

# **The duty to promote gender equality**

## **Response from Fair Play South West**

**20 January 2006**

### **Background**

Fair Play South West (FPSW) is a voluntary organisation governed by a Board which includes women and men who represent the public, private, voluntary and statutory sectors and the Trades Unions.

FPSW's vision is economic and social equality for women in the South West .It is the South West Regional women's organisation and is also currently operating as the gender network for Equality South West (ESW) where it represents the interests and views of women as well as linked gender issues.

FPSW offers services that focus on the implementation of gender equality to other organisations. Fair Play South West has a particular interest in supporting campaigns to secure equal pay; work-life balance; The elimination of gender stereotyping, sexual harassment, and discrimination, and the full and equal participation of women in all aspects of civil, social economic and cultural life.

We aim to achieve this through service delivery; influencing and informing policy makers through our wider network and links to other women's groups, networks and campaigns and contributing to the debate on equality through reference groups, committees, partnerships and governance. We work closely with other partners whose remit is equality and specifically alongside and through ESW.

### **Introduction to this response**

This response is in addition to that submitted by ESW from the consultation event on the 10 January 2006.

FPSW welcomes the duty and its broad direction and analysis and in particular the arrangements for the gender impact assessments. However we think these should be extended to include all existing functions and policies and should explicitly include in any guidance, all forms of governance including elected members and boards.

Our response focuses on some practical aspects implementing the duty. We have adopted this approach because it is part of our remit to secure gender equality in organisations and because members of our Board have experience of implementing the race duty, conducting equality impact and needs assessments and are familiar with the draft guidance for the disability duty. They also have experience of implementing the Local Government Equality Standard.

We have arranged our responses under headings rather than according to the questions in the consultation document although we have considered these in our response.

### **Integrating the duty into broader equalities work and into business planning**

We consider that unless this issue is elaborated and strengthened it could be seen as an invitation to water down the issues of gender equality, and specifically women's equality, both in employment and in service delivery. We note that very often an organisation's strategic plans are so wide in scope that the specific actions concerned with gender equality can be lost from view and service users are therefore unable to determine if the plan has been delivered .

Gender, like the age equality strand, is problematic in that it includes every one and women are half of the population. They cannot therefore just be considered as an under- privileged minority who need help to access current opportunities. Equality for women also demands that structures, provisions and services are reshaped and redefined to respond to women's needs and for equality in employment.

### **Support and Evidence is needed to support implementation**

There is current research available in the public domain and carried out by EOC and other government agencies which shows continuing inequality for women at all stages of the human life cycle from birth to death, from education through to employment and life long learning.

We think that the duty to promote gender equality should be supported by such evidence, which is based on research and information .It should be tailored to the needs of local organisations and made available to those that are required to develop gender equality strategies and plans in line with the duties.

An example of the kind of information which would be helpful for local organisations is the work that Somerset County Council developed with Sheffield Hallam University. See *"Gender profile of Somerset's Labour Markets"*, By Dr Lisa Buckner, Dr Ning Tang, Professor Sue Yeandle, (SHU) 2004.

We consider that smaller organisations should be provided with guidance and support to implement the duty. This might be provided through smaller equality organisations in the voluntary and private sectors working in collaboration with CEHR.

### **Strengthening and aligning the gender duty scheme with the race and disability duty.**

It is our view that the gender duty should replicate more closely the processes outlined for race and disability or, at least, there should be a commitment to align the processes and outcomes. Anything else will produce difficulty in implementation.

Many public authorities have already designed a process modelled on race equality for all the equality strands and we think that the duty should learn from and support such good practice.

We also think that the arrangements for auditing and measuring how much an authority has to do, or needs to do, requires further development so that this duty is taken as seriously as the other duties.

### **Equal pay**

The fact that there remains a significant gap between the pay of men and women is an important indicator of lack of equality more generally. We therefore recommend the adoption of the pay gap as a primary measure of how well public authorities are doing in their duty to promote equality between men and women.

Public authorities have a unique opportunity to influence the pay gap both directly and indirectly, as discussed in our submission to the Women & Work Commission .

Our view in summary is that :

- Public authorities employ directly or indirectly some of the lowest paid workers in the country in under-valued jobs which are largely taken by women
- Public authorities could do more to revalue these jobs, for example through upskilling
- Public authorities could do more to ensure that flexible working opportunities are available in higher paid and senior jobs
- Public Authorities are responsible for policing the minimum wage in the private sector and could do more both to ensure compliance and to encourage uplift of wages through workforce development
- Public Authorities could do more to be model employers in respect of equality audits and equal pay reviews

We believe that the approach taken by the Scottish Executive described in the consultation document to be exemplary. We would therefore like to see this

kind of approach developed as a requirement .This could be described and elaborated in the guidance for the duty.

We could also usefully learn from the National Assembly for Wales experience. 50% of the Assembly Members (AM) are women , as are over 50% of the Cabinet. They have audited and implemented equal pay good practice within the Assembly and throughout its emanations.

### **Good relations**

We believe that the issue of good relations between men and women should be to be addressed in the duty in the interests of both men and women. However, the issue of good relations should not be used to reduce the scope or impact of measures to combat discrimination against women.

### **Procurement**

The arrangements suggested for procurement are not sufficiently developed. Procurement bears on women both as providers of goods, facilities and services as well as the recipients of them. The arrangements should not, by default, favour large established organisations and businesses .They should also take account of women's small and medium sized businesses and the growth, success and variety women's enterprise.

### **Public bodies subject to the specific duties**

We recommend that all public bodies that are in receipt of public funding which is also generated from the labour of women should be subject to the specific duty .

In particular public bodies, such as LSC and schools, have opportunities to make an impact on occupational segregation and discrimination in skills and learning which in turn impacts on job opportunities and pay. They should therefore be brought firmly within the gender duty proposals

A number of public bodies such as RDA's have opportunities to influence employers on equal opportunities performance, for example through subsidy for regeneration projects or specific industrial sectors. They should be therefore be brought firmly within the gender duty proposals

The Government itself has opportunities to support projects aiming to reduce gender segregation in jobs and the gender duty should apply to appraisals for funding of such projects.

We also recommend that all bodies subject to the duties should be listed initially in the statutory guidance and subsequently updated on the CEHR website. We expect that the CEHR will collect this information anyway as part of their monitoring of public authorities' compliance with the duties.

## **Education**

We consider that it is essential that all education bodies ( including schools, colleges, universities and vocational training organisations) comply with the duties and they be required to do so in the same timescale as other public authorities.

The gendered power relations within the academy and the poor representation of women in the senior levels runs counter to the values of gender equality that are promoted through the curriculum.

We consider that the approach adapted by ALI to equality auditing in education to be preferred because it is specific and well developed.

