented that the interaction of pregnancy and maternity leave and discrimination with other enquiries was notable.
- JH asked if the information could be made public. FB confirmed that it could, however stressed that the figures may not be accurate and there could be Freedom of Information (Fol) concerns.

3. Healthy Working Lives

SC gave an update on the work she had been doing with Healthy Working Lives (HWL) and the support given to employers and employees. Key points included:

- HWL is part of the NHS across Scotland with the focus being on supporting small and medium-sized enterprises (SME's) and larger organisations.
- A HWL helpline and website are both available and being used.
- The Single Shared Gateway Service has a close relationship with the Department for Work and Pensions (DWP); cases can be referred to other agencies as necessary.
- Fit for Work and Working Health Services had the criteria changed for people in work with health problems. Such cases tend to contact the advice line and are referred to the appropriate services.
- Free training is provided in areas such as mental health and wellbeing and alcohol and drugs abuse. Guides are available to supplement training.
- HWL services are not intended to duplicate existing services.

A discussion took place which included the following comments and questions:

- JH asked whether all relevant medical professions are informed of HWL services. SC replied that health care professionals are kept informed of services and often visit schools to inform pupils about HWL.
- SC commented that HWL work with other organisations, such as Power to the Bump, to promote their services.
- LE asked if there was an HWL app. SC replied that there was no app at present. VB commented that an HWL app could be investigated as part of the single website being developed (as part of the Work Plan).
- FB commented that there is an issue of barriers existing between staff on maternity leave and their line manager. The provision of HWL information is beneficial and a big step.
- GH said that the FFWS project being funded by the Workplace Equality Fund is to address employment barriers, inequality and lack of progression in the workplace. One of the barriers to be looked at includes issues that line managers find hard to talk about with their staff.

- HM asked whether a woman employee who is experiencing pregnancy discrimination, and who phoned HWL, would be signposted to an appropriate contact. SC replied that work was being done on developing signposting through HWL.

4. Work Plan and Group Discussion

JH led a discussion which included the following comments:

SG Commitment 1

- Single website: LE confirmed that Ben Warrington from the SG's Entrepreneurship team would be invited to the next meeting to give an update. Work is ongoing on developing the website.
- Sharing information at conferences: GH was asked about feedback on the recent HR conference; she asked if that could be carried forward to the next group meeting.
- HR Network Magazine: VB said that she and HM would be meeting with HR Network magazine on 30 May to discuss opportunities to promote advice and guidance.
- Opportunities through Voluntary Sector HR Forum: VB said that she would be meeting in the coming weeks with the Scottish branch of CIPD (Chartered Institute of Personnel and Development) and other HR organisations.

SG Commitment 2

- Scottish Business Pledge: LE has drafted a template, this is being finalised for members to provide examples of good practice and will be shared with the group in due course. LE will feed back at the next meeting.

SG Commitment 3

- STUC has done work on possible training for Union Reps.
- B1Mat forms: VB said that the UK Government are starting to roll out the revised forms and will include links to websites giving pregnancy and maternity advice. HM commented that this was a good development.
- Baby Box: VB said that the SG policy team are not wanting to include leaflets on pregnancy and maternity discrimination in the baby box. There is one leaflet in the box which signposts new mothers to every source of advice, such as The Parent Club.
- JH commented that pregnant women could still need a leaflet in the baby box with advice on pregnancy and maternity discrimination in the workplace.
- HM said that she was happy with the advice signposting leaflet in the baby box.
- CH commented that including a leaflet with advice for new mothers who want to return to work is a better information source. CH also suggested that the one year health visit could be the stage where mothers get advice on returning to work.
- JH thanked the group for their comments and it was agreed the baby box would be left as is.

SG Commitment 4

- JH said that he has written to the Chief Executives of all public bodies for which the SG has pay policy responsibility to highlight their gender pay gap figure. He will also be speaking to the Chief Executives of the six public bodies with the highest pay gap to discuss what actions they will be taking to reduce it.
- JH said that there will be consultation with key stakeholders over the summer on changes to the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 with the aim of having revised legislation in place for 1 April 2019. Officials leading on the review are happy to attend a future group meeting to discuss or to meet with any particular stakeholders that members thought would like to be involved in the review.

SG Commitment 5

- The main actions were all in progress. A new STEM Equality Sub-Group is being established and will be asked to consider issues relating to pregnancy and maternity discrimination. VB said that she will liaise with lead officials on the sub-group's work and update the group at the next meeting.

SG Commitment 6

- HMa will update the group at the next meeting on the STUC-led survey to the reps of affiliated unions on the main issues.
- A sub-group is being set up to take forward monitoring and evaluation of the work plan. HM, LL and NS have been invited and KW asked if she could also be on the sub-group to represent CCPS. The first meeting will be held in the next few weeks (*Update: LL has since confirmed that she is unable to be on the sub-group*).
- JH said that it is unlikely there will be a follow up to the *Growing Up in Scotland* report as the children involved in the original study are now 12 years old. There are currently no plans to repeat this survey. VB added that other surveys will be monitored to help with the evaluation process.
- JH commented that officials will liaise with Business in the Community (BITC) regarding the results of the Equal Lives Survey and share them with the group.

During the discussion on the work plan, FB said that ACAS ran 'Key Points Sessions' in September and October and he would like to run a session on pregnancy and maternity discrimination. A short discussion followed with these comments:

- VB said that the event could be promoted through the Scottish Business Pledge website and the SG's HR services. It was agreed that this will be looked into.
- SL pointed out that small businesses only tend to attend events that they regard as 'critical' and that a better audience would be HR personnel.
- FB said that there may be difficulties for ACAS with costs if the event was given to a less wide audience.

5. Gender Pay Gap Working Group and Workplace Equality Fund

- JH updated the group on the establishment of the Gender Pay Gap Working Group which he will be chairing. The Working Group aims to develop a cross-Government Action Plan to tackle the pay gap in Scotland.
- JH said that it is important for the Gender Pay Gap Working Group to have links with this group. More information will be shared with the group in the coming weeks.
- JH updated the group on the Workplace Equality Fund (WEF). The first round of applications closed at the end of March. The Voluntary Action Fund received 60 applications totalling over £2.5m. There were nine successful bids, two of which were specifically about supporting flexible working practices.
- JH congratulated GH on the successful bid by FFWS.
- It was agreed that background information on the successful bids in the first round would be shared with the group.

6. AOB

- JH updated the group on the recent announcement of a new pilot childcare scheme which means that parents will no longer have to pay upfront childcare costs. The pilot is taking place in Edinburgh, Glasgow and Dumfries and Galloway and the SG will cover the costs for eligible families until December 2019 through a deposit guarantee.

7. Date of Next Meeting

JH announced that the next meeting will be held on Tuesday 18 September 2018 in Glasgow; the theme would be confirmed. HM confirmed that the venue would be the premises of EHRC.

8. Close of meeting

JH thanked KW for hosting the meeting, SC for her presentation and members for their participation. He then closed the meeting.

Meeting Action Points:

1	LE to invite Ben Warrington and Bill Hepburn (SG) to attend next meeting
2	GH to give feedback on the HR Conference in May attended by FFWS
3	LE to feedback on the Business Pledge template
4	VB to liaise with officials on the STEM Strategy Equality Sub-Group and to update the group at the next meeting
5	VB/LE to liaise with BITC on the results of the Equal Lives Survey and share them with the group
6	LE to send the group background details of the nine successful bids in the first round of the Workplace Equality Fund
7	VB/LE to look into how the SG could promote an ACAS Key Points Session on pregnancy and maternity discrimination