

Gender Pay Gap Working Group

Tuesday 18th December 2018, 13:00 – 14:30

Minutes of the fifth meeting of the Gender Pay Gap Working Group, held at St Andrews House, Edinburgh.

Members Present

Jamie Hepburn, Minister for Business, Fair Work and Skills (Chair) (JH)
Anna Ritchie Allan, Close the Gap (ARA)
Helen Miller, EHRC (HM)
Emily Thomson, Glasgow Caledonian University (ET)
Talat Yaqoob, Equate Scotland (TY)
Ima Jackson, Glasgow Caledonian University (IJ)

Scottish Government (SG) Officials

Lorraine Lee (LL)
Spencer Thompson (ST)
Catherine Campbell (minutes)

Apologies

Emma Rich, Engender (ER)
Francis Stuart, STUC (FS)
Patricia Findlay, University of Strathclyde (PF)
Victoria Beattie, Scottish Government (VB)

1 Welcome and Introductions

JH welcomed attendees to St Andrews House. Apologies were noted as above.

JH highlighted today's meeting would consider current updates to the Gender Pay Gap Action Plan, the draft analysis and a discussion paper addressing recommendations for Scottish Government actions on the menopause and any relevant interactions with the Action Plan.

2 Minutes of last meeting and matters arising

JH noted there were no action points recorded at the last meeting and no matters arising. The Minutes were approved as accurate.

3 Feedback from Scotland House event & feedback from the Fair Work Convention

Scotland House event

JH provided an overview of discussions at the meeting held at Scotland House on 10th December in London. A range of organisations attended, including Fawcett Society, Equality & Human Rights Commission (EHRC), Close the Gap, Maternity Action and Women's Budget Group. UK Government officials also attended. JH highlighted positive feedback from attendees on the action plan. Organisations expressed hope that the UK Government might in future take a similar approach to addressing the UK's Gender Pay Gap. Discussion was primarily focused on the UK Government's reporting mechanism and its limitations.

Fair Work Convention Feedback

JH provided a brief overview of discussions VB had with the Fair Work Convention. Fair Work Convention have suggested that there be an increased focus on employment in the action plan and that the action plan takes into account the recommendations from their report into social care, which will be published in January. Both of these recommendations will be taken forward in the new draft of the action plan.

4 Discussion on the draft Action Plan

JH noted that discussions from the previous meeting were useful and comments made have now been incorporated in the new draft. The publication of the new resource 'Gender Equal Play' from Zero Tolerance has been included and recent action points around menopause will now be added. JH invited members to make further comments on the draft action plan.

IJ asked that members consider the extent to which the action plan takes an intersectional approach and to what extent the plan reflects the ambitions expressed around intersectionality discussed in the workshops and working group discussions.

In discussion group members raised:

- IJ asked how the action plan might refer to specific data and evidence relating to race, providing the example of the Close the Gap research on the experience of BME women in employment and suggesting that the group consider how the plan might map to issues raised in the research.
- IJ acknowledged the lack of intersectional data available but highlighted this as an ongoing problem, suggesting that if the plan relies on evidence already available then the needs of diverse women will potentially be lost given the issues in collecting this.
- TY underlined the importance of ensuring that intersectional issues be highlighted prominently. She suggested that the plan might make explicit reference to data needs in this area and reference more clearly the group's ambitions to work intersectionally.
- Members stressed the need for the term 'intersectional' to be explicit throughout the actions and as a key aspect of gender competence. The full term should be used, highlighting the need to frame intersectionality prominently or it risks getting lost.
- IJ suggested that in each section of the action plan, examples could be provided to demonstrate how intersectionality works, the different impacts of each recommendation on different groups of women etc. Examples could be drawn from the workshops, which would ensure that the diverse needs & experiences of different groups are included. HM offered that the EHRC could also provide relevant examples to be used and suggested examples addressing race, the needs of survivors of domestic abuse and LGBT people.
- ARA highlighted the need for work in other policy areas to include explicit reference to gender, for example the Disability Action Plan . She questioned whether further discussion between policy officials working on both could usefully happen to ensure that the two plans better join up.

Further feedback was provided on the action plan. Members raised:

- TY asked for clarification on a sentence in Chapter 2 Employment, P.8 'Nonetheless, male dominated workplaces tend to offer flexibility in relation work patterns or hours of employment'. JH confirmed that this is a typo and should read 'tend not to offer flexibility in relation to work patterns...'. This will be edited accordingly.
- Members questioned the action to ask the SFC to work with the colleges & universities to address occupational segregation as this is an existing requirement under the Public Sector Equality Duty, and could be referred to as such. JH suggested that the section was worded in this way due to the different relationships that the Scottish Government has with colleges than with universities, but that this could be considered further
- ARA questioned the reference to the development of a Performance Framework for the Enterprise & Skills Strategic Board under Chapter 5. She asked for context as she felt that this action was weaker than what was discussed in workshops and referred to previous recommendations made. JH highlighted the role for Scottish Government in providing guidance to the Strategic Board, acknowledging the need for Scottish Government to take care in how we approach this with independent and autonomous organisations but agreed to reflect further on this action.
- HM asked for clarity on the mention of a 'collaborative to advance understanding of and practice in delivering gendered inclusive growth' in Chapter 8 Economic Development. JH clarified this draft action was based on a recommendation from stakeholders and that was still being explored and considered by the Scottish Government.
- TY questioned the reference under Chapter 2 to the expansion of the Workplace Equality Fund, querying whether it makes sense to include this commitment ahead of the expected feedback from the initial funding programme and suggesting instead including a line referencing the feedback.
- ARA requested that under Chapter 3, explicit mention could be made of the need for the Care Inspectorate and Education Scotland to engage with gender experts in developing the shared inspection framework, given that there is as yet no established culture there of engaging with third sector organisations. LL clarified that this draft action is still under discussion and not yet approved.
- ARA questioned whether in Chapter 3 two suggested actions had been conflated. She queried the reasoning behind undertaking a feasibility study of the already agreed increase in funded childcare hours, and suggested that the action previously discussed was to assess the feasibility of a further increase to 50 funded hours. JH responded that it would be less useful to include a specific number of hours, instead looking more generally at a further increase. Although it was acknowledged that the term feasibility was not correct and that the action should be amended to say that an evaluation should be undertaken..... This was agreed by members.

- ARA queried the further recommendation referencing the next review of the national occupational standards for early learning & childcare and the inclusion of consideration of addressing gender stereotypes and occupational segregation. She asked whether this was not already underway, and whether it could not be included in the current review. JH agreed to seek clarity on this, and whether this could be done sooner.
- ET questioned whether under Chapter 3 Early Years & Childcare, there could be further action points on the childcare workforce. She asked whether there could be a stronger action included on encouraging more men into childcare employment.
- ARA asked if the group could consider the publication name for the action plan, suggesting that the plan be called a Strategy to avoid underplaying its significance. JH responded that further discussion of this would happen.

5 Discussion of the draft Analysis

Spencer Thompson provided a short introduction to the draft analysis of the action plan and invited members to make questions and comments. ST advised that the analysis was structured to reflect the fact that some recommendations were easier to analyse than others. It is therefore structured around groups of recommendations, highlighting individual examples. He particularly invited comments on whether the intersectional focus could be improved.

Feedback was provided by members

- JH thanked ST for the analysis, which he felt was very comprehensive.
- ARA commented that the analysis was very positive, and covered a large amount of relevant evidence.
- ARA asked whether the initial sections of the analysis could reference intersectionality more prominently.
- ARA asked whether the push factors for men's and women's take-up of part-time work could be explained in the analysis, for example while women overwhelmingly choose part-time work due to caring responsibilities, men often worked part-time in the years before retirement. This could better explain the inverse gender pay gap when comparing part-time workers.
- ARA questioned whether the analysis could address pay negotiation more comprehensively, referencing the gendered differences in outcome. Men are commonly seen as assertive and often rewarded with higher pay, where women are more likely to be seen as aggressive and penalised.
- TY questioned whether on p.17 the references to intersectionality contained in the footnote could better be included in the body of the text, to better reflect the intersectional approach taken in the analysis.
- Members discussed the possibility of further disaggregation of data, acknowledging the lack of quantitative intersectional data for Scotland, and suggesting the analysis could be used to provide authority in setting an agenda for further research. Members asked if wider UK data could be used where Scotland specific data is not available.

- JH asked that members email ST or LL directly with any further feedback and questions.

6 Discussion of the impact of the menopause

JH provided an introduction to paper 5, which resulted from a meeting between himself and Christine McKelvie MSP, Minister for Older People & Equalities who is keen to highlight and address this issue.

LL advised that the paper summarised research undertaken by the UK Government and the results of a survey of female members undertaken by STUC Women's Committee. She outlined the types of activity being taken forward by Scottish Government, ensuring that their approach to the menopause and supporting female staff was a model of good practice. She highlighted policy already in place which will be updated, and also that the Scottish Government will look to other models of good practice, such as South Lanarkshire Council's policy.

LL went through the actions on the menopause included in the gender pay gap action plan and JH asked for members views. Members were happy with the actions being undertaken and no further comments were made.

7. AOB

There was no business raised under AOB.

8 Date of next meeting

JH confirmed that the next meeting will take place on the 7th February 2019 09:30 at St Andrews House. The main purpose of this meeting will be to finalise the action plan.

9 Close of meeting

JH thanked the group for their participation and closed the meeting.