

Women and Equalities Committee

Oral evidence: [Unequal impact? Coronavirus and the gendered economic impact](#), HC 385

Wednesday 4 November 2020

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Members present: Caroline Nokes (Chair); Theo Clarke; Elliot Colburn; Angela Crawley; Alex Davies-Jones; Peter Gibson; Kim Johnson; Kate Osborne; Bell Ribeiro-Addy; Nicola Richards.

Questions 139–203

Witnesses

I: Kemi Badenoch MP, Exchequer Secretary to the Treasury, Parliamentary Under Secretary of State (Minister for Equalities); Mims Davies MP, Parliamentary Under Secretary of State (Minister for Employment); Paul Scully MP, Parliamentary Under Secretary of State (Minister for Small Business, Consumers and Labour Markets); Jo Warner, Deputy Director, Department for Business, Energy, and Industrial Strategy; Paul Trenell, Head of Analysis and Gender Equality, Government Equalities Office; Tom Hemingway, Deputy Director, HM Treasury; Helen Walker, Deputy Director, Department for Work and Pensions.



Examination of witnesses

Witnesses: Kemi Badenoch, Mims Davies, Paul Scully, Jo Warner, Paul Trenell, Tom Hemingway and Helen Walker.

Q139 Chair: Welcome to this afternoon's session of the Women and Equalities Select Committee in our inquiry into the unequal impact of coronavirus and the gendered economic impact. Can I thank our witnesses, Kemi Badenoch, Mims Davies and Paul Scully for joining us this afternoon? I am going to start with a question to Kemi Badenoch, please, about the statistics we have seen about women being more likely to be furloughed than their male colleagues. We know that, by the end of July, HMRC had statistics that indicated that. What is the Treasury doing to explore the reasons behind that? Will you be doing any follow-up work with colleagues at the DWP on women's employment?

Kemi Badenoch: It is a great question, because it has picked up on something we have been observing over the last few weeks and months. I can say that it is a mixed picture. Figures at the end of July show one thing. At the end of August, they show something different. The furlough figures for the end of July, according to the notes I have, showed that more men had been furloughed. At the end of August it was more women. Those are the figures I have. What is interesting is that more men had been made redundant, while women had been furloughed.

It is very difficult to analyse where the impact is on a broad characteristic basis. It is more useful to look at things at a more granular level, in terms of what sectors are being impacted and how we can target help to those sectors to help those people who are disproportionately impacted and most vulnerable. For instance, looking at hospitality, where we had lots of low-income people working and many more women working in those sectors, we have done quite a lot to help that sector. We have not been able to help every sector, but the distributional analysis we are looking at, in terms of who is being impacted and what is happening, is ongoing. It is something we continue to work on and that will be in conjunction with officials at DWP.

Q140 Chair: We know that there are a lot of women working in retail, which has also been significantly impacted, and you highlighted hospitality, but there is also the hair and beauty industry. Are there any specific schemes that you think could help those areas? Should we be drawing a contrast with something like construction, which of course has not seen any lockdown and has been able to work throughout the pandemic? We know 90%-plus of the employees are men.

Kemi Badenoch: Yes, that is absolutely true. You are right. Construction has been able to continue while other things, such as beauty, have not. We look at not just the economic impact but also, as you know, it is a public health crisis. One of the things that I looked at, from an equalities perspective, was that whatever you did had a counter effect in another area. For instance, the reason why construction is open is because we



think it is safe to do so. If we let businesses such as beauty salons open and there was a health impact, I could be in front of this Committee having a totally different conversation about the gendered impact based on health. As we know, men are more likely to die from this disease than women.

On the subject of the overall numbers, I do not think it is enough to look at those specific sectors. We should broaden it. If we look at the public sector, for instance, in health we have 70% of women working in that sector, and education as well. These are sectors where people have continued to work throughout. In education, even when schools were closed, teachers were paid full pay. There are all the women who work in local government, for example. Sectors where we are overrepresented are not just in the private sector. We must include the public sector. If you look at that from a gender perspective, women come out much better than men.

Q141 **Chair:** When looking at flexible furlough, what plans are there to produce data that is disaggregated on the basis of gender, ethnicity or disability?

Kemi Badenoch: In terms of data, flexible furlough data comes from HMRC and I think it produces the report that it thinks is the information people want to see. That is something we could ask it to do. I might bring in Tom Hemingway, who is an official who has worked on this a bit more closely. He might be able to provide more information on flexible furlough specifically.

Tom Hemingway: In terms of the data that HMRC provides, it only has the data it asks for from employers. It tries to minimise the amount it asks employers in the CJRS scheme to minimise the burden on firms using the scheme and make it as easy and quick as possible to get support out when the scheme was created.

You already referred to the gender disaggregation in your opening question. HMRC has released that, is working through what the priority questions are and is thinking about what to do next in terms of releasing the data. I think it will be able to do that for flexible furlough, but that is a question of the time and work that is required to go through the returns and get the data out there.

On the other data you mention, notably on ethnicity and disability, my understanding is that that data was not requested from employers in the first place. That goes back to my earlier point about the fact it was looking to minimise the burden on employers in terms of how much data and information HMRC requested from them. I do not think that will be available in quite the same way.

You will be aware of other efforts to collect data. The ONS, for example, has a lot of survey data that looks at much the same stuff, be it information on the labour market outcomes or, for that matter, some of those surveys look at the furlough data as well. That is obviously not the



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full population of people on the scheme, but that is a pretty accurate assessment of what is going on in the labour market, or what is going on both in general and for particular groups. That gives a good guide to understand what is happening, because it is not an either/or. There is information available on those, which the ONS will publish.

Q142 **Chair:** Following on from what Tom has just told us, Kemi, can I ask a question? We absolutely understand, appreciate and welcome the fact that the coronavirus job retention scheme acted at pace. Nobody is going to argue with that. Are you at all concerned that equality impacts might have been lost because of that speed?

Kemi Badenoch: No. We carry out equality impact assessments. We do not necessarily publish them, but we carry out extensive equality impact assessments. Even after that, we still need to look at the overall benefit of any specific policy. We are not in a position where we can guarantee an equal outcome for everyone, but we carry out the impact assessment to know exactly what is going to happen. That is something that the Treasury does routinely, as do most other Departments.

Q143 **Chair:** When you say the impact assessments have been carried out routinely, and quite definitely in the plural, do you know how many times you have looked at the equality impact since the start of the pandemic? How often has that information been refreshed?

Kemi Badenoch: No, that is not an answer that I have.

Q144 **Chair:** Perhaps we could have a follow-up on how regularly, because an equality impact assessment could be an evolving document. It would be interesting to know.

Kemi Badenoch: Yes, that is absolutely right.

Q145 **Kate Osborne:** My question is to Minister Kemi Badenoch. The Committee has heard concerns that there was no minimum income floor for furloughed employees, meaning the rate of furloughed pay they received may have been below the minimum wage. This means that many workers in this situation would have received pay completely inadequate to meet maybe even their basic needs. Have the Government investigated how many people this applied to, whether this varied by gender or protected characteristic and the impact on those individuals?

Kemi Badenoch: I do not believe we would be able to have the numbers in terms of how it varies by gender or other protected characteristics, primarily because most employers do not carry out a survey of all the protected characteristics that exist. On flexible furloughing, furloughed workers were paid national minimum wage for the hours they spent working. For the hours not worked, they got 80% of their salary or £2,500, whichever was lower, and employers were able to top up that amount.



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As I am sure you understand, there is a limit to how much we are able to do in every single situation. This was something we looked at and felt was going to be fair for people on low incomes, especially as there were many other interventions, not just CJRS, in terms of different Departments and how they could support those people who are most in need.

Q146 **Kate Osborne:** Would the Government commit to reviewing the matter and to introduce a minimum income floor for the extension of the furlough scheme in the second national lockdown?

Kemi Badenoch: I am not able to change policy at a Committee level. I am sure this is something the Chancellor is looking at and will continue to review.

Q147 **Kate Osborne:** The Treasury Select Committee recommended that the Treasury publishes a distributional analysis of the plan for jobs alongside an equality impact assessment, which has already been mentioned, on how the recession is impacting on different groups. Has the Treasury begun this work and when might we expect this analysis?

Kemi Badenoch: That is something the Chancellor is working on. I would not be able to answer a Treasury Select Committee question in this Committee and I certainly would not want to pre-empt anything he was going to say on that.

Q148 **Angela Crawley:** My question is also for Kemi Badenoch. Was there an equality impact assessment prior to either the original or the revised job support scheme? Further, what was the impact on different groups, such as those who were in low-paid work?

Kemi Badenoch: You are asking whether there were equality impact assessments on groups in low-paid work. The public sector equality duty is based on protected characteristics, so low-paid work is something that would come under our distributional analysis. The vast majority of schemes that we have produced have been targeted at those people who are earning the least.

Q149 **Angela Crawley:** Specifically on the job support scheme, you will appreciate many people felt it did not protect those who were on low incomes. The question this time is whether the job support scheme will have a minimum income floor. Is that something you have considered?

Kemi Badenoch: I think what you are asking is if the job support scheme is going to have a minimum income floor. That is the question. I do not believe that is something that is changing from the other support schemes we are having. Tom, could you confirm? I have not worked on the job support scheme policy, but I have been briefed on it and I think that is correct.

Tom Hemingway: Yes, the structure, both in the extension to the CJRS and the announced job support scheme, was largely the same and linked



the amount of support and the minimum level of support to the previous earnings, not introducing a minimum income floor. Where people's earnings dropped, particularly at the bottom of the earnings distribution, they still qualify for universal credit, as they did before. That will offset some of that drop of earnings. That depends on their personal circumstances but can offset quite a significant amount of it. Yes, that is how the policy is constructed.

Q150 Chair: I have a question for both Kemi and Mims, please, on statutory sick pay. We have heard that the Treasury Select Committee has made a case for extending the eligibility for statutory sick pay. We have had numerous witnesses provide evidence to this Committee, both in writing and in person, talking about whether there can be a case for extending statutory sick pay. What are the Treasury and the DWP doing, looking at this very pressing issue now?

Mims Davies: Good afternoon, Committee. It is a pleasure to join you. Statutory sick pay is part of a broader welfare safety net. Those on low incomes who need SSP may qualify for other benefits. If you are perhaps below the lower earnings limit of £120, we would expect those lower-earners to benefit from UC or employment support allowance, new style ESA. It could capture people who are perhaps students or living at home. We have very much noted that people need this extra support during this time, hence this Committee asking about these important questions. That is why we have moved the ability to get this from day four to day one.

Where people need an additional top-up, perhaps they are looking after family, they should always have the opportunity to use our benefits checker. If you are a second earner, you may get the level that is mentioned, but if this is a second income there will be additional ways of getting support to you. You can use the benefits checker on gov.uk or the Help to Claim guide that we have through the CAB.

Employers have occupational sick pay policies that can also support people. I would like to mention, for those watching who might be concerned regarding needing to not be able to be at work and who are on a low income and are contacted by NHS Test and Trace, that they could be suitable for a one-off payment of £500 to support them through this point, or they can get discretionary help through their local authority. The SSP is part of our wider welfare safety net, as part of the wider Government offer for the support we need at this time.

As the Employment Minister, I would point out that any further increase on the SSP rate could perhaps place an immediate direct financial burden on employers at this time. We know employers are struggling and this could potentially put further jobs at risk. It is a matter of balance, but we are absolutely determined to help the people most in need. That is how we have done it at DWP with the direct support, with the extra £1,000 a year through universal credit. That is the quickest and best way to support people on lower incomes. The best thing about UC being an in-



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work and out-of-work benefit is that, if your hours drop, if your situation changes, universal credit is there to support you.

Q151 **Chair:** The Treasury Committee has made the case for increasing the level of sick pay. Do I take it from your answer that you disagree with that?

Mims Davies: I can understand where the Treasury Committee is coming from, but I have pointed out the broader welfare safety net in the way that we choose to look after people and try to help people. If anybody is having SSP at the moment and perhaps finding that it is a situation they have not found themselves in before, because of Covid, I would tell them to contact their work coach if they are on universal credit. They can do that through telephony or through digital. For anybody vulnerable on a lower income, our jobcentres remain open for the most vulnerable people—they have done throughout the pandemic—so that we can support claimants if they are finding that they have hardship. At the moment, this is the rate we have set and the broader welfare should be able to support people on universal credit or lower incomes.

Q152 **Chair:** Kemi, do you agree with that?

Kemi Badenoch: I do agree with that. It is probably worth saying more broadly what it is we are trying to do. The problem we are trying to solve right now is around the pandemic. Statutory sick pay is not just for Covid; it covers a whole swathe of other diseases. We have brought in the self-isolation payment, for example, which is something that is specifically around the pandemic to assist those people whom statutory sick pay did not necessarily cover and to assist with a situation that could happen again and again. Self-isolation is not something that happens once and it is over. We have looked at ways of solving this issue, but not necessarily the way the Treasury Select Committee recommended.

Q153 **Chair:** The TUC and the Women's Budget Group have both made the point that women are more than 50% more likely than men to be ineligible for statutory sick pay. Have you considered the gendered impact of retaining the status quo with regard to SSP?

Kemi Badenoch: I have not heard those criticisms. I can find out and ask officials to look into what our response is on that. I do not know of the gendered impact on statutory sick pay. Again, we look at these things mostly in the round.

Q154 **Chair:** Mims, was it right to re-impose conditionality when many parents were, still are and are likely again to be struggling with childcare and other caring commitments?

Mims Davies: Let us start on the importance of being able to react to the pandemic at DWP. When the pandemic started, the impact on claims, the ability to look for jobs and, as I mentioned earlier, the ability to come into our jobcentres were all impacted. It is right that initially



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conditionality was suspended. As a Department, we were able to take stock and deliver support to the most vulnerable people. It is right that we looked to reinstate it, because we believed that we had to start to move into more of a usual model and create those new and important relationships with our new claimants.

The claimant commitment itself is tailored. It is clearly explained and agreed to with the claimant, through our work coaches. Throughout this pandemic, the Secretary of State and I have regularly met with our work coaches to make sure that, throughout this process, they have been comfortable with what we have been asking them to do, in terms of engagements with claimants. We seek to bring back a tailored commitment to support people through their individual situations and, where possible, to help them back into work and to start to rethink their next stage. What has happened in their sector may have been a big shock. Their recovery, in terms of that sector, may be unclear. As we see events unfolding at the moment, this may again be something they need to take stock of.

This claimant commitment is tailored individually. It will take into account individual circumstances. As a Department, we are committed to a positive relationship between our claimants and our work coaches. Before we perhaps move on to sanctions, our work coaches are very empowered when it comes to understanding the needs of claimants, more than has ever been done before. There is the claimant commitment, and, if you do not comply with it, it has been fully explained and agreed to in terms of sanctions. It will always be looking for a good cause and a way of supporting our claimants.

I feel very proud of what DWP has been able to do, in terms of reacting and supporting people throughout this pandemic. As we move into the phase of recovery and shifting forward with the plans for jobs, I, as a Minister, am delivering, alongside HMT, the opportunities around Kickstart, JETS or expanded youth offer. We are all completely understanding of the impact coronavirus will have, perhaps on women, in terms of finding jobs, finding childcare and availability of schools. In our claimant commitment, we have never not understood that. We have been very reactive to the local situation and the personal situation.

Q155 Chair: You have had consultation with your work coaches. What consultation did you have with stakeholders, the childcare sector and groups representing single parents before reintroducing conditionality?

Mims Davies: The Minister for Welfare Delivery and I have had extensive engagement with the stakeholders in this sector, with youth organisations and with different parenting groups. It is something we consistently do. Very importantly, on the ground, we also listen to work coaches about the work they want to get on with and the support they want to give claimants. When I came into this job, I wanted it to be a much more individual, tailored support. I wanted it to be about breaking down barriers into work and the challenges people are facing. That has



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been exactly what we have taken as a process, as we have gone through the impacts since last March.

We are very engaged with this and listening to the local labour markets and employers. Many people have also gone into work in this situation. There are particular roles in growing sectors and sectors that we need. There are green jobs, jobs in the digital sector and construction, which is continuing, or in areas around logistics. That is where we have used our sector-based work academy programmes that actively get people into growing sectors. It has been a really mixed picture for some people who are impacted and looking at how they can recover and what they can do next.

I am the Employment Minister. It is all about moving people from unemployment into employment and giving them the tools and opportunities to do that. That is very important to us, in terms of listening to stakeholders and having something deliverable on the ground operationally. We are at the heart of over 630 different communities, through our jobcentres, seeing all the challenges and the barriers that people have. We would not have asked our work coaches to be delivering and doing something with their claimants, in terms of supporting them, that was not deliverable. I am really delighted with the way this Department has led on this, in terms of supporting people through the impact and hopefully through this next recovery stage.

Q156 **Chair:** How often have you met with groups like Gingerbread or Mums on a Mission?

Mims Davies: The Minister for Welfare Delivery has some of those main stakeholder groups. Indeed, the Minister for Disabled People also has relationships with them, in terms of different groups he engages with. In terms of Ministers, I have met with many different groups, in terms of people who wanted to feed back directly into operations, particularly, for example, around Kickstart, who was going to be suitable for Kickstart and how that was going to be designed to be the most inclusive possible.

You will be pleased to know that, during this pandemic, the G20 continued. As Employment Minister, I represented DWP and this Government in terms of employment. My main thrust and theme was inclusion, that that would be absolutely our focus as we moved into recovery and that nobody with any barriers would be left behind. When I was asked to do this job, it was single parents, people with different backgrounds and people with different barriers whom I was asked to have at the forefront of my mind. That continues through this pandemic.

Q157 **Chair:** Have you met with Gingerbread, or did you leave that to the Minister for Welfare Delivery, Will Quince?

Mims Davies: Forgive me; I think that I have, but I am not totally sure about the different stakeholders that I have met in group meetings. I have met lots of different people from the Prince's Trust and all different



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people in terms of the design phase of Kickstart. I would be very keen to let the Committee know about the different variations of stakeholders, but I am pretty sure I have met with Gingerbread.

Q158 Chair: Perhaps you can do that in writing for us. You have mentioned the work of tailoring with work coaches and making sure the claimant commitment is tailored for the individual. What conversations happen between a work coach and somebody with caring responsibilities, which may have changed during Covid? How in depth are those conversations? What advice is given to work coaches about how they should recognise caring commitments when drawing up that commitment with the claimant?

Mims Davies: I would like to point out as well that our Minister in the Lords regularly meets with charities. Her background is employment and support. It is not only me and Will that meet regularly with stakeholders. The more I think about this, I am absolutely certain I have met with Gingerbread, but I am not going to eat my words.

In terms of claimants that have childcare responsibilities, I am very mindful, as the former co-chair of the All-Party Parliamentary Group on Carers, that there can be changed caring commitments for many families because of Covid, where elderly parents or illnesses have come into the support they need to provide. That has been absolutely at the forefront of what we have asked work coaches to understand. We have helped them to design, directly with claimants, a suitable conditionality, whether it is around children or those broader commitments that I just described. That tailored support would mean that work coaches are never asking for people with caring commitments to do something that is simply not possible.

If schools and childcare provision, for example, have become inaccessible because of Covid-19 and it has been unreasonable for that lead carer to take up employment or even work-search at that time, that has been temporarily removed through the emergency childcare easement that we have. We also have one regarding family emergencies. If your elderly relative or someone in your life needs additional support and that would change your claimant commitment, that can be raised with your work coach, through telephony, digital or your coming in to see them.

Generally, for lone parents and lead carers who need to be available for work, if, for example, the safeguards around this period have been too challenging and the expectations have been too great, even when it comes to the amount of time they might need to be travelling into work because of this situation, we have been very receptive to those impacts. I would also like to point out that we have been focused on those parents with clinically extremely vulnerable children who simply have not been able to be in the schools or childcare provision they would normally be in. Because of their health conditions, it has been really important for them to be home and safe. Therefore, the work coach is very able to tailor for those circumstances as well.



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This has absolutely been the approach of DWP through this pandemic. Our job is to help people with the barriers around getting into work, but recognising that not everyone is able to work. Some people have vulnerabilities within their family and need to be supported, particularly through the pandemic.

Q159 Kate Osborne: Mims, I wanted to push you a bit more, as the Chair did earlier, on exactly who you met with in terms of stakeholders. The Chair mentioned Gingerbread. I wondered if you could tell us who else you met with. You said what you wanted, but I wondered if you could tell us a bit more about what their response was and what they wanted.

Mims Davies: Forgive me; I have spent the majority of this summer meeting with people from the Prince's Trust, youth organisations, all different charities, LEPs, local councils, mayoralities and combined authorities. I have been extremely proud of the engagement DWP has done. I can give a list to the Committee of the breadth of engagement that not only I but also my ministerial colleagues have done. This is extremely important to us in terms of design.

One thing I was very clear about was that the need for doing these meetings is to understand local recovery plans, to understand the challenges around the tiered situation, to understand the challenges around sectors and to understand the geographical situation, which could impact our claimants. We are also designing additional support with the 4,500 new work coaches.

I have just been told by my officials I have met Gingerbread. It was in a joint roundtable with my colleagues, so that is why I was not quite sure of the cast list, because it was a joint one.

What I wanted to say around work coaches is that there are 4,500 that we have already recruited. By next March, we will have recruited 13,500 new work coaches. They simply have to be able to understand the local labour market, challenges and opportunities. That is something that has been really important to us at DWP. If I look, for example, at my visits back into Wales in pre-pandemic times, one of the challenges for people, in terms of access to work, was buses and bus fares.

That is where things like our Flexible Support Fund and being able to support people that way is really important, in terms of tailored support within that community. We have put an extra £150 million into the Flexible Support Fund. That can help you with your upfront childcare costs, for example. It can help you with bus fare, a new suit or additional training and support you might need. Wherever you are, whatever your background is, wherever you live, you have a chance to get into work, progress and stay there.

Q160 Bell Ribeiro-Addy: My question is to Kemi and Mims. At a time of surging unemployment and when people are already struggling below the poverty line, could you tell us why those on legacy benefits, who are



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mostly sick or disabled people and carers, are being excluded from the £20 universal credit uplift?

Kemi Badenoch: That is not a question that I would be able to answer. It is not a policy that I have worked on. I would defer to Mims on this one.

Mims Davies: The reason that we were able to support the UC claimants faster is simply that it was the quickest way to help the widest amounts of people, in terms of the way our system works and the quickest way to help people. There has been a recent benefit uprating conversation. That happens regularly. UC has been an incredible success. If we look back at the fivefold increase on universal credit we saw in March this year, with half a million claims coming into DWP on one day, we can imagine that, in the midst of the pandemic, without having universal credit, which is an in-work and out-of-work benefit that supports people when they most need it, those people, with all their information and details, could have been potentially queuing round the block outside jobcentres.

That could, in itself, have created a health condition problem locally. If you were unwell, sick with Covid, had additional disabilities or had childcare challenges—all sorts of things—we were able to help half a million people get on to universal credit. It is the quickest way to give over £1,000 a year to people. That £9 billion additional directly into welfare was predominantly through that extra £20 a week on universal credit.

There are additional ways that you can get support if you need, for example, help with discretionary help through your local council. We have supported local food charities. We have given additional money to local authorities for people in hardship and in need. The quickest way, because of this modern, transformative benefit, was to do it through universal credit. That was the most important thing we could do to help the most important number of people. Those people who might need to make a claim on to UC or move across to it could do so if they wished, if it was beneficial financially for them to do so.

Q161 **Bell Ribeiro-Addy:** As we are entering the second lockdown, will the £20 universal credit uplift be extended to claimants of legacy benefits? Are there any plans for this benefit to be made permanent in keeping families afloat?

Mims Davies: We have the Treasury in the room and it is a matter for Treasury. Fiscal events are a matter for Treasury. The £9 billion additional, including that £20 a week, has been very important. It runs up to the end of this financial year. We have a spending review and future Budgets to come and of course that will be a matter for the Treasury. I cannot simply, as a DWP Minister, write anything down. I am sure Kemi would be deeply unhappy with me.



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For me, this has been a really important intervention for families most in need all across the year. That extra £20 a week, that extra £1,000, has gone to the people most vulnerable, the people who have lost hours and lost opportunities because of this pandemic. It was the best thing we could do in the short term. I am not sure what the future will hold but we know that right now, through to next April, it is going to be very vital for people as we move into this next stage of lockdown.

As the Minister responsible for getting people back into work and delivering the plan for jobs, that is also a £30 billion measure, whether it is Kickstart at £2 billion, focused on our young people, or helping people through the Flexible Support Fund, or indeed our new interventions that are supporting our work coaches and jobcentres and expanding our work coaches and jobcentres network. All these are mixes of interventions to make sure that, as we move out of this emergency stage of the pandemic, people are better off, more secure and, above all—the other part of my role—able to progress, be more resilient, withstand the future, hopefully move on to the next stage of their career and be able to support themselves in the meantime.

Kemi Badenoch: I understand that there are many different levels of support that are still being requested additionally. If you look at what has happened with the Budget and with the comprehensive spending review, we are making these decisions in the round. We are also having to change our plans, in terms of what sort of support we are offering, because the pandemic is changing. We were not expecting to be going into lockdown tomorrow this time last week. While I understand that there are many requests that people will have and that they want to know more about policy, the fact is, if we have not announced a policy, it means it is not certain whether that is something that is going to happen. It is not something I would be able to say in the Committee.

Q162 **Bell Ribeiro-Addy:** Finally, can I ask about—I would like to say it is recent, but perhaps it is not so recent—the court case regarding no recourse to public funds and how that relates to emergency welfare support for those people who may have issues, should they find themselves sick and unable to work? At the moment, a lot of people seem to be struggling to access that support. What plans do the Government have to make this more readily available? Are they looking at the policy on no recourse to public funds or looking to change it in the future, given the ruling?

Kemi Badenoch: That would be a Home Office Minister competency. It is not something that I could speak to.

Q163 **Chair:** We might have to double-check whether there is still an appeal outstanding on that, because we cannot ask about sub judice matters. Can I follow up with a question in relation to legacy benefits and the £20 uplift? We heard very clearly from Mims that the £20 uplift to UC was quick and easy to do, and that was why that was chosen to do. People on legacy benefits would then be obliged to apply to their local authority for



discretionary payments. Is that fair?

Mims Davies: People are able to get support through discretionary payments, the Flexible Support Fund, hardship funds at their local authority or the additional support we have given to people. The simple fact regarding legacy benefits is it is much harder. The clue is in the name. It is very difficult to upgrade and support people as quickly. We simply could not do it operationally. I would say to people who are on legacy benefits, "Check your eligibility through Help to Claim or on the benefits checker on gov.uk". You can then make a claim to universal credit and, if you are better off, you are very much entitled to do that

Q164 **Chair:** We saw an automatic uplift for people on UC of over £1,000 a year. Is it not fair to reflect that people on legacy benefits might have been in equal need and yet the requirement was on them to apply, rather than the DWP to reach out to them?

Mims Davies: I believe that the help with the local housing allowance assisted as well. The additional hardship payments, support through the Covid hubs, for example, and the extra £53 million given to local councils has assisted people with all different challenges. Sorry, it is £63 million. It is £53 million in terms of the support through the wider interventions on jobs, but £63 million in terms of councils so far. The reality is that on one day we had half a million universal credit claims coming through the door, who we were processing and supporting. We have our uprating system and we have the way we could directly help on universal credit.

It is fair that, if you are able to make a claim to UC and see whether it is better for you to be on UC than legacy, you can take that choice. The way the Secretary of State at DWP has described this is building the track of the train in front of you that you needed to as quickly as possible for the claims that were coming in from March. The best way to help the most amount of people quickly was with that extra £1,000 a month through UC. It was what we could achieve. It was what was possible through the systems we have.

Q165 **Chair:** The uprating happens annually in November. That is this month. Will we see the legacy benefits uprated in November?

Mims Davies: The uprating has already happened and then you start to see this come through in April. That is the reality of how long it takes to adjust all the processes. The uprating is a decision for the Secretary of State. As I say, the best thing for people on legacy benefits is to go and check. Go through Help to Claim.

Chair: You have told us that six times, Mims. We have that.

Mims Davies: This is really important for people to understand.

Chair: It is on the record. Fret not: you have it on the record.

Mims Davies: The uprating can happen later in November.



Q166 **Peter Gibson:** Hello, Mims. With regards to the legacy benefits, could you give us an assessment, if you are able, as to what the benefits system would have looked like and how it would have coped had we not had universal credit? Can you tell me what your Department is doing in terms of facilitating a quick, easy, simple switch for people on legacy benefits to universal credit, in order to be able to access that greater sum we have uprated?

Mims Davies: I do not want to upset the Chair, but I have pointed out how people can make that assessment. I will move on swiftly from that. I feel incredibly proud of what our jobcentres have done. They have remained open all the way through for the most vulnerable, for people to come and declare if they were needing additional help because they were vulnerable. It is also a place that you can come if you are fleeing domestic violence and need additional support. You can find out all the breadth of the support you can get. Many of our jobcentres are also partnered in local authority and stakeholder buildings, so you can directly get support.

We have universal credit and the ability to quickly move into telephone and digital and react. Over the Easter bank holiday weekend, work coaches, between them, did an extra 27,000 hours logging people on to universal credit and getting support to them quickly, being able to upload their rent agreements for details they needed to get to us to be clear they were ready to make a claim. We paid most people on time and in the way we would in normal times. Simply, without universal credit, this would have been completely impossible. At several points, we had to stabilise the situation. Staff worked absolutely non-stop. We pivoted people from non-priority areas and other areas to supporting this. We were able to get through that challenge, which has given us that business continuity for what we see before us now.

Q167 **Kim Johnson:** Good afternoon, panel. I wanted to go back to conditionality. When it was re-instigated in June, was an equality impact assessment completed and what decision was made? Can that be shared with the Committee please, Mims?

Mims Davies: I lost you at the end of that, but I understand it was about equality impact assessments. As I said earlier, suspending conditionality was absolutely right. An analysis was rightly taken by the Department on reinstatement of conditionality across affected benefits and provided to the Secretary of State so she can fulfil that public sector equality duty. I must point out that we did not make any legislative changes. We merely made suspensions.

We brought back conditionality and claimant commitments to start that relationship with our claimants, which is really important to help understand them, support them and know what they need for the next stage of their career or whatever has happened that has brought them on to universal credit. We were able to then help people, understand what their challenges and needs are, and give them suitable advice. That



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relationship between the Department and the claimants is really important.

We are not planning to publish this. We do not have a duty, in essence, to do it. The reason, as I have just described, is not because we have not done it. It is because we suspended things so that we could do all that I described around UC and supporting people through that point. The next stage is to get back to knowing our claimants, supporting them and, above all, helping them get back into work and to thrive.

Q168 Kim Johnson: Given the gendered impact on women, did the EIA not identify any mitigating circumstances that needed to be taken into consideration?

Mims Davies: My understanding is that we concluded that no benefit recipient with a protected characteristic would be adversely affected by the reinstatement of conditionality, because there was no disproportionate negative impact. If we focus, for example, on sanctions, sanctions have never been lower. These have only ever been based on what has been agreed between a claimant and their work coach. It has been clearly explained and agreed to. We would always look for good cause and any reason that they cannot adhere to their claimant commitment.

I hasten to add that claimant commitments are much more about what, between the Department and ourselves, we can do to support claimants getting back into work. We know that generally that is the best place for people to be, unless they are unable to or they are vulnerable, and therefore we give them the support they need because of that. We believe that the balance here between a business-as-usual approach and getting that important relationship with our claimants is vital. That then gives us the opportunity to start to deliver the £30 billion plan for jobs, which includes Kickstart, which is vital to get people on to the next stage. This has been a big economic shock and a handbrake on the economy. Many people's sectors have been massively impacted and their jobs and livelihoods really impacted. We need to know and understand what that means for our claimants and to help.

Q169 Kim Johnson: Can that EIA be shared with the Committee, please?

Mims Davies: On the protected characteristics, I re-point out, and you have heard it from Kemi earlier, that we have done the work in terms of the reinstatement of conditionality. If I go back to the conversations with work coaches, it was very clear from my engagement with the Secretary of State, work coaches and leaders that people wanted to bring back conditionality. That was for no other reason than understanding their workload, understanding who is out there and starting to help them understand what they needed to do. Before we brought back conditionality, we were making hundreds of thousands of calls a week to talk to people and check on them.



Anecdotally, I have had feedback from people who I know who have gone on universal credit, who have lost jobs. They fed back to me directly as a Minister, saying that those pre-checking calls, before conditionality even came back into play, were so important to them. They had had a big shock, their livelihood was affected and they were delighted to hear from the DWP and know what the next stage looked like. That is what our work coaches wanted to do as well. Those relationships and those engagements are really important to us and to our work coaches. That is why conditionality and a suitable claimant commitment is very important.

Chair: Can we go back to Bell Ribeiro-Addy? Having checked the legalities, we are revisiting no recourse to public funds.

Q170 **Bell Ribeiro-Addy:** As there are no further proceedings in that particular case, while I understand no recourse to public funds is specifically a Home Office issue, the Prime Minister made very clear at the beginning of the pandemic that nobody would be left behind. If there is no clarity on what will be done with the no recourse to public funds rule in regards to this particular ruling, what plans does the Treasury have, or what funding is it putting forward, to ensure that those who may be subject to no recourse to public funds receive any support they may need through this very difficult time?

Kemi Badenoch: I am sure that is something I can write to the Committee about. The topic of today was on gendered impact and that is not something that I would consider falls within that category.

Q171 **Chair:** Mins, did you have any contribution you wanted to make on what the DWP was doing in that respect?

Mims Davies: Yes, very quickly. Of course the policy sits with the Home Office, as Kemi said earlier. Through DHSC, we are providing £15 million directly to local authorities to make discretionary payments to those who do not meet the criteria and may face financial hardship if they need to isolate and cannot work. You were still able to be furloughed and access other Treasury support measures, not necessarily DWP measures, to get help. Also, the £500 million hardship fund that went directly to MHCLG and local authorities is there for those situations. Hopefully, those people in that situation have different forms of access depending on their situation.

Q172 **Alex Davies-Jones:** Before I come on to my main set of questions, Mims, I would like to ask you a follow-up if possible on the impact on universal credit. The Welsh Labour Government, rather than just clap for our carers, have actually put their money where their mouth is and provided the most lowest paid carers—those are predominantly women—with a £500 thank-you payment. Despite our pleas in the Chamber and the Welsh Government's pleas to the UK Government, the UK Government have refused to make this money tax-exempt. This money has, unfortunately, impacted the universal credit of a lot of these beneficiaries and they have now been negatively impacted as a result.



How can this be fair?

Mims Davies: I understand that it is Carers Rights Day very shortly and I am having a roundtable with Carers UK shortly and talking to them. I will have to write in terms of that impact because it is directly the Minister for Welfare Delivery's area of business. I know we have relaxed the rules in terms of breaks in care, so people who are unable to do their normal support are not affected in terms of caring allowance, but I am happy to pick that up with the Minister for Welfare Delivery.

Q173 **Alex Davies-Jones:** I appreciate that. Minister Scully, you have been silent for long enough. This Committee and the Petitions Committee have heard evidence of worrying practices, such as employers telling pregnant women to take unpaid leave and paying maternity leave at 80%, in line with furlough, instead of what should be their full entitlement. Why did you not anticipate these problems and issue guidance earlier?

Paul Scully: Thanks to the Committee for raising all of these important issues. We have heard some anecdotal evidence suggesting that some employers incorrectly asked pregnant women to take sick leave or placed them on furlough to reduce the risk of them contracting Covid-19 in the workplace. The rule has not changed as a result of Covid. The rule is that there is a full obligation on the employer to do a health-and-safety risk assessment for all pregnant employees. That should have taken into account any increased risk of serious illnesses for pregnant women.

We provided clear health and safety guidance for employers to minimise the risks in the workplace as well. That included identifying what work activity or situations might cause transmission of the virus and thinking about who could be at risk, clearly pregnant women in this example. We updated the guidance to explain their responsibilities to staff. It was made absolutely clear, where they could not put appropriate controls in place, they should suspend their employees on full pay. Beyond that, HSE is well able to take enforcement action for people who deliberately flouted the law. If anybody believed they financially lost out as a result of such action, they could take tribunal action themselves as well.

Q174 **Alex Davies-Jones:** Were these issues considered before the scheme was put in place for pregnant women or for those on maternity leave so that some of these issues could have been overcome?

Paul Scully: As I say, it is really an extension of the existing responsibilities of employers. Before the pandemic came about, they already had a direct responsibility to carry out a risk assessment for pregnant women. As we have heard from Minister Badenoch and Minister Davies, this was Government working in about as real time as you are ever going to get a Government to work. The guidance that we clarified was clarified working with trade unions. At the time, I was speaking to the trade unions on a weekly basis. I still meet them regularly. We worked with employers and business representative organisations as well.

Q175 **Alex Davies-Jones:** Now we know some of the issues that have arisen



from the first lockdown, what guidance and lessons have now been learned? Have you now issued new guidance to employers to prevent this happening in the second lockdown?

Paul Scully: HSE has clarified the guidance throughout the process. We have been learning lessons in real time. If you are still hearing these anecdotes and the evidence I know you have heard in previous sessions, we will certainly take that on board. If there are further clarifications to be made, absolutely we will take that on board.

Q176 **Alex Davies-Jones:** There are quite a few we can probably send you, so we will. Be aware for your inbox. Given that there has not been a draft employment Bill brought forward, will the Government support Maria Miller's Private Member's Bill to extend redundancy protection for pregnant women?

Paul Scully: I actually spoke to Maria Miller about this, her having presented it, because I wanted to make sure we could fully understand. I think we all understand and agree with the sentiment behind it. It is the approach we might not necessarily agree with. I know the German system that she cites in preparing the Bill was the subject of a previous Women and Equalities Committee recommendation. It basically meant that an employer could not dismiss a woman during pregnancy without first securing consent from a state enforcement body. The solution that Government favour is more in line with the current UK system of enforcing employment law through the tribunal system.

We consulted on the process and we have committed to extend the protections currently afforded to all women on maternity leave into a six-month return-to-work period. We have allowed employment tribunals at the moment to be able to take out-of-time applications as well, to increase the capacity for them to tackle this.

Q177 **Alex Davies-Jones:** I appreciate your work on this but, as the time is ticking on, and we are in the midst of a global pandemic, unfortunately it is women on maternity leave and pregnant women who are being massively impacted as a result of this. Unfortunately, the stats show that they are being made redundant as a result, and overwhelmingly so as well. What else are the Government doing to end the persistent issue of pregnancy and maternity discrimination?

Paul Scully: It is already against the law to make someone redundant specifically because they are pregnant. It is a protected characteristic. We need to make sure that enforcement process works more effectively, which is why, as I said, we will extend the protection in to protect pregnancy and for a six-month return-to-work period, with regulation 10 of the maternity and parental leave—MAPL—regulations. We are going to introduce those as soon as there is an appropriate legislative vehicle to do so. As I say, we are also trying to increase the capacity on employment tribunals in order to be able to address the need for people to be able to seek redress.



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Q178 **Alex Davies-Jones:** I am glad you have brought that up, because we have heard as a Committee that the three-month time limit is not long enough for women bringing pregnancy and maternity discrimination cases forward. What discussions have you had or has Minister Badenoch had with your colleagues in the Ministry of Justice to ensure that the tribunal system provides effective and timely redress for victims of discrimination?

Kemi Badenoch: Certainly from my perspective, the Minister for Women is Baroness Berridge. I could find out what discussions she has had with the MoJ on that point.

Paul Scully: Alex, we do speak to the Ministry of Justice on tribunals for any number of reasons in the wider piece. As I say, that is why tribunals are allowed to take out-of-time applications to make sure that they can take on more and address more cases as well. We have put in an £80 million boost for the tribunal service to be able to meet the unprecedented challenge as well. The tribunal service published a vulnerability action plan to enable vulnerable people to better access the justice system. We are also recruiting a further 75 employment tribunal judges, so that they can be deployed over the next year to help reduce the delays and deliver justice.

All of these methods show that we understand the pressures on the tribunal system. We understand the pressures on ACAS, which is doing amazing work at the moment to be able to address a number of queries, in the first instance, and then enforcement further on down the line, which is why we work very closely with them as well.

Q179 **Alex Davies-Jones:** Finally, despite the differing approaches to tackling coronavirus across the devolved nations, it should not be the case that pregnant women across the border are being impacted by the furlough scheme in different ways. With this in mind, what conversations have you had with your counterparts in the devolved Administrations about the impact that the recent changes to the furlough scheme have had on those currently on maternity leave?

Paul Scully: We do speak to the devolved Administrations, both at a ministerial level on overall business support and also official level on wider support. I wonder if I can bring in Jo here, my official, on whether there are any conversations that she knows of. Otherwise, I can write to the Committee.

Jo Warner: I might need to defer to Treasury colleagues who are designing the furlough scheme. We are very aware of the interactions between the furlough scheme, maternity leave and parental leave, which is why we have brought in regulations to make sure that women or parents who have taken parental leave get their full pay and that their pay while they are on leave is not calculated on their furlough pay, so they are not losing out on that point of view. In terms of the future



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evolution of the scheme, I might look to Treasury colleagues for any update on that.

Tom Hemingway: I know there are active conversations going on between my colleagues in the Treasury, both at official level and I believe also Chief Secretary, with the devolved Administrations, either at political or official level, to just explore the issues for each of the nations and the extension. That is the route through which we are looking to expose any problems that come up and we will look to take that into account when we develop the policy going forwards, although I am not sure I can say anything about the specific question on the maternity problem. I am not aware of the issue or how we can respond.

Angela Crawley: Specifically on the issue of pay gap reporting, you will appreciate that sadly, to the detriment of many women in the workplace, the suspension of the pay gap reporting will undoubtedly have a potentially long-term impact on our data and enabling us to measure and ensure companies are held accountable.

You may or may not be aware that Mumsnet has a campaign that not only argues that companies should be compelled to publish their gender pay gap reporting and their parental leave policies, and that for many women they often are discriminated at the interview stage or denied promotions because companies discriminate against them for asking if there is a parental leave policy—*[Inaudible.]* Do you support the campaign by Mumsnet to ensure that companies, particularly larger companies, also publish their parental leave policies?

Chair: Angela, it was very difficult for us to hear that. Can you try switching your camera off and see whether it improves your wifi connection? It is a question on the gender pay gap.

Angela Crawley: Yes, it was on the gender pay gap and specifically on whether you would support Mumsnet on parental leave and publishing parental leave policies for larger companies—*[Inaudible.]*

Chair: It is about gender pay gap reporting—suspension thereof—and particularly the Mumsnet campaign on parental leave and larger companies not being obliged to report the gender pay gap. Angela, is there any chance you could message us the rest of the question, because we did not catch most of that?

Angela Crawley: Yes, I will.

Chair: In the meantime, could I bring in Bell to ask your question? We will come back to Angela's in a minute.

Q180 **Bell Ribeiro-Addy:** This question is to Paul and Kemi. Our predecessor Committee's report in 2017 identified that pregnancy and maternity discrimination was rife. Given that this group were identified as clinically vulnerable, do we think more could have been done to ensure they were better protected? What guidance is the Government now proposing to give employers about pregnant employees and those on maternity leave



as we go into the second lockdown?

Kemi Badenoch: Those are two separate things. Being clinically vulnerable and being at risk of discrimination in terms of employment are things that would be looked at separately, even though they are affecting the same groups. I know from the work that I have done on the Covid impact on those disproportionately impacted groups that there has been quite a lot done in terms of the support that needs to be provided to pregnant women, both in the workplace, with what the HSE has done, and also in terms of additional pastoral support. Those are changes to their ability to bring in partners, going into hospital and so on.

This is a group that is looked at across multiple Departments: DHSC, Government Equalities Office and BEIS. I am sure Minister Scully will be able to speak to you on that point as well.

Paul Scully: I come back to the point in terms of discrimination. The law already exists. It is so important that we call it out. This is why I was talking earlier on about the redundancy protection measures that we are going to extend, because we want to make sure, first of all, in terms of the pandemic that we find ourselves in, that we are on top of it. Certainly, as we leave the EU, as we end the transition phase, we want to make sure that we are building on rights, not diminishing them in any way.

Q181 **Bell Ribeiro-Addy:** I have one more question to you both. Currently, under Section 18 of the Equality Act, a woman who suffers from a stillbirth at the end of her 24th week of pregnancy is entitled to maternity leave, maternity pay and is legally protected against discrimination or unfavourable treatment on the grounds of pregnancy, right up until the end of her maternity leave. A woman who miscarries before the end of her 24th week of pregnancy does not have any entitlement to leave, other than to sick leave, and is only protected for two weeks after the end of her pregnancy. With one in four pregnancies ending in miscarriage, this raises concerns about legal protections for those who experience physical and emotional trauma after their miscarriage. This is regardless of when they experience this miscarriage. When you consider the restrictions at the moment on when people are visiting hospital maternity units, this group of working women are becoming particularly vulnerable to unfair treatment due to the ongoing pandemic.

Maternity Action has outlined some suggestions. I am wondering if there are any plans for the Ministers to look at these, providing better protection for women who miscarry, such as extending the two-week period, a clearer legal definition of the end of pregnancy and lowering the 24-week threshold.

Paul Scully: The death of a child, whether stillborn or a young child, is traumatic at any particular time. That is why we are particularly proud of the rights that we have around that, whether it is immediate or whether



it is for an anniversary, which is why we have made it as flexible as possible.

When you are talking about miscarriage, it is something that we will always take under consideration, but we have also got to remind ourselves that this is an absolute minimum level. Any decent employer should be looking after their people because, as we are finding out now, over this particular period, people are at the heart of our businesses and at the heart of our economic recovery, and so we should always make sure that responsible employers go that little bit extra, support people throughout this time and support people through that traumatic time of a miscarriage.

Q182 **Bell Ribeiro-Addy:** Kemi, specifically what plans do the Government have to make changes so that women who experience miscarriage before 24 weeks are not unfairly disadvantaged?

Kemi Badenoch: The fundamental issue is about where you draw the line. The issue would occur whether it was at 24 weeks, 20 weeks, 18 weeks, and so on. If you look at the sort of debates that we have had over abortion law, this is quite a tricky area to legislate for. It is something again that we look at in the round. As Minister Scully said, it does not always have to be legislative solutions to solve some of those edge cases and boundary problems, which would affect women who, whether they are having a miscarriage or stillbirth—it depends on exactly what point in time it happened—and it is something that we are aware of and there are provisions at the moment in place to look after those people who have had those traumatic experiences.

Q183 **Chair:** We have now got Angela's question, specifically for Kemi, as to whether the Government support the campaign on companies to publish their parental leave policies. There is a campaign on Mumsnet at the moment, which includes people not getting jobs because they ask for policies at interview stage. These could very easily be published as part of the gender pay gap reporting, acknowledging that is suspended at the moment.

Kemi Badenoch: It is not suspended. It is just that we are not going to take legal action against those people who do not report. Many companies have been reporting.

Q184 **Chair:** Can I finish the question, please? These could easily be published as part of the gender pay gap reporting and act as a cost-free incentive for employers to develop better policies. The Mumsnet campaign is for large companies to publish their parental leave policies alongside that. Do the Government feel that they would be inclined to support that?

Kemi Badenoch: That is something that the Government Equalities Office could review. Obviously, at the moment the pandemic is using up all of the resources that we have, but it is something that we could take a look at. I have not seen that specific Mumsnet campaign, so I cannot speak to the detail of it.



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Paul Scully: I was just going to add about the gender pay gap reporting, because it was announced this morning that, although there is still a 7.6% gap, it has reduced by 9% over the last year. It is a good sign that progress has been made, but clearly there is plenty more we can do.

Q185 **Chair:** There is evidence that progress is being made. Do you think, therefore, if reporting gives us evidence that it works, there is a case to also introduce ethnicity pay gap reporting?

Kemi Badenoch: Ethnicity pay gap reporting is a totally different issue, because women are one of two different sexes that we report on—male and female. Ethnicity is defined in so many different ways. It is also not something that people record consistently in the way that they do on gender. Especially for many companies, they could actually also have privacy issues, where it is very easy to identify exactly the person that they are talking about. I know BEIS has put out its response. We do know that this is something that many people are calling for, but it is not quite the same as gender pay gap reporting.

We are looking at ways to see how we can carry out reporting that will show what companies are doing to improve diversity, but specific ethnicity pay gap reporting, as we have seen at the moment, is not as straightforward as we would have thought it could have been, now that we have investigated.

Q186 **Nicola Richards:** My question is to Minister Scully and Minister Davies. Given the apprentice gender pay gap the Department identified earlier this year, what is the Department doing to ensure that new measures aimed at young people benefit both young men and young women?

Paul Scully: Maybe I can come in first before Mims does. There is a good gender balance in apprenticeships overall, but clearly we want to make sure that more women access apprenticeships in traditionally male-dominated fields and benefit from those, because we want to push them into areas where they offer the highest returns. A lot of that will be women being underrepresented in apprenticeships that involve STEM—science, technology, engineering and maths—subjects. We are doing a lot to increase that representation. Indeed, it has been increasing.

We have got the Government's Apprenticeship Diversity Champions Network of employers, who are also calling out and showing good practice in backing gender representation in those sorts of industries where improvement is needed. We will continue to work extensively with employers, with a particular focus on SMEs, to make sure that we can understand the barriers and encourage that take-up. I will pass over to Mims if she has got anything else to add.

Mims Davies: This is predominantly an area for DfE. I have a meeting with the Skills Minister next week. Working with the Apprenticeship Diversity Champions Network is crucial for us. We have a network that we use for Jobcentre Plus to make sure that we support women in



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particular sectors where they are underrepresented, for example women in construction. I have actively been working as a DWP Minister around Birmingham and the Commonwealth Games, making sure that there is good representation there. These are particular sectors that are keen to boost their diversity. We are actively, through our Jobcentre Plus network, doing that.

That is how we do it, for example, through our sector-based work academy programmes. That is where, if there are particular vacancies, we link people up who are keen to get into that sector. There are vacancies at the end of the line as well. Particularly I have seen that from women moving perhaps from the retail and fashion industry into directly the construction and logistics industry. That is through our sector-based work academy programme. It is absolutely a focus for me as Employment Minister that women get the chance to get those raw skills, practice and move into work for them. We absolutely encourage that through DWP and all of our programmes.

Q187 Nicola Richards: To Mims again, what are the Government's proposals to ensure Kickstart provides a genuine stepping-stone for young people, rather than just a long-term, minimum-wage job with no prospects of progression?

Mims Davies: I thank my colleague for that point, because it is not just the Government's priority. It is my absolute personal priority that Kickstart is absolutely the right opportunity for our young people, because of Covid-19 and managing that potential scarring effect on our young people. We want to make sure they get the experience, the skills, the opportunity and the network, and that they are not left behind and that this is a springboard into other roles.

Because of the pandemic, the impact on the jobs market and the economy as a whole, we know that it is the young people that just may not get the opportunities in the jobs market they were expecting. It is key that we work with our employers, our work coaches, our gateways, to make sure that our young people have a really good experience, which could lead to a traineeship, an apprenticeship and a longer-term role with that company. It is absolutely about making sure that those young people get the CV and the long-term opportunities that they deserve.

Q188 Kim Johnson: My questions are to Minister Badenoch and are on the gendered impact on problems with childcare. For my first question, as we know, women are disproportionately represented in the care sector. However, the childcare sector has not been mentioned in any of the economic announcements. What message do you think this sends to women who work in this sector and those women who are reliant on the sector? Thank you, Minister.

Kemi Badenoch: What I would say to that is we are looking at the problems universally. We do not make announcements specifically for certain genders or for certain groups. We are trying to target our help at



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everyone. If you are talking about the childcare sector specifically, it has not been impacted as much as other sectors like aviation, for example, or if you were a nightclub that had been closed since March. There are many sectors that have been impacted by this pandemic. I recognise that we should analyse how the various interventions are taking place based on protected characteristics, but we are not going to get a full picture if we just look at things through that lens.

What I would say is the childcare providers I have spoken to, not just in a ministerial capacity but as a constituency MP and also as a mum who has got kids at nursery, have actually been very pleased with the support the Government have given. In fact, they have told me that they would not have been able to survive without it. That is more important than something specific the Chancellor may or may not have said in a winter economy plan package, for example. They are not listening to the announcements in Parliament. They are looking at looking at what is happening out there is the real world, looking at what is on gov.uk.

What we can do is make sure that the information that we are providing is as comprehensive and as clear as possible. We know that childcare is something that impacts so many different people, not just people who work in the sector but other people who are unable to go to work if they do not have appropriate childcare. We have spent a lot of money on it as a country. We can be very proud of what we have done so far.

Q189 **Kim Johnson:** You would agree that having adequate childcare is sometime a major barrier to women accessing the employment market.

Kemi Badenoch: No one would disagree with that.

Q190 **Kim Johnson:** There has been evidence that suggests that childcare providers have been impacted significantly during the pandemic.

Kemi Badenoch: Again, no one would disagree with that. So many different sectors have been impacted significantly by the pandemic. We are doing everything we can to help everybody.

Q191 **Kim Johnson:** You personally do not feel that it was wrong of the Chancellor not to have additional funding to support the sector during this pandemic.

Kemi Badenoch: We have spent £200 billion during this pandemic to help all sectors of the economy. What the Chancellor is not going to do is provide an exhaustive list and do a tick-boxing exercise just to make some kind of point. I certainly would not agree with that.

Q192 **Kim Johnson:** It is not making a point. It is making childcare available to those most in need. Moving on to my next question, the Institute for Fiscal Studies has estimated that, even with Government support, a quarter of private nurseries and almost two-thirds of childminders were running at a significant deficit over lockdown. If the Government are serious about levelling up, what more will be done to ensure the sector



can remain viable and allow parents, and particularly women, back into work?

Kemi Badenoch: Again, I would refer to the answer that I gave before. We are very much aware of the difficulties that various sectors are in. I have given examples of other sectors that are having a particularly difficult time. It is not just childcare.

What I cannot do in a select committee is make an announcement on policy. If we have schemes in place or if we have plans, we either would have announced them already or they are under review. As we have fiscal statements, fiscal announcements and fiscal events, we will hear from the Chancellor on what the packages are in the round. What we have not been doing is providing specific sectoral support, such as you are raising at the moment.

Q193 **Kim Johnson:** What proposals are there to review the eligibility for 30 hours' childcare in terms of lowering the age at which the child becomes eligible and making some subsidised childcare available for job-seeking parents?

Kemi Badenoch: What age specifically are you talking about? This is not the two-year-old provision. This is the provision for three and four-year-olds.

Kim Johnson: Yes.

Kemi Badenoch: We think the policy as it stands is adequate. We have already made quite a lot of changes to childcare over the years. We are spending £6 billion annually on childcare. We also need to look at what the problem is that we are trying to solve in terms of childcare. They are very different objectives. Are we trying to solve the child development issue? Are we trying to solve the issue of the cost of living? Are we trying to solve the issue of flexible working for parents to enable them to go back to work? There are many different things that come into making a policy like that.

It is something that we look at across Whitehall. It is a DfE responsibility specifically. A DfE Minister might be able to provide you with more analysis of exactly how the policy is being worked on. We have made so many improvements to childcare at the moment. What we are looking at within the context of the pandemic is how we can protect jobs and protect livelihoods. We are at a point where we are looking at forecasts of very serious unemployment and very serious redundancy. Again, as I said, we need to look at all these problems in the round.

Q194 **Kim Johnson:** Do you agree that there is a need for a long-term cross-Government strategy for early-years provision? Have you had any further discussions with Department for Education colleagues about that? I hear the bell going, so if you could answer very quickly, that would be great.



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Kemi Badenoch: I have touched on that. We have a long-term strategy and we have been seeing the policy in action so far. Again, we do not change policy every month. There is a strategy in place. We believe that it is working. If there are issues that are raised, they will as always be looked at under review. They will always be kept under review.

Sitting suspended for a Division in the House.

On resuming—

Q195 **Chair:** Welcome back, Ministers, to this session of the Women and Equalities Select Committee. Can I ask a follow-up question about childcare? Specifically, as Kim Johnson has pointed out, it was not mentioned in the summer economic statement. In an answer to Kim's question, you indicated that the Government could not or would not pick off individual sectors.

Kemi Badenoch: We cannot provide an exhaustive list of every sector to please.

Q196 **Chair:** It is the fact that it is not exhaustive, not that it will not provide support to some sectors. It is very obvious that we saw a big package of support from the Government to green technologies, for example, where we know that the majority of employees are men, but not a package of support or even a mention of childcare, where the majority of the employees are women.

Kemi Badenoch: That is true, but we also provided probably the biggest package of support to hospitality, where women are overrepresented. We need to look at the reason why. We are not providing policies based on where men and where women work. The green policies specifically are to do with being able to stir up a recovery. Many people are losing their jobs and some of those are jobs that are very local, so you can have them everywhere in the country and not just in London or in specific tourist hotspots. That is one of the reasons why: to make sure that we will be able to stimulate sectors that would help everybody. It is all part of levelling up.

I have four select committees this month. Two of them are on what we are doing for the environment. We cannot stop regular government because of the pandemic. Certain things have stopped, but we still have to keep going. Absolutely, looking at what we can do to reduce carbon emissions, because we have legislated for net zero, is something we have to keep going on. That is one of the things that is going to help do that. Maybe what we can do is try to see how we can get more women into those sectors.

Q197 **Chair:** I was going to ask that. When you are stirring up a recovery, to use your words, is thought going into how you can stir up a recovery that also includes getting women into those sectors where they are historically underrepresented? How much effort is there, from both Treasury and BEIS, to think, "This is a sector that we wish to support and we want to



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encourage, but it is really bad at having people from BAME backgrounds. It is really bad at employing women. What more can we do?"

Kemi Badenoch: We did that with the Future Fund, for example. That is something where we have had very good reports. I do not have the figures to hand at the moment, but the majority of the people who got funding from that had boards that were of mixed ethnicity, for example. We do look at it, but it is not always the problem that we are trying to solve. We have to look at some of the things that are most acute. From an equalities perspective, if I were looking at protected characteristics, age is something that this pandemic is really impacting.

Mims has talked about Kickstart so I will not go into the details of that policy, but that is something that could become a very severe problem. For example, if you look at scarring, young people not being able to get jobs now could impact them for their entire lives. We look at that. We look at the various different protected characteristics and what we can do to make sure nobody that is being left behind. Does it mean that it is going to be perfect all around? No, but it is something we consider.

If the question you are asking is whether we have specific policies on this issue of perhaps getting more women into STEM, that is not something that Treasury would look at. We would expect other Departments that own those policy areas to bring their proposals to us. We cannot do all the thinking within Treasury, or even within the Government Equalities Office. Departments are mindful of this.

Paul Scully: There is cross-Government urgency in all of this as well, because this is linking up DWP, Education, Treasury and BEIS in particular. We have talked a little bit about STEM and about encouraging people, whether it is through apprenticeships, whether it is through degrees or whether it is getting young girls to study in the first place, at a school level. Also in BEIS we are working with Alison Rose, chief executive of NatWest, on the Rose review, to encourage more female entrepreneurs. I talked a little bit about the reduction in the gender pay gap being reported today, which is predominantly due to more women on company boards. That in itself starts to filter down better employment practices through companies as well.

The premise of the original question was all about childcare. Minister Badenoch has talked about early-years childcare, although the biggest drive by far of keeping schools open is to make sure that we are not reducing young people's opportunities in education. Clearly there is a knock-on effect on childcare. It will go right the way through school-aged children, which allows people to go back. From a BEIS point of view, the economic recovery is based on that, the productivity is based on that and the potential loss of skills otherwise is based on that. The long-term economic growth is based on being able to have effective childcare at every age.



Kemi Badenoch: It is a very good point that keeping schools open actually does the biggest job in terms of making sure that people have access to childcare. There are other things that we have done. The Treasury interventions are of a specific type. On things like the guidance, for example, the GEO has done a lot in terms of getting the definitions of childcare, childcare support bubbles and all of that amended or changed, because it is sometimes in the weeds of things that you need to make the policy changes, rather than in a big money announcement. We have done those.

Chair: Can I just pick up on that? The recognition in the latest guidance about informal childcare is absolutely invaluable.

Q198 **Theo Clarke:** My question is to Kemi. One of the GEO's strategic objectives is to put equalities at the heart of Government. Given the multiple inequalities that have manifested during the coronavirus crisis, how would you rate the GEO's success in achieving that objective? Specifically, what work do you think the Government Departments are doing with the GEO to ensure that gender equality does remain central to all Government policy?

Kemi Badenoch: You mentioned multiple inequalities. That is the heart of the question. We are talking about inequality as if it is impacting only some specific groups. Actually, this pandemic is hitting everybody. If you are a man, you are more likely to die. You are more likely to be made redundant. Women might be impacted differently, but when we look at the whole effect of the pandemic, it is not right to say that women are being impacted more. It just depends on what sort of woman you are. Are you a single mother, for example? When we look at the intragroup differences, we will probably see more inequality than if we just look at groups based on protected characteristics on the whole.

You are asking if I feel GEO has done well. I think so. I am very proud to be an Equalities Minister. I have seen the work that it has done, even before. I came back from maternity leave in the middle of the pandemic. Probably about half the GEO staff have been redeployed to other Departments, providing support, because the civil service in Whitehall simply did not have the capacity to do every single thing that needed to be done in the pandemic. GEO was instrumental in working with the Foreign Office, the Department of Health, et cetera.

In terms of working across the various Departments, this is something that we do every day. Minister Scully, Minister Davies and I will tell you we have Equality Ministers' meetings with the Secretary of State as well. We have been doing a lot of cross-departmental work on the Covid impact on BAME individuals, for example, who have been disproportionately impacted by the virus. A lot of what we are doing is mainly looking at this from a public health perspective.

The gender inequality is manifesting in some places, but it is not specific to any particular sex or gender. In some sectors, one is doing better and



one is doing worse. We are just trying to make sure that we are helping every single person as much as possible at an individual level. We recognise that we cannot help people in exactly the way that they would want, but the statement that GEO has been at the heart of making sure that equality is taken very seriously is one that I would very much agree with.

Q199 Theo Clarke: Paul Scully, there have been some calls for employers to report redundancies by sex and other protected characteristics. I would like to ask what the Government's proposals are on this.

Paul Scully: We want to tackle prejudice and racism and make sure that we can look at equalities in the round. Earlier on in the session we did talk about the fact that we reduced the reporting requirements for a number of different things, whether it was redundancies or the characteristics for people receiving bounce-back loans and CBILS loans, so that they could act at speed. Nonetheless, there are ways and mechanisms, as Minister Badenoch has already talked about, to measure the redundancies, including the ONS studies that she referred to.

Q200 Theo Clarke: Kemi, did you want to add anything to that?

Kemi Badenoch: No, I was agreeing with Minister Scully. The ONS does report on that basis. Those are the figures that we use. Looking at how we can disaggregate data depends on what questions we are trying to answer. There is a lot of work that is being done on data at the moment and what more it can tell us. We have to balance it with making sure that people actually have this data. Is it something they collect? Is it reasonable to ask them to do so in light of everything else that they have to do with the pandemic?

When I speak to the industry representatives, they always complain about how much reporting and form-filling they have to do. It does stop some companies from deciding even to grow, because they do not want to fall into a reporting category they do not think they have the capacity for. We try to make sure that we are as balanced as possible.

Paul Scully: That is why the ONS data probably has a better reach, because it is overarching, whereas if you are limiting redundancy reporting to a certain size of company because they have the capacity to be able to report, you are therefore not getting the data from smaller companies. I know from having run small companies for 25 years—clearly not in a pandemic, but even normally you spend so much of your time working for the company. You do not actually have time to work on the company to do those details or enough future planning. In the kind of situation that we find ourselves in, people are paddling furiously just to survive.

Kemi Badenoch: I agree.

Q201 Theo Clarke: Can I just pick up on that point, Paul? Regarding redundancies, have the Government looked at simple amending the HR1



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form so that it includes more information on employees and their protected characteristics?

Paul Scully: I might pass over to Jo, my official, on that, if I may.

Jo Warner: As has been mentioned, we have not used that. We use the ONS Labour Force Survey. The limitation of the HR1 forms is that they are only required where employers are making 20 or more people redundant. We would not capture some parts of the market, in particular those smaller businesses, whereas the ONS survey is a survey, but it is more representative. That is why we have used the survey data from the ONS rather than the HR1 form that you mentioned.

Q202 **Chair:** Can I just finish with one question to Kemi? You referred just a few moments ago to the data needing to be more granular, that women were doing better in some categories than men and in other categories the men were faring better, for redundancy for example. Is there a need for us to dig down further into the data? Is there any evidence, if we start to look at intersectionality, that young black men are disadvantaged compared to other groups, for example, or is it impossible to tell at the moment?

Kemi Badenoch: It is complicated. If we look at the individual characteristics where we can have data, it is possible to extrapolate cumulative effects. That is something that we have seen in terms of the Covid impact, for instance, where we have seen all the various socioeconomic factors, multi-generational households and so on. The more granular you get, the less accurate your data is and the more you have issues with double-counting and other things like that.

Are we at a point where the information we have is sufficient for us to respond to? Yes, we probably have more information than the levers we have to tackle those problems. Having even more detail, I do not necessarily know that we would be able to do even more. We might know more, but I am not sure that we would be able to do more.

Q203 **Chair:** It is an important distinction; we could have more information but still not have a lever that we can pull that solves it. Can I thank all of the ministers for their contributions this afternoon, particularly Mims who has clearly run to and from the DWP just not to be asked another question? Mims, did you want to say something?

Mims Davies: If I may, Chair, I just wanted to say that some things that the DWP, in terms of my role, is really looking at are growth sectors, opportunities for women and challenges around barriers around childcare, absolutely, as we look to recover and enact the plan for jobs. We are looking at this through our DWP lens and I can assure the Committee, having been on this Committee, that I have not forgotten the focus of this Committee in the job that I do. I am happy to share some of this if the Committee wants to hear more in the future.

Chair: Thank you very much. I thank all of the witnesses and bring this



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afternoon's session to a close.