

# **Pregnancy and Maternity Discrimination Working Group**

Thursday 20 September 2018, 12:30 – 14:00

Minutes of the seventh meeting of the Pregnancy and Maternity Discrimination Working Group, held at The Garment Factory, 10 Montrose Street, Glasgow G1 1RE.

## **Members Present:**

Jamie Hepburn, Minister for Business, Fair Work and Skills (Chair) (JH)  
Louise Lissaman, COSLA (LL)  
Susan Love, FSB (SL)  
Linda McAulay, Incremental Group (LMc)  
Ian Proctor, ACAS (IP)  
Nikki Slowey, FFWS (NS)  
Katherine Wainwright, CCPS (KW)

## **Scottish Government (SG) Officials:**

Victoria Beattie (VB)  
Lindsay Edgar (LE)  
Andrew Boney (AB)  
Bill Hepburn (BH)  
Denise Manzor (DM)

## **Apologies:**

Frank Blair, ACAS, (FB)  
Lynne Brown, Lloyds Banking Group (LB)  
Lisa Gallagher, FFWS (LG) (on maternity leave)  
Lorna Glen, STUC (LG)

## **1. Welcome and Introductions**

JH welcomed everyone to the meeting, thanked LMc for hosting and as a new member welcomed her to the group. Apologies were noted. JH informed the group that Kenny Small, NHS Scotland, has retired and as such withdrawn from the group. JH noted his service and has written expressing his thanks for the work he has done with the group.

JH then provided an overview of the agenda for the meeting.

## **2. Minutes of the Last Meeting and Action Points**

### **Action Points:**

1. LE to invite Ben Warrington and Bill Hepburn (SG) to attend next meeting – *Completed – agenda items 3 and 4.*
2. GH to give feedback on the HR Conference in May attended by FFWS – *This was provided following the last meeting.*
3. LE to feedback on the Business Pledge template – *to be covered under item 5.*
4. VB to liaise with officials on the STEM Strategy Equality Sub-Group and to update the group at the next meeting – *to be covered under item 5.*
5. VB/LE to liaise with BITC on the results of the Equal Lives Survey and share them with the group – *Completed: UK report and press release circulated to the group.*
6. LE to send the group background details of the nine successful bids in the first round of the Workplace Equality Fund – *Completed.*

7. LE to look into how the SG could promote an ACAS Key Points Session on pregnancy and maternity discrimination – *In progress: a link, to details of the session, has been circulated to the group for wider dissemination. This has also been put on our Pregnancy & Maternity website and circulated to various sector groups.*

### **3. Scottish Government update on single website**

DM gave an update on the work that has been done to develop the Enterprise & Skills single website. Key points included:

- A portal is being developed, with the support of Scottish Enterprise, to provide businesses with a single source of information. Individual agencies will still have their own websites and the portal will direct users to these.
- The website follows all legal obligations on how it is used.
- It is hoped that the website will be live by mid-2019.
- JH asked the group whether they thought the website would be good for business to use. SL stated that she thought it would be.
- JH thanked DM for her update and said that it would be useful if development of the website would continue to be fed into group meetings.

### **4. Update on the Public Sector Equality Duty (PSED)**

BH gave an update on the PSED and the links to pregnancy and maternity discrimination. Key points included:

- PSED is consolidated in the Equality Act 2010 and is part of that.
- Protected characteristics are treated as equal and there are underlying regulations covering them.
- The aim of the PSED is to allow the public to have a better understanding of public authorities and to give them an opportunity to challenge authorities on any issues.
- There are concerns over PSED implementation and pregnancy & maternity discrimination has been raised as a protected characteristic which wasn't working well.
- The SG is committed to reviewing the PSED regulations and the timetable is being extended to allow a more thorough review.
- A consultation will take place in early 2019 and new regulations are planned to be introduced in 2020.

Comments and views made:

- NS asked whether the consultation would be wide. BH said that it would be as it had been a Ministerial decision.
- JH said that that working group members will have an opportunity to respond to the consultation on behalf of their respective organisations.
- BH commented that a more specific timescale on the consultation was needed from EHRC. and offered to return to a future meeting to facilitate discussion.
- VB said that a copy of the published PSED report would be circulated to the group when received.

## **5. Work Plan and Group Discussion**

JH led a discussion which included the following comments:

### **SG Commitment 1**

- HR Network magazine: VB said that officials and HM met with HR Network magazine on 30 May and discussed opportunities to promote advice and guidance.
- CIPD opportunities: VB said that officials met with CIPD on 23 May – feedback had been sought on their Steps Ahead Programme. A CIPD conference was being held on 14 March 2019 with a potential theme of flexibility.

### **SG Commitment 2**

- Scottish Business Pledge (SBP): LE said that she had been working with the SBP team to produce a template which was awaiting clearance. The template would be circulated to the group in due course to provide examples of good practice.

### **SG Commitment 3**

- Training for Union Reps: LE said that HMA had advised that LG from STUC Women's Committee would take over their representation on the working group. An update from LG on training would be provided in due course.

### **SG Commitment 4**

- This commitment had been covered in the presentation on the PSED by BH.

### **SG Commitment 5**

- NS said that FFWS were designing a crib-sheet to allow businesses to be consulted on pregnancy and maternity discrimination. KW agreed with NS that a crib-sheet would be useful for that purpose.
- It was agreed that a copy of the crib-sheet would be prepared for the group.
- VB said that she would be attending the STEM Equality Strategy Group meeting on 25 September which would include discussion on pregnancy and maternity discrimination and the gender pay gap action plan.

### **SG Commitment 6**

- VB summarised the Sub-group meeting on 20 June 2018 to take forward monitoring and evaluation of the group's work. The minutes of this meeting have been circulated .
- LE summarised the work done with various sector groups and are keen to meet with other such groups.
- JH commented that the Women in Enterprise group, which he chaired, may want to help highlight pregnancy and maternity discrimination.
- LE said that the ACAS employer training events on maternity leave were being well publicised by the SG.
- KW asked about work on a retention survey. NS said a poll of working people was being done; a poll of pregnancy and maternity discrimination could be done although more resourcing was needed.
- LE said that hits on the websites where pregnancy and maternity discrimination links had been added were being monitored. The report from NHS inform has been circulated.
- LE advised that Ready Steady Baby is to be incorporated into NHS Inform by February 2019.
- NS said that a survey is being done for Health Visitors and a couple of pregnancy and maternity discrimination related questions could be added. It was agreed that the Chief Nursing Officer, Fiona McQueen, should be approached.

- SL commented that multiple requests for data to small businesses was time consuming. Having the Scottish and UK Governments making requests was not an effective way of gathering data.
- KW said that data requests from officials on the gender pay gap were time consuming. The HR software in Turning Point does not count pregnancy and maternity discrimination.
- JH asked if the group still wanted to discuss the work plan at meetings; members agreed this should be continued.

## **6. Gender Pay Gap Working Group and Thematic workshops**

- VB updated the group on the thematic workshops that were taking place as part of the development of the gender pay gap action plan. Each workshop was stakeholder led.
- Four workshops had been held since July – they had covered themes of social security and employability; early years and childcare; school; and post-school. A background paper, prepared by key stakeholders, was presented at each workshop with draft recommendations included.
- The workshops were led by Professor Alan McGregor of Glasgow University. Following each workshop, the recommendations were put to meetings of the Gender Pay Gap Working Group for agreement. Two meetings of the working group had been held with the second one on 19 September.
- Two common themes had emerged from the workshops, those being societal attitudes and gender stereotyping.
- The last three workshops would be on the themes of employment on 2 October; economic development on 9 October; and procurement on 1 November. 'Voices' sessions were being held in parallel with the workshops and a session with trade unions had been recently held. Additionally, the Business in the Parliament conference and National Economic Forum would include workshops on the gender pay gap.
- KW commented that the childcare sector was under-resourced and there could be concerns if recommendations for this sector were in the public domain. VB said that an options appraisal would be done by SG to assess the potential effectiveness of the recommendations from each workshop.
- LL commented that VB's update had made it clearer on what the workshops are about.
- It was agreed that the recommendations from each thematic workshop would be circulated to the group.
- VB also updated the group on round 2 of the **Workplace Equality Fund** which closed on 30 August. A total of 47 applications had been received by the Voluntary Action Fund. The applications would be assessed shortly and it was hoped that the successful projects would be announced at the end of October.

## **7. AOB**

No additional issues were raised by group members.

## **8. Date of Next Meeting**

JH announced that the next meeting will be held at 10-12 noon on Tuesday 22 January 2019 in Glasgow. LE confirmed that the venue would be the premises of ACAS.

## **9. Close of meeting**

JH thanked LMc for hosting the meeting, DM and BH for the presentations and members for their participation. He then closed the meeting.

**Meeting Action Points:**

1	LE to circulate to the group a copy of the published PSED report when received
2	NS to prepare a crib-sheet to allow businesses to be consulted on pregnancy and maternity discrimination and share it with the group
3	LE to tweak the Top Ten tips for Young Scot and circulate
4	NS to approach the Chief Nursing Officer about including questions on pregnancy and maternity discrimination in a survey for Health Visitors
5	AB to circulate to the group the agreed recommendations from each of the gender pay gap thematic workshops