

# Agenda – Equality, Local Government and Communities Committee

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Meeting Venue:

Committee Room 3 – The Senedd

Meeting date: 9 May 2018

Meeting time: 09.15

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Pre-meeting (09.15 – 09.30)

**1 Introductions, apologies, substitutions and declarations of interest**

**2 Inquiry into pregnancy, maternity and work in Wales: evidence session 7**

(09.30 – 10.30)

(Pages 1 – 11)

Allison Thomas, Employee Relations Officer, Bridgend Engine Plant, Ford

Vicki Spencer-Francis, Managing Director and Founder, Cowshed

Alex Currie, HR Director, Go Compare

**3 Motion under Standing Order 17.42 to resolve to exclude the public from items 4 and 6 of today's meeting, and from the meeting on 17 May 2018**

Break (10.30 – 10.45)

**4 Inquiry into diversity in local government – consideration of approach to the inquiry**

(10.45 – 11.30)

(Pages 12 – 19)

**5 Inquiry into pregnancy, maternity and work in Wales – evidence session 8**

(11.30 – 12.30)

(Pages 20 – 30)



Cynulliad  
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Assembly for  
Wales

Ken Skates AM, Cabinet Secretary for Economy and Transport

Eluned Morgan AM, Minister for Welsh Language and Lifelong Learning

Marcella Maxwell, Head of Economic Action Plan Implementation, Welsh Government

Rachel Garside-Jones, Deputy Director, Employability and Skills, Welsh Government

## **6 Inquiry into pregnancy, maternity and work in Wales – discussion of the evidence received under items 2 and 5**

(12.30 – 12.40)

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# Agenda Item 4

By virtue of paragraph(s) vi of Standing Order 17.42

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# Agenda Item 5

## EQUALITY, LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE WRITTEN EVIDENCE – PREGNANCY, MATERNITY AND WORK IN WALES

1. The purpose of this paper is to provide written evidence to the Equality, Local Government and Communities Committee on their inquiry into *Pregnancy, Maternity and Work in Wales*. We recognise the specific focus of the inquiry is on pregnancy, maternity and work. The content provided at this stage presents a general overview of the cross-cutting Welsh Government strategies and programmes which impact these areas.

### **Prosperity for All**

2. We want a Welsh economy which delivers individual and national prosperity while spreading opportunity and tackling inequality. Through this, people can fulfil their ambitions and enhance their well-being in secure and sustainable employment. A crucial role of government is to break down the barriers many face in getting a job, and create the right environment for businesses to grow and thrive.
3. We want to promote fair work, drive sustainable growth and ensure every worker's right to a fair deal. We will take the steps needed to make Wales a fair work nation, building on the work of our Fair Work Commission and ensuring commitment to ethical employment from every business supplying the public service.
4. Creating a more equal Wales, where everyone has the opportunity to reach their full potential and is able to contribute fully to the economy, will inevitably allow Wales to be more prosperous and innovative. Therefore it is vital that all women are able to achieve and prosper.
5. It is vital that we continue to support and engage with people from the protected groups, and address the barriers to equality and inclusion, so that everyone has the opportunity to aspire, achieve and prosper.
6. We believe a coordinated approach to these issues is crucial. As our society is still based in many ways on gender biased norms, we are challenging gender stereotypes, encouraging girls and women into non traditional, better paid careers. We are determined to tackle pregnancy and maternity discrimination and disadvantage as part of a wider programme of work addressing gender inequality in our society.

### **Economic Action Plan**

7. To support Prosperity for All: the national strategy, and provide further detail on how we will implement our commitments, our Economic Action Plan was published in December 2017.
8. The Plan is wide-ranging and takes a cross-Government view. It draws on our levers across Government to grow our economy, spread opportunity, and promote well-being. It drives the twin goals of growing the economy and reducing inequality. It sets out a range of ambitious proposals that commit the Government to a major shift in policy direction in a number of key areas, mobilised around a common purpose to work with business and others to build resilience and future-proof the Welsh economy.

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9. The Economic Action Plan delivers against the twin goals of inclusive growth and well-being. The people of Wales are its central focus and it sets out an approach through which the Welsh Government will work with a range of partners to support people to lead secure, healthy and rewarding lives and to foster the business and economic conditions within which that can happen.
10. The Plan recognises the barriers that hold people back from either entering or progressing in the world of work, and the importance of equipping everyone with the right skills, opportunities and the connective infrastructure to access those opportunities. We know these issues are particularly important to working mothers and to mothers who are looking to return to work.
11. In addition, through the Economic Contract we will encourage fairer and more responsible business practices that deliver against our ambition of public investment with a social purpose. Moreover, the Plan recognises the important economic and social role of foundation sectors such as care, tourism, food and retail. Retail and care in particular employ a significantly higher proportion of women who will benefit from our new approach to these sectors and to improving the experience of workers within them.
12. More broadly, we will continue to work with business to promote opportunities and raise the visibility of careers for women in industries dominated by men, and further tailor the delivery of Business Wales services to better reflect the needs of female entrepreneurs.

**Business Wales**

13. Business Wales is the Welsh Government's bilingual business support service established to make it easier for Welsh businesses and aspiring entrepreneurs to access the information, advice and support they require to start and grow their businesses.
14. Business Wales provides a range of advice and guidance to micro-businesses, SMEs and individuals considering starting a business, including equality and diversity advice to support them to adopt or improve equality strategies and general advice on HR policies and procedures. Information, such as flexible working rights and duties, and related policies is available and promoted via the Business Wales website <http://businesswales.gov.wales> and associated social media channels, as well as in face-to-face discussions with Business Wales advisors.
15. Equality and diversity support is pro actively targeted across the whole Business Wales service so that equality and diversity is a key part of discussions with all clients.
16. Business Wales has prioritised open access through the Business Online Support Service (BOSS). BOSS provides on-demand online learning courses to help people start or grow a business, and Equality & Diversity is incorporated in a number of BOSS modules.

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17. We also offer tailored advice and a set of tools specifically aimed at helping individuals looking to set up nursery or crèche type businesses. We also offer the same service to existing Businesses looking to grow their nursery businesses.

**Supporting the Child Care Sector**

18. The Early Years and Childcare Plan highlight the importance of engagement with the business community and the promotion of childcare and family friendly policies as part of the wider economic strategy.

19. Business Wales is supporting child care businesses across Wales by providing business advice and support particularly in areas where there are gaps in provision. This work supports the introduction of the 30 hour Welsh Government funded child care offer and will include a level of start up/expansion grant to enable businesses in the sector to offer additional child care places where there is an identified need. The governance arrangements to implement the start-up/growth grant for childcare providers is almost finalised and should be in place in the new financial year. This will be administered directly by Business Wales thus speeding up the application and decision making process.

20. Officials have been working with colleagues in Education and Public Services on conducting an assessment of the economic value of the child care sector in Wales. The assessment has been completed and findings of the report are being considered. The report was published in January 2018.

21. Business support events have taken place to bring together child care support organisations who are part of Cwlwm, Business Wales and Local Authorities, to build up a collaborative network to better support the sector. The events looked at the current business support landscape and aimed to streamline services and support the introduction of the ten year Workforce Plan. Providing advice to businesses on the benefits and practicalities of adopting family friendly policies and make sure there is no unnecessary duplication of business advice.

22. Officials are working with the Office of Tax Simplification who have developed a bespoke Nursery Financials online toolkit designed for childcare providers to help them improve the financial management of their business. Training has been provided to around 50 Business Wales advisors. We have made 200 licences available to businesses to access the toolkit via Business Wales.

23. Closer networking between childcare support organisations and Business Wales are being developed, which is resulting in more childcare providers being offered tailored business support.

**Childcare Offer for Wales**

24. *Taking Wales Forward* commits the Welsh Government to providing 30 hours of government-funded early education and childcare to working parents of 3 and 4 year olds for up to 48 weeks a year.

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25. The offer builds on the current universal entitlement to early education, which provides every 3 and 4 year old with a minimum of 10 hours per week of free education during school term time, from the term after their third birthday. In addition to the universal entitlement, working parents of qualifying 3 and 4 year olds will be eligible for the childcare element of the offer from the term after the child's third birthday until the September after their fourth birthday.
26. Our offer is aimed at working parents, and is intended to support the Welsh economy by helping parents, particularly mothers, return to work or increase their hours of employment. Childcare is often cited as the reason why some parents work where they do, work the hours they do, or don't work at all. The intention of the offer is to acknowledge the pressure on hard working parents and to provide financial support to help them with their childcare costs to enable them to have employment choices.
27. There is also a growing recognition that in Wales, the majority of children in relative income poverty live in a household where at least one person is working. The evidence is clear that well-paid work is the best route out of poverty, and the greatest protection against poverty. The childcare offer is one of a suite of programmes aimed at tackling in-work poverty by supporting parents into full-time employment and making it easier for parents to retain employment.
28. Alongside affordable childcare some parents may need additional support to return to work and sustain employment. Some of the barriers to employment include financial stability, reluctance to use formal childcare and parents' lack of confidence in returning to work.
29. Parents, Childcare and Employment (PaCE) is a £13.5m project jointly funded by the European Social Fund and Welsh Government, working in partnership with DWP.
30. PaCE targets parents who are out of work and consider childcare to be their main barrier to accessing training or work opportunities. Up to the end of March 2018, the project had engaged 2883 participants and supported 896 into work. Over 90% of participants are women.

**The Fair Work Board**

31. The Fair Work board was established to advise the Welsh Government on how to move Wales towards becoming a fair work nation. Part of the consideration of this would be the provision of fair and guaranteed hourly earnings which would include security of income, fair and guaranteed hourly earnings, fair opportunities for paid progression, and access to sick pay and pensions for all employees.
32. Gender equality, along with equality and human rights more generally, is one of a range of issues that the Welsh Government would want the Fair Work Commission to look at when it is established later this year. This would include issues relating to pregnancy, maternity, paternity and caring commitments.

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**Employability**

33. Our Employability Plan aims to tackle unemployment and economic inactivity. It sets out how we will support people to build skills and confidence to find and stay in work. It will also ensure employers can find the workforce they require for their businesses to flourish.
34. The plan identifies four main areas:
- an individualised approach to employability support.
  - responsibility of employers to up-skill and support their staff.
  - responding to current and projected skills gaps.
  - preparing for a radical shift in the world of work.
35. The plan recognises that some groups including, women, have poorer labour market outcomes and there is still a significant gender pay gap.
36. We are simplifying the employability landscape by developing a single access point for employability support. The Employment Advice Gateway will be launched in February 2019. It will deliver simplified access to careers guidance and employment advice; personalised support to identify and overcome barriers to progressing towards employment and streamlined referral to the right support across multiple programmes and interventions.
37. We will launch a new Working Wales programme in April 2019. Working Wales will support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment. Working Wales will support delivery of the Welsh Government's Prosperity for All commitment to reshape employability support and forms an important part of the government's Employability Plan launched in March.
38. We will require the organisations who deliver our programmes to demonstrate commitment to diversity, inclusivity and equality, through through workforce data and flexible terms and conditions which meet the needs of people with protected characteristics, including pregnant women and those on maternity. To encourage inclusive workplaces, we will monitor the impact of our policies on protected groups. We are currently developing appropriate monitoring and reporting mechanisms and will consider how best to capture data on pregnancy and maternity. We want our employability programmes to be accessible to all so we are building in consideration of the impact of our programmes on those with protected characteristics during their design, roll out and evaluation.
39. We have committed to monitoring our programmes to ensure gender equality and to examine the impact of our actions on women. We will work with partners and employers to ensure that women are adequately represented at senior levels within organisations and sectors. We will examine the impact of pregnancy and maternity on women over the course of their career and work with partners to determine what

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further action is needed. We will also monitor differences between sectors or occupations.

40. We will take action to reduce the gender pay gap. The gender pay gap is 14.8% in Wales and women are more likely to live in poverty. Flexible working practices could be helpful in this regard, particularly where women take on a greater share of childcare responsibilities following pregnancy and maternity. We will continue to encourage companies to pay the Real Living Wage. We will work with businesses and organisations to encourage more flexible work practices and promote inclusive employment in particular during recruitment and promotion exercises.
41. We will ensure that women help to fill the skills gaps in the economy in particular through encouraging more women to undertake STEM courses. Issues of equality and fairness will be at the forefront of our approach. There is gender disparity in accessing educational opportunities more aligned to the jobs of the future such as STEM courses. We are aware that this is a complex and multifaceted issue and we are determined to act. We will encourage our educational institutions to do more to get women into priority sector courses. If we do not see real and swift progress, we will consider whether introducing targets and quotas through funding mechanisms or other levers is necessary to deliver significant change.
42. We will also explore our current baseline figures on women in STEM subjects, and in the workforce, with a view to considering appropriate measures and targets which will inform our annual reporting.

### STEM Sectors

43. Our science, technology, engineering and maths (STEM) sectors are crucial to the success of Wales. Their knowledge-intensive organisations and their highly-skilled people make a major contribution to innovation, economic growth and public services. Women are outperforming men in education overall, and are more likely to get a good degree and yet still more of them work in jobs requiring skills below their educational level. They are significantly under-represented in the STEM workforce: this is a waste of knowledge and talent.
44. The greatest loss of women from STEM occurs when they have children. Welsh Government (Julie James AC/AM Leader of the House and Chief Whip) chairs a Women In STEM Board consisting of representative members from academia, industry and government. The remit of the Board is to provide strategic direction and advise on how the Welsh Government should lead and support the implementation of the recommendations in the Talented Women for a Successful Wales report. The report itself makes 33 recommendations aimed at government, education and businesses on how to improve the education, recruitment, retention and promotion of and Women and girls in STEM.
45. There are at least 12 recommendations (over a third of all recommendations) that relate directly to issues surrounding parental leave, work-life balance and career breaks and one of the two recommendations aimed at Welsh Government is related

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directly to providing further support for childcare and additional support. One of the recommendations also relates directly to encouraging businesses to support campaigns to eliminate the gender pay gap, such as an element within the 'Women Adding Value to the Economy' (WAVE) project.

**Equality and Inclusion Programme 2017-2020**

46. As part of their Equality and Inclusion Grant funding, the Women's Equality Network Wales (WEN Wales) supports the Welsh Government's equality agenda by representing the views of women and girls in Wales to help inform national policy, and by promoting and raising wider awareness of women's rights and the issues that affect them.
47. The Women's Equality Network Wales (WENWales) has been awarded nearly £360,000 through our Equality and Inclusion programme 2017–2020 to deliver the gender equality programme of work.
48. Their objectives are:
- Gain a greater understanding of the needs and experiences of women and girls in Wales to help inform national policy
  - Promote and raise wider awareness of women's rights and the issues that affect them and empower them to make informed choices
  - Represent women and girls on key relevant Welsh Government stakeholder groups (including collating and disseminating research evidence)
  - Help to deliver a more diverse pool of decision makers in public life and public appointments by identifying and address barriers to engagement and participation for women.

**Rapid Review of Gender Equality**

49. On International Women's Day (8 March), the First Minister announced the Rapid Review of Gender and Equality policies to bring a new impetus to our work in this area. Under the direction of the Leader of the House, we will be working closely with Chwarae Teg and other partners on this review. The review will include a review of the available evidence on gender equality and consideration of what further research and action may be needed in this area, including in relation to the gender pay gap.
50. The terms of the review have now been finalised and two initial stakeholder events will be taking place on 26th April in south Wales and 3rd May in north Wales. Phase One of the Review is expected to be complete by July 2018, to be followed by Phase Two which will run until summer 2019.

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### **Working Forward Campaign**

51. As an employer, Welsh Government recently signed up to the Equality and Human Rights Commission's (EHRC) Working Forward campaign, pledging to make our organisation the best it can be for pregnant women and new mothers.
52. Working Forward is a nationwide campaign to make workplaces the best they can be for pregnant women and new mothers. Membership is free and open to any organisation.
53. Members help drive long-term cultural change by signing up to a 'pledge' which requires action in at least two of the following areas:
- Demonstrating leadership from the top down
  - Ensuring confident employees
  - Training and supporting line managers
  - Offering flexible working practices
54. Over 150 organisations across Britain are members of Working Forward including large and small employers from across the private and public sector.

### **Chwarae Teg Fairplay Employer Benchmark**

55. The Welsh Government provides funding for Chwarae Teg to advance its work on gender equality, not only in the workforce but in wider society. Chwarae Teg is a pan-Wales organisation concerned with expanding the role of women in the Welsh economy.
56. Chwarae Teg focuses specifically on the sustainable economic contribution of women in areas such as employment, skills and entrepreneurship, including work-life balance, flexible working and girls' and young women's academic and career choices. They also provide advice and analysis to the Welsh Government on issues such as occupational segregation, the persistence of the gender pay gap and under-representation of women in senior and decision-making roles.
57. Welsh Government has recently signed up to the Chwarae Teg FairPlay Employer benchmark which supports organisations to deliver gender equality in the workplace. In December 2017, Chwarae Teg launched the FairPlay Employer Benchmark - a new service to support employers and organisations across the private, public and third sector to deliver gender equality in their business. Organisations that subscribe to the service will be benchmarked in terms of gender equality in their sector and will qualify for one of four levels of FairPlay Employer award.

### **Gender Pay Inequality**

58. Equal pay isn't just a women's issue; when women get equal pay, their family incomes rise and the whole family benefits.

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59. The Welsh Government introduced a robust public sector equality duty to address pay and employment differences and specifically gender pay differences. This was introduced under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.
60. As well as the duty to have an equality objective to address employment or pay differences, all public sector employers in Wales are required to report annually not just on gender pay gaps, but on the different distribution of men and women between grades, occupations, working patterns (full and part time) and contract types (permanent, temporary/fixed, casual), which sustain pay gaps.
61. The Equality and Human Rights Commission will shortly be gathering and analysing evidence of the work undertaken across key sectors to meet the requirements of the Public Sector Equality Duty legislation in Wales, including the gender pay gap. We will be working with them closely on this and on any further action that is required as a result, including reviewing the reporting arrangements for Welsh organisations.
62. Public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly, why they have not done so.

### **UK Government Gender Pay Gap Reporting**

#### Public Sector

63. The UK Government regulations on gender pay gap reporting in the public sector in England came into force on 31 March 2017. The regulations impose new requirements for specified public sector bodies to publish information relating to the gender pay gap in their organisation if they have 250 or more employees.
64. In Wales, our public sector gender pay gap requirements apply to public bodies irrespective of the number of employees. The Welsh duties are broad, encompassing the need to understand the causes of pay differences for all protected characteristics. The Welsh duties are also robust with requirements for workforce and pay analysis and action planning, to address the causes of gender pay gaps.

#### Private and Voluntary Sectors

65. The UK Government has also introduced regulations which require larger employers in the private and voluntary sectors to publish gender pay information. The regulations came into force in April 2017. The regulations will require similar reporting as for the public sector in England and apply to employers in England, Scotland and Wales with at least 250 employees.

### **Eradicating Pregnancy and Maternity Discrimination in the Welsh Government**

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66. We are committed to working with the EHRC and others to ensure women do not face pregnancy or maternity discrimination in the workplace. We are working in partnership with the Commission to identify effective interventions to address this issue. These interventions will be in line with the Welsh Government's revised Equality Objectives and Strategic Equality Plan.
67. Objective 8 of our Strategic Equality Plan is that "*Welsh Government will aim to be an exemplar in the Equality, Diversity and Inclusion agenda by 2020*". We have developed an Action Plan to underpin this Objective to show how we will be working within Welsh Government to set the best possible example in this area. The Action Plan contains a number of commitments relating to the protected characteristic of pregnancy and maternity.
68. As part of the EHRC Working Forward Campaign, we have pledged to make our organisation the best it can be for pregnant women and new mothers. We have changed our processes so women going on maternity leave can keep their IT kit and profile (if they wish). We have also set up a team site intranet page for pregnant women and new parents – as an informal network/forum.
69. The Women Together network has set up a focus group to identify the main challenges facing pregnant women and new parents in the organisation and made recommendations to HR. The network is working closely with HR to revise policies and processes for pregnant staff and new parents (which will go through formal consultation with TUS) and has audited breastfeeding and expressing facilities across our estate. Work is now ongoing to ensure the same good facilities are in place across all the offices. Guidance for line managers and staff will be drafted and communications with people on maternity/ adoption/ parental leave improved. A coffee morning for women on maternity leave to attend with their babies is currently being planned.