

Women and Equalities Committee

Oral evidence: [Work of the Government Equalities Office](#), HC 356

Wednesday 12 December 2018

Ordered by the House of Commons to be published on 12 December 2018.

[Watch the meeting](#)

Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Vicky Ford; Eddie Hughes; Jess Phillips; Tulip Siddiq.

Questions 195–254

Witnesses

I: Rt Hon Penny Mordaunt, Minister for Women and Equalities; Elysia McCaffrey, Deputy Director, Government Equalities Office.

Examination of witnesses

Witnesses: Rt Hon Penny Mordaunt and Elysia McCaffrey.

Chair: Good morning. Can I welcome our witnesses this morning, those who are watching online, live on BBC Parliament and people who are joining us in the public gallery? This session is the fourth occasion in the current Parliament where we have taken evidence on the hugely important work of the Government Equalities Office. We are very grateful to the Minister for Women and Equalities, Penny Mordaunt, for joining us today; it is her second appearance before the Committee. She is accompanied by the deputy head of the Government Equalities Office. Thank you so much for coming today. We know how busy you are and we are grateful for the opportunity to ask you some questions. As I have just introduced you, I will not ask you to introduce yourselves. We will move straight on to questions from Jess.

Q195 **Jess Phillips:** Hello. Good morning. In a speech given on 21 November, you, Minister, said that the move of the GEO to the Cabinet Office would help “better articulate and co-ordinate a national mission to enable everyone to help fight injustice”. Can you articulate that mission for us now?

Penny Mordaunt: I shall try. In a nutshell, it is three things: first, that every person in the UK has what they need to reach their full potential; secondly, that every part of Government is committed and capable of delivering that; and, thirdly, that every citizen is empowered to set and help deliver that agenda. From that, it is recognised that it has been a criticism and ongoing theme of the Committee that from that mission have to come clearer strategies and better ways of holding us to account—both “us” as the GEO but also other parts of Government—for that.

I have seen my role to date as largely doing two things: first, to develop those strategies and clarity around particular things, in part broadening the work of the GEO to date; and then also to deliver the enablers to get that to happen. That is a GEO that has a permanent home and that can be a hub, if you like, for the equalities agenda within Government. It is an Equality and Human Rights Commission that is effective and gets things done. It is a mechanism through which we can ensure that our agenda is the right one and is being set for us by the people of this country—that we have those clear strategies and objectives, and better communications as to what we are doing and how others can assist us in doing that.

Q196 **Jess Phillips:** You have suggested that the move will enable GEO to better co-ordinate, as you have just said here. What will this improved co-ordination mean in practice on the ground?



HOUSE OF COMMONS

Penny Mordaunt: It has to enable us to be more effective. Part of that is us being able to have greater clarity about what the things are that we need to do as a Government. To give you an example, there will clearly be things that other Ministries are doing—Health on women’s health and equalities, for example. By creating the hub, I hope to be able to give those usually middle-ranking Ministers more authority and clout, particularly when they are trying to get things done in other Government Departments. We also need to develop strategies which look across Government at things that other Departments are doing and ask them whether they make sense or whether there are competing agendas there—there is no point something being done in one Department if local government is going to end up doing the opposite—and to try to provide that coherence across what we are doing.

To give you an example of how, practically, we are trying to get this to happen, we have been doing a lot of work around economic empowerment for women. I was particularly keen to ensure that we were really looking at women at every stage in their lives and every circumstance that they are in, particularly those who we have tended not to be focused on because, understandably, it is always easier to get the issues of women on boards than those of low-paid, financially fragile, older women—all those things that we know need to be done. We have been working on an economic empowerment strategy to look at those areas. We have been talking to those key Departments that have the levers to really assist with that, such as DWP and the Treasury. We will take a paper to the Social Reform Committee in early January and, from that, we will publish an economic empowerment strategy in spring, which will then go in to inform our single departmental plan, as well as other bits of work we are doing, in April. It is my hope that we will have that single departmental plan embedded in the Cabinet Office, although that is not yet confirmed, as well as making sure that other Government Departments are still producing their plans on the issues we are concerned about.

There are many different aspects to this and we have a very wide agenda, but I hope that that will give you an example of what we are seeking to achieve. By the start of the new financial year, I want GEO to have that permanent home. I want us to have a single departmental plan that makes these things explicit—that we have the deliverables as a Department, and that we also articulate how we will know that they have done what we want them to have done and what impact measurements we are going to be using.

Q197 **Jess Phillips:** That moves me on to the next question, which is about how this improved co-ordination between GEO and Government Departments will be monitored. How will you tell if it is working?

Penny Mordaunt: Through the work that we have been doing and will be doing very early in the new year, we have to really agree those things that are going to make the difference. For example, what are the existing



HOUSE OF COMMONS

policies that are blocks to good things happening? What are the new things that we need to do? Which Department is dragging its feet on certain things? We need to make those things explicit, so that we all know, over the next 12 months, what it is that we have to do to deliver that agenda.

There are some other things that we can do to work with other parts of Government that are key to delivering the equalities agenda. We have already, in preparation for us moving into the Cabinet Office, got a more formalised way of working with the Race Disparity Unit. We are looking to develop a more formal way of working with the ODI.

Q198 Jess Phillips: Could you describe what “a more formal way of working” means?

Penny Mordaunt: Marcus Bell from the Race Disparity Unit is now sitting on our management board at the GEO. My colleagues have been doing this longer than me, but I think we are having more regular conversations with them about those issues, in part because we are widening the agenda for the GEO. We have done a lot of work with the ODI. I would personally never want that to be moved out of DWP—it is very helpful to have it there—but if we have a greater focus across Government on their agenda, which we can help with the hub, we will be getting things done that have previously been in the “too tough” in-tray because it takes every Government Department.

Q199 Jess Phillips: If the closer working does not come about, how will you know? Is it just because of a lack of meetings, or will it be properly monitored to make sure that these relationships are working and that things are changing?

Penny Mordaunt: There are two things. First of all, our key deliverables will be in our next single departmental plan. Every 12 months—and we obviously want things looking more in the long term as well—you want to know what the things are that you need to do. That is how to judge whether things are working or not and to ensure that we are all doing the same thing. Also, as strategies are being developed, it is important to make sure that there is buy-in from Departments early. Although it has been a huge success, there are lessons to be learnt from the gender pay gap work that was done. Ultimately, it is about whether we get the things that we say are going to make a difference over the line, either in terms of legislation or policy change. We then need a way of measuring whether it has had the impact that we wanted in the country. That is the way we should be held to account.

Q200 Jess Phillips: Are there going to be practical changes such as co-location with other teams?

Penny Mordaunt: This will evolve. We have made a good start in the move to the GEO, and with Marcus being on the board. Other things will develop over the next few months. Once you have established that hub, other things become sensible and possible. If you just had in the Cabinet



HOUSE OF COMMONS

a Minister for Disabled People or a Minister for Women, without that machinery of government change, it would be very difficult to deliver the clout that you need behind this agenda. Once we have established that hub, other possibilities open up, which would clearly be something that people could consider in the future.

Q201 Tonia Antoniazzi: I just wanted to know what the timescale is for setting up the hub and moving the agenda forward.

Penny Mordaunt: The physical move will go on from April, but a lot of work has already been going on to prepare for that with the Cabinet Office. We have also undertaken quite a big exercise of talking to other Government Departments—not just Secretaries of State, but Ministers at that middle-ranking level who are doing most of the heavy lifting on this agenda. It is a whole raft of things. For example, on the economic empowerment strategy, we are talking to DWP about UC and about how that is working, getting down into the detail of where we know there are still things to do and where stuff is not working, and looking at what we think might be possible there.

There is a lot of legwork, if you like, that has been done. Some of that has led me to conclude that we need a strategy behind delivering particular things. If we just had a women's strategy, it would end up being something that was a bit of paper and not really delivering what we need to. By focusing on economic empowerment or the health inequalities issues that Jackie is dealing with, and other things, we will raise the profile of those issues. We will know what needs to be done. We need to think about other areas of Government, in the broadest terms, outside of Whitehall that are also major players in delivering that agenda; we need to think about how we enable them to contribute and have the understanding across Whitehall about the other levers that we need to ensure are there and are happening.

We will move in in April. There will be some other changes and some more formalised ways of working with other places, like the ODI. We have explored, as part of the machinery of government changes, looking at whether we need to set up other ministerial groups and those sorts of things, but we have not made a decision on that aspect of it. We are using the Social Reform Committee and the existing structures at the moment.

Q202 Jess Phillips: You have spoken about how you are going to work with the Department for Work and Pensions and the Race Disparity Unit. You have previously spoken in the past about improving the way that the GEO works with local government and communities. A lot of the agenda that you seek to change relies very heavily on policy in that area, so what will the GEO start doing or start doing differently as a result of the move to the Cabinet Office to make that happen?

Penny Mordaunt: There are two things. The first is to identify those Ministers—some of whom, like Heather Wheeler, are in that



HOUSE OF COMMONS

Department—to really look at their agenda and really understand the issues that are blocks on things happening at a local government level. Also, if we are really focused on the mission that I articulated at the beginning, we must have ways of assessing whether our policies as a Government or what different local authorities are doing are helping or hindering that agenda. For example, it is no good us making decisions about someone's judgments about the cost of living in national Government if there are decisions taken at a local level, on council tax discounts or whatever, that are going to impact on carers. We have to join this up.

People often talk about cumulative impact assessments and things like that. I am more interested in how we assess the impacts of policies before the impact has happened. I have been very struck by some work that some civil servants in the Department for Work and Pensions have been looking at as to how you really do that. For example, if we are focused in looking 12 months ahead, as well as things that we need to do on a more long-term basis, what are the things that we, as a nation, need to deliver to combat a particular injustice? We need to provide that clarity and profile for those things, and we also need to make sure that the equality impact assessment system is really working effectively in Government.

Q203 **Jess Phillips:** Do you think it works now?

Penny Mordaunt: It is a start. I have been a Minister now in five Departments. The earlier you know about things, the better, if you are shaping policy. My concern about that system is that you are largely presented with the details of those impact assessments at the end of the process, even when you may have secured the announcement slot on the dreaded No. 10 grid that has taken you three months to get—

Q204 **Jess Phillips:** I do not think there is any worry of that today.

Penny Mordaunt: No. What you want to do is flag those things as early as possible when you are developing policies. Having them at the eleventh hour makes it difficult if you decide to change course, decide to do something differently or decide that there needs to be some mitigation measure. That is very challenging. My experience is that Ministers do take that seriously and do act on it.

Q205 **Chair:** Could I ask a question? Why do you think it is that issues of equality are still a bolt-on in the way that you describe? Why are they not inherent in Ministers' thinking from the start?

Penny Mordaunt: Although it is a very dry topic, the machinery of government has not really facilitated it. To really crack those injustices that we all know are there is not within the gift of one Department. It will require many Departments. If, for some reason, it is not the top priority of one of those Departments, or if they have concerns about it, quite often you do not get what you need to deliver it.



Q206 **Chair:** For some Departments, is equality not a top priority?

Penny Mordaunt: No, I do not think it is that. What we are talking about is delivering on particular things. Delivering, for example, what people with learning disabilities require requires so many Departments to be acting in concert with one another. By moving the GEO to the Cabinet Office, it will enable it to have greater clarity about the issues that are in Heather Wheeler's, Jackie Doyle-Price's and Rory Stewart's in-trays, and to support those Ministers if another Department is not delivering at the pace that they require to deliver those changes for those individuals.

It is not a lack of motivation on the part either of Ministers or civil servants. The only Department that is dropping the ball on single departmental plans is the GEO, because we missed the boat as I was moved into this post. That has improved but I really do believe that, unless we make these machinery of government changes, we will not be effective in delivering those things. You need that absolutely methodical, relentless focus and clarity on what needs to be done in this financial year to deliver on that agenda.

Q207 **Jess Phillips:** Let's go back to the equality impact assessment of a policy. In your role and in the role of the GEO, if an impact assessment said, "This policy that we are going to put in place is going to fundamentally only affect women. It is going to be worse for women and it is going to affect them much more disproportionately", what would you do? That has happened but maybe not in your era. There has not been much policy since you have been there that has gone through, but that has happened.

Penny Mordaunt: We need to ask why that happens. My personal view is that equality impact assessments should be useful. They should identify where there are problems. They should identify where a policy might need to be strengthened or mitigated or compensated for in some way. The earlier a Minister, whichever Department they are in, can get that feedback on how something might work, the better. My concern about the impact assessments is that if you have been chugging along, trying to get something good—in your view—to happen, it is a hard thing for Minister pause that in order to make changes when they know they may only have a window to announce it, if they are trying to get the change out the door. They will go for good rather than perfect, I am sure, every time. If they think something needs to be addressed, they will address it later down the line. We need to look at whether that works effectively.

The work that we have been doing over the last few months and the conversations we have been having with Departments has been asking them to look at precisely those things that would no doubt have been flagged in some impact assessments, but we think more needs to be done. I mentioned issues in UC, for example. Those sorts of issues are what we need to be focused on. Going forward, however, I just want to make sure Government Departments are doing absolutely everything



HOUSE OF COMMONS

they can and that impact assessments are not box-ticking exercises where we can say, "Here is the document", but rather that they are helping produce better policy and better things for people in the country.

Q208 Chair: We are very interested in the impact of policies. You mentioned some research being done by DWP on that. Could we have a copy of that research? We would be interested to know where the Government's thinking is going.

Penny Mordaunt: It is not a piece of research. I have been looking at how you can better look at the impact of a particular course of action across areas that are wider than Whitehall. I know that there are some civil servants in the Department for Work and Pensions who are really very good at working out mechanisms whereby you could do this, so that there is, if you like, not a cumulative impact assessment, but a cumulative impact forward look at the things that would be affecting the individual—the persona—that you are particularly concerned about.

Q209 Chair: It is really important that the Committee understands how the Government is evaluating its policies and we have found it very difficult to get any information from any Department on that. We keep getting passed around Departments, which we have raised with you or perhaps your predecessor before. It really is important. Probably we do not have enough time to go into more detail here.

Penny Mordaunt: I am looking at this in parallel with the work we are doing on the women's economic empowerment strategy. My timetable on that is that I will produce that strategy in the spring, following some guidance from the Social Reform Committee. Clearly, it is not going to be much good unless we have ways that we are going to also measure how we are going to do that.

Q210 Chair: It will be part of that strategy.

Penny Mordaunt: Yes, I could produce something around that time.

Q211 Chair: You will write to us with a copy of your strategy and the way in which you are going to measure it.

Penny Mordaunt: Yes, I can do that.

Chair: Brilliant.

Q212 Tonia Antoniazzi: The GEO's programme budget is £14.5 million, spread across work supporting three pillars. Can you give us an update on the progress on each of those areas?

Elysia McCaffrey: The first of those pillars is tackling gender inequality in the economy and in society, and the second year of gender pay gap reporting. We are now in our second year of gender pay gap reporting. We have invested in our systems. We were quite delighted with the level of public interest in the portal, where employers are required to report their gender pay gap figures. In fact, leading up to the deadline in the



HOUSE OF COMMONS

first year, we had 1.2 million hits on our website, which was way in excess of anything we had expected. We have made some enhancements to that system now, so that employers and employees can go on and make comparisons between their organisation and similar organisations. We think that that will help to continue the national conversation on the gender pay gap.

We are also working closely with employers to make sure that they are developing action plans to support taking action. We know that, in the first year, around half of employers who reported published an action plan. We would like to see all employers publishing action plans and we would like to see them taking really only the most effective actions. We have provided some guidance to help employers to know the best actions to take and also some of the things that may be less effective and that they should invest less time in.

We have continued to work with the Women's Business Council and the Hampton-Alexander review, and progress to get women on to boards in FTSE 350 companies is progressing and going in the right direction. The work there is paying off.

We have also had a wonderful year celebrating the centenary of women's suffrage, which I know you have all been part of in various activities. The impact of that has been good. We have yet to assess that fully but we know that the education packages in schools have been very positively received. We know that a lot of the national celebrations have been well attended. Awareness of this milestone has been really positive.

The returner programmes remain on track. We had £5 million committed to help us to get men and women who have been out of work for caring responsibilities into work. We are still delivering that programme but it is effective and we are seeing positive take-up on that.

In terms of building and disseminating the evidence base, we have two programmes in place that are looking to do that. We have a partnership with the Behavioural Insights Team, where we are looking at what really works to make a difference and making sure that everybody is aware of that. We also have the WAGE programme—the workplace and gender equality programme—where we are consolidating research from lots of academics and making sure that that is really effective.

That is on our first pillar. We think we are making good progress there. We are on track to deliver and we are hoping that the conversation around the gender pay gap continues to improve the rate of change on that.

In terms of improving outcomes for LGBT people, we published our action plan earlier this year. We are delivering this over a period of four years. We have had some really good achievements already. The role of health adviser is due to be advertised soon. We are also putting out a call for evidence to gather a better understanding of the issues that affect



HOUSE OF COMMONS

intersex people and also, slightly later than that, non-binary people. That is planned for early in the new year. We also have three grant schemes in place now, so that people can bid for funding to help make a difference. On the LGBT action plan, we are making really good progress. We are on target to deliver the things that we have set out there.

Our final pillar is around taking action as a campaigner to ensure a world-class equalities framework. Again, we are delivering against those things. There was £1.4 million in the budget for this year. We are developing a programme to help people who have disabilities to access elected office. We are also ensuring that the Equalities Act remains as strong as it should do. We fund a helpline on that as well, to make sure that members of the public can get help where they need it. All of those areas are on track.

Q213 Tonia Antoniazzi: Last time you came to the Committee, Minister, you said you wanted meaningful indicators for the performance of the GEO but you were not in a position at the time to say what these objectives should be. Now that you have been in post for seven months, what measures should we be using to hold the GEO to account?

Penny Mordaunt: I would say that you want two things. First, you want to know what the things are that we are setting out to deliver. One area where this is in a good place is, clearly, the LGBT piece and the action plan. There are key things in there that we could be held to account for and that other Government Departments could be held to account for.

Then there is the question of how we know that they were the right things to do. How do we measure the actual impact in the country? Again using that example, clearly the survey that we did set the baseline and we can also reproduce it in future years. You would want to see improvements in areas that the survey flagged up, both in terms of people's experiences of accessing public services and the culture change issues. It is about us being very explicit about the things that we as a Government need to ensure happen in order to deliver on those injustices.

There are gaps in that. Clearly, the LGBT piece is a good piece of work. There are gaps in, for example, really tackling the gender pay gap issues and the more fundamental social issues that sit behind that. There is an additional piece of work; I hope the economic empowerment strategy will help plug that gap. There are then things that are good pieces of work and very clear deliverables, but they are buried in other Government Departments and people struggle to get them done. It is about taking those things, allowing us to throw our weight behind those things, and helping those junior Ministers in other Government Departments.

It has taken a while to do this really well, but that is absolutely required. My deadline for this is that, as we move into the Cabinet Office, we will have those things in place. We will be able to produce a plan that everyone can see. It is what we should be held to account on. It will



HOUSE OF COMMONS

also say how we will contribute to deliver and support other Government Departments in their part on it.

Q214 **Tonia Antoniazzi:** How is the GEO providing analysis on these indicators, standards and targets for the performance?

Penny Mordaunt: People will be able to hold us to account for the things that we say need to change or new things that we need to bring in, focus on and do. There are some further enablers that we need to develop that are beyond Whitehall. I have commissioned a piece of work from the Department, again on the women's side of things, to look at how we really enable women to set our agenda. We already have various forums and groups established; again, they tend to be focused on women in work and exec women. They are doing great work and have been hugely helpful, but how do we really ensure that a citizen in any part of the UK can really get their issues on our agenda? This could be a way of pulling together women's organisations and groups around the country. It could be about setting up something new. I do not know the answer to that yet but I have commissioned a piece of work looking at that and at how we really ensure that we are as responsive as we need to be. That is another thing that I am looking to do.

Q215 **Eddie Hughes:** We have already touched on certain elements of strategy and communication, but in June you told us that there was going to be a strategy and that work was going to be done on it over the summer, setting out the priorities. What progress has been made?

Penny Mordaunt: A great deal. The biggest gap was on building financial resilience and ensuring that women had opportunities. We are taking a piece of work to the Social Reform Committee in early January and, subject to what that Committee says, we will produce a strategy looking to plug that gap in the GEO's work.

Q216 **Eddie Hughes:** When do you think that will be a finished document and where will it be visible to the public?

Penny Mordaunt: We will produce it in spring. We will publish it. It will then go on to inform our single departmental plan, which will also be in the public domain.

Q217 **Eddie Hughes:** When do you think there will finally be a clear document that the general public can look at and say, "Now I understand what the Government's strategy and priorities are"?

Penny Mordaunt: April.

Q218 **Eddie Hughes:** You have also spoken about improved communication both within Government and more widely. Do you think the communication to date around the GEO's strategy and priorities has been sufficient?

Penny Mordaunt: No, and the GEO would be the first to say this. In fairness, part of the reason for this is that, again, it comes back to this



HOUSE OF COMMONS

very dry issue of where the GEO has sat in Government. It has been a pretty nomadic Department, and Whitehall requires a Permanent Secretary to be responsible for any bit of Government in order for that bit of Government to be reflected in that Department's single departmental plan. Because of that, and because of the change of Minister to me and when that happened, this year we do not have a single departmental plan that is there for people to hold us to account by. We have other ways that people can hold us to account—our work streams, the LGBT action plan and those sorts of things—but it is not where it should be and we really recognise that.

I am determined to ensure that for the next shot that we have at this—and as we go into a spending review—we are in the best shape we possibly could be in to have identified the things that, as a Government, we need to focus on and then what that means for the work plan of the GEO. It has not been adequate at all.

The other thing that I have been very focused on ensuring happens is our communication to the key parts of Britain that need to help us deliver on this agenda—employers being an obvious example. We did a quick audit across Government of what our equalities asks were of particular stakeholders. There are an enormous number of asks, with no co-ordination about how we make those asks, creating a Jupiter sling effect, as opposed to all Departments competing against each other to try to get things to happen.

I have flagged this and discussed it at Cabinet. With the support of David Lidington and Greg Clark, we are looking to join up our communications with business better, so that we can just have a greater impact. I would hope that it would not just be this Committee and others who follow our every move, understanding what we are trying to achieve in the next 12 months, but that an HR director would as well. That is what I hope we would be able to achieve.

Q219 Eddie Hughes: It all feels a bit sad, given the fact that it is nomadic, and the worry is that the vagary of Government will mean that, if, in the future, there is a change again in terms of the people around the Cabinet table, it will move somewhere else. It feels like one step forward and two steps back.

Penny Mordaunt: No. That is why this change is so significant. It is not just, "Let us move it to the Cabinet Office"; it is that it would be given a permanent home. We anticipate that John Manzoni would be the Permanent Secretary who would be looking after the GEO. It is true that you might have a different Secretary of State and you might have different Ministers in the future, but by basing it there, you allow that continuity that, previously, the GEO has not had. It is not just about a new home but about ensuring that we have that hub for equalities at the absolute heart of Government.

Q220 Eddie Hughes: I am sorry, Chair, for drifting off into a different area



HOUSE OF COMMONS

slightly, but the idea is that where the Minister physically sits is where the hub of activity is. Nobody can sit in two places. I appreciate that it will benefit from that extra focus being in the Cabinet Office, but you will not be always sat next to it.

Elysia McCaffrey: On the communications point, we are really aware in GEO that our communications and the way that we have sold the work that we are doing have not been as effective as we would have liked. That is, in part, because of moving between different Departments, and the communications responsibility often sits within the parent Department. One of the things that we have done recently to improve that is to bring our communications team into the GEO. We have a dedicated comms team now, which we did not have previously, and we have been building that throughout the summer, so that we have the right people who can put those messages out and who are just dedicated to equalities. We do not need to compete for time within a parent Department, and that is part of how we build our resilience with our move to Cabinet Office.

Penny Mordaunt: It is a fair point, and I know that this Committee has expressed a view that this is a full-time job and, therefore, you need a full-time Minister to do it. I completely understand that view but, if you cannot have that, it is doubly important that the civil service supporting that Minister has a permanent home with proper support. It is only then that you can really establish those cross-Government relationships and a way of working that is going to deliver on the equalities agenda.

Q221 **Eddie Hughes:** The UK Government's state report on CEDAW refers to your role leading delivery of the Government's gender equality strategy but we have heard there is some confusion about whether such a strategy exists. Is there a gender equality strategy and, if so, where do people find it?

Penny Mordaunt: Again, coming back to a core theme of questioning, there is not a strategy. Over the last year, there have been improvements in other Government Departments' single departmental plans, but the timetable that I have articulated and the additional work that has been going on to produce a strategy for the GEO, but also the work streams within it that we want in place by the time we move into the Cabinet Office, will make these things explicit. It will include our work to deliver on sustainable development goal 5, CEDAW, international conventions and all of those things. We need to pull that together. We need to do the legwork to plug the gaps, where there are gaps, but April is my objective.

Eddie Hughes: It will all be covered. Thank you.

Q222 **Chair:** I am just going to touch on CEDAW, again starting with strategy. What strategy does the Government have to comply with CEDAW, which is a major international convention?



HOUSE OF COMMONS

Elysia McCaffrey: There are a number of things that are in train and a number of things that we have progressed in line with our commitments to CEDAW, and we do have our examination at the CEDAW committee in February.

Q223 **Chair:** I am talking about currently. What strategy do you have in place here and now for complying with the CEDAW obligations that you have already agreed to?

Elysia McCaffrey: We have a record-high female employment rate, which we continue to work on. We have a higher percentage of women on FTSE boards, which helps us to progress with our commitments there as well. Things that we are doing at the moment include tax-free childcare entitlement, the introduction of shared parental leave, the proactive strategy for violence against women and girls that includes the forthcoming domestic abuse Bill, which will protect and support victims, and £100 million of funding that is being committed between now and 2020 to strengthen support for victims.

Q224 **Chair:** We have to make sure that there is consistency between Government Departments when it comes to complying with international conventions. How do you make sure that that happens?

Elysia McCaffrey: We work closely with the other Government Departments and we have demonstrated that recently with the reports that we have put to CEDAW, particularly with the Ministry of Justice and the Home Office. We have frameworks to work with them. We produce all of the reporting that we take to CEDAW. In fact, we will all be part of a joint delegation in February.

Q225 **Chair:** One of the problems that we have had flagged to us is the way in which women's organisations have been consulted. What have you done to make sure that you have heard properly from women's organisations, and why do you think that concern exists?

Elysia McCaffrey: It is a shame, because we have generally felt that we have very good relationships with women's organisations. It is something that, in the UK, we tend to do much better than other countries. We have worked to consult with them. We need to listen to that feedback and respond to that, and we plan to meet with them more regularly before we go for our examination in February, to make sure we understand the issues that they feel.

Q226 **Chair:** Why do you think you are better than other countries? What is the evidence for that?

Elysia McCaffrey: We have very positive relationships and we see that at events like the Commission on the Status of Women, where we work very closely together. We regularly meet with women's organisations and different NGOs, and we generally receive positive feedback from them about the relationships that they have. We are often told that they



HOUSE OF COMMONS

feel they have good access to us, so it is disappointing that that is not the feedback this time.

Q227 **Chair:** That absolutely is not what they tell us, so why would that be? Why is that mismatch there? It is really important that Government not only listens but is seen to listen.

Penny Mordaunt: I would say two things on that. First of all, I do recognise that, when there is a piece of work that needs to be done—whether it is preparing for the review or a consultation that is going on—the GEO is good at the events, the outreach and the engagement that it has. What I would like to move us to is a more regular conversation, which also taps into women’s organisations in every part of the UK. Our standing boards, although they are great and have been enormously helpful—and we can evidence things that they have enabled to happen—do not cover the breadth of people who we need to be talking to, particularly if we want to get more focused on marginalised individuals and people who we are fundamentally here to be really supporting. I have commissioned a piece of work to look at how we do that better in the future.

I also see in other areas that I do—the SDGs and so forth—that we tend to scoop up things that Departments are doing that contribute towards something, as opposed to starting with the something, working back and saying, “What is it that we need to do to achieve that?” That is the kind of change that we want to see. There is good work going on but I recognise it needs to be better, and that is the kind of change that I am trying to introduce with this new setup in the Cabinet Office.

Q228 **Chair:** I am sure that the women’s organisations we have spoken to would be very pleased to hear you want more regular conversations. What sort of format will that take?

Penny Mordaunt: This is the piece of work that we have commissioned, because I do not think it is just that we see the same organisations more frequently, many of which will be London-based. We have to have a network and a way of people flagging to us what they are concerned about and where they think we are not delivering. Again, I have commissioned this work and it has not been done, but the sorts of things that I have flagged include the fact that there are clearly lots of standing networks and organisations out there. There is a lot of stuff online that raises and flags issues. How are we capturing that and how are we allowing our agenda to be set by people, with the new opportunities we have to do that?

Q229 **Chair:** As a Committee, we are really pleased to hear about the work that you have commissioned, although you can perhaps sense our nervousness, given that you are our fourth Secretary of State in four years. Having been in post for seven months, you are at least one of the longer serving ones. To what extent will we have consistency in the future, not particularly in terms of your tenure, which I know is not in



your hands, but in terms of people following through on these things that you are putting in train? Does the commitment come from the top?

Penny Mordaunt: Yes, it does. What I have tried to do in all of this is to address, fundamentally, the agenda that the Prime Minister has set out. My experience of prepping the Cabinet Office for the GEO's arrival and talking to those key individuals in Cabinet who are responsible for ensuring that the Government is delivering on what it should be doing—people like the Chancellor of the Duchy of Lancaster, for example—is that we need to provide as much as we can in terms of reassurance and confidence that this work needs to carry on. I am not under any illusion that that will happen just by moving someone into the Cabinet Office, but we will be massively helped by establishing those permanent structures that are going to ensure that people are focused on the right issues.

The work that we are doing in the run-up to April will set this out in a much clearer way. People will be able to know what we are working on on a day-to-day basis, and will be able to see the tough issues that we are really trying to deliver on. That is the only way we can provide that continuity.

Q230 **Chair:** One of the toughest inconsistencies when it comes to CEDAW is the problem that the Government have got themselves into with regard to abortion in Northern Ireland. Governments of successive colours have decided to delegate this as a policy area to Northern Ireland, yet you have signed international agreements at a Westminster level. How are you going to sort that out, particularly when you do not have an Assembly in Northern Ireland and in the light of the Supreme Court judgment?

Penny Mordaunt: This is where the GEO should be making a difference. It is Government policy that these are devolved matters but anyone can see—from Supreme Court rulings and cases that are still under consideration, as well as the view that this House has expressed on these matters—that that is not going to be a tenable situation, if the situation in Northern Ireland and the lack of an Assembly continues. That is just an incontrovertible and irrefutable reality.

What you would want from your Equalities Office in such circumstances is to be thinking through the possibilities that will inevitably come from that. In my view, if the absence of the Assembly continues, the pressure for Westminster to act will increase. There are some very practical issues that need to be grappled with and grasped. It is tremendously helpful that this Committee is looking at those issues, but the Government need to as well, in particular on the very practical issues of what sort of services there would be and how they should be operating in Northern Ireland, if that situation were permitted.

Q231 **Chair:** Can I just be very clear? If the Supreme Court were to find that the law on abortion in Northern Ireland is incompatible with article 8—we know the current situation with the current state whereby the Northern



HOUSE OF COMMONS

Ireland equalities organisation was found not to have standing, but if there was a successful case—would the Government act immediately to rectify that or not? What is the Government's policy on acting if there is non-compliance with a UK law in terms of human rights?

Penny Mordaunt: We have looked at and mapped out what would need to happen. That is the only sensible thing for us to do.

Q232 **Chair:** What is the Government's policy on making sure all our laws are compatible with human rights?

Penny Mordaunt: At the moment, Government policy is that these matters are devolved.

Q233 **Chair:** My question is about the Supreme Court judgment on article 8 human rights. What is the Government's policy on that?

Penny Mordaunt: At the moment, with regard to the issues involved, whether it be on abortion or on other issues such as equal marriage, it is the Northern Ireland Office that is leading on those issues. The Government's policy remains that those are devolved issues.

Q234 **Chair:** Do you not, as Minister, have to sign off every piece of legislation that comes in front of Parliament to say it is compatible with human rights law?

Penny Mordaunt: No.

Chair: You do. Sorry, you do. You absolutely have to.

Penny Mordaunt: What I am concerned about is that we have a raft of issues about which the courts have expressed a view that they are incompatible with human rights. I know people here are extremely exercised about the fact that you have this huge disparity of—

Q235 **Chair:** Sometimes the Government take different views on cases that go before Strasbourg and cases that come in front of the Supreme Court. It is certainly my understanding that, if a case that came in front of the Supreme Court was found to be wanting in terms of article 8 rights or any other rights—the Human Rights Act—the Government would immediately act. I realise it is a very focused question, but there is a reason I am asking it, and it would be really helpful to be very clear on the Government's policy on that.

Penny Mordaunt: Yes, I understand. My understanding, as the Equalities Minister, is that the Government would have to act. As the Equalities Minister, I have asked my civil servants that, for each of these issues, we have worked out what we need to do as a Government to take action.

Q236 **Chair:** It is really clear that that is the case, because I realise that there might be differences when there are cases before Strasbourg, and the Government take a slightly different view to that for entirely clear reasons, but could you write to us with a point of clarification on your



attitude towards cases that come before the Supreme Court?

Penny Mordaunt: Absolutely. I would be happy to do that. In addition to the legislation or other things that the Government would have to do, we also need to ensure that, if it involves an issue like abortion, for example, the practical work that is required to think through how those services might operate has been thought through. It may never be the case that we are required to act on any of those things, but we should be prepared to.

Q237 **Chair:** With our CEDAW hat on, this Committee is looking in detail at abortion law in Northern Ireland, and I hope the Government find that helpful. Our objective is to surface the voices of people who are affected by these policies throughout Northern Ireland and to put forward recommendations. We plan to do that in the spring.

Penny Mordaunt: It is helpful and we very much welcome your inquiry.

Q238 **Eddie Hughes:** In September, the Ministry of Justice published statistics on out-of-time claims to employment tribunals in a number of categories, including pregnancy and maternity. What discussion have you had with the Ministry of Justice on these figures?

Penny Mordaunt: I would say, just as a caveat, that the MoJ is one Department that we think we need to have a particularly strong relationship with, so we are looking at setting up a more formal way of working with the MoJ.

Q239 **Eddie Hughes:** You do not have a particularly strong relationship with them at the moment.

Penny Mordaunt: I do, but it can be improved dramatically, because there are so many areas where we are working on the same issues. We are looking at setting up some more formalised structures with the MoJ. We have been through the statistics on that.

Elysia McCaffrey: We have been gathering data on extensions granted by tribunals, particularly on pregnancy and maternity. We know that, in the first six months of this year, there were 25 pregnancy and maternity cases, and they were all allowed an extension. No cases had an extension rejected.

Q240 **Eddie Hughes:** What discussions have you had with the Ministry of Justice about those? Where does the responsibility for who is dealing with it and who is trying to improve the situation sit?

Penny Mordaunt: That sits with BEIS. Do you want to talk about the consultation? We are involved but they are the lead Department.

Elysia McCaffrey: There are a number of things happening around this. We work very closely with BEIS on this and we talk to the Ministry of Justice as well. In response to the Matthew Taylor review, BEIS is working to improve the advice and guidance that exists on pregnancy and



HOUSE OF COMMONS

maternity rights obligations. We in GEO have also committed to improve the guidance that is available, so that it is easier for people to access.

BEIS are reviewing the legislation on redundancy protection, in particular for pregnant women and new mothers, and are considering whether this is sufficient or whether an extension might be necessary, and how this might work. We are working with them on that and we are expecting that we will be able to set out the next steps fairly soon.

Q241 **Eddie Hughes:** Can you just give me an idea? What does “fairly soon” look like?

Elysia McCaffrey: Early in the new year, is it? Could we come back to you on that point?

Q242 **Eddie Hughes:** Yes. Will that thing that will happen be a publication of the consultation or of the review? There is some nodding going on behind you.

Elysia McCaffrey: Yes, a publication of the consultation.

Q243 **Eddie Hughes:** But you will write to us to let us know.

Elysia McCaffrey: We can do. Yes, absolutely.

Q244 **Chair:** In 2015, the Government’s own research identified that more than 50,000 women a year were leaving their jobs, simply because they were pregnant. In the response that you gave us to the predecessor Committee to this Committee’s report, we got the sense that there was going to be some action. Does the fact that there are still only 25 tribunal cases not worry you? It worries me a great deal. It worries me that we are still waiting for a consultation and it worries me that thousands of women have the law there but it is not working for them. That does not seem to be registered by the Government.

Penny Mordaunt: I would say that we are working with BEIS and ensuring that the consultation is going to be quality, and making our views known.

Q245 **Chair:** This is your own research. This is research you did with the HRC four years ago.

Penny Mordaunt: Yes. The thing that I would point to, which I hope will help raise this and other issues across Government, is the economic empowerment strategy. This looks at those key moments and events across someone’s life where they are either poorly served or put at a disadvantage.

Q246 **Chair:** I would like to stick with the specifics of pregnant women. I have raised this with successive Secretaries of State and successive Ministers in BEIS, and I simply have not seen any action. It is not even that there is a bit of action that might be helping. We have seen no action. I simply think it is unacceptable that, when the Government’s own research shows that there is such widespread discrimination, you have



not taken up the Select Committee's recommendation that we implement the same policy that they have in Germany—a similar economy to us—and put in place clear protections for pregnant women and new mothers, so that they do not have any threat of being made redundant. We know that if you are made redundant when you are a pregnant woman or newly back in work, you are far more likely to fall out of the labour market and add to the gender pay gap problems. Why is this a blank spot for the Government?

Penny Mordaunt: There are a number of reasons why greater progress may not have been made on this issue. The first concern, which we really need to grip and get to the bottom of, is about, bluntly, burdens on business versus—

Q247 **Chair:** It is the law. I am sorry but we are not talking about burdens on business; we are talking about implementing the law here. We have very clear discrimination law. It is not an extra burden; it's about enforcing the law.

Penny Mordaunt: Sorry, I misunderstood your question. The only way to do this is through the work that BEIS has undertaken to do. We are working with them on that. There are clearly other areas of policy that are being talked about. It is only by working more closely with BEIS that we will make progress on that. I fully understand your point. The work we are doing on the economic empowerment strategy will help with that. In terms of other work that the GEO has been doing in the meantime, as well as the direct benefits of the work that has been done on the returners programme, there are lessons to be learnt from the work that we have done that will help to inform this debate going forward.

Q248 **Chair:** This Committee did a report on this in 2016—three years ago—and we made very well informed recommendations, most of which were rejected by the Government. It is not as if this Committee has not made clear recommendations, based on evidence, and I would really urge the Government to go away and reconsider what is in that report. In the absence of anything coming forward, that would be a jolly good starting place.

Penny Mordaunt: I would be happy to do that and will look at that.

Q249 **Chair:** Could you perhaps write to us to outline exactly what action you are taking? This is really a deep area of concern for me personally.

Penny Mordaunt: Yes.

Q250 **Tulip Siddiq:** In June, you told us that the Gender Recognition Act consultation would be conducted in a climate of respect and understanding. In your opinion, do you feel that has happened?

Penny Mordaunt: The vast majority of people who are engaged in this issue and who have responded to the consultation have conducted themselves with that tone. Clearly, there are some groups that have not, but we need to provide that reassurance, to move quickly, and, where



HOUSE OF COMMONS

there are myths or anxieties being caused, to quash them. We had an enormous number of responses, which are being gone through at the moment. We are still looking at February for that work to be completed by. I am very conscious that we need to move as swiftly as possible. It is just a huge amount of information to get through and we need to do the job properly. The swifter we can come back from that consultation with some proposals, the better.

Q251 Tulip Siddiq: In terms of the way that the consultation was launched and then run, do you think that was helpful and constructive and led to a helpful and constructive dialogue?

Penny Mordaunt: I do. We were very careful in how we launched it, but also in the work that the Department undertook throughout the consultation. We knew that to do this well we had to ensure that everyone had their voices heard. We put a lot of resource into conducting many meetings; it was more than 100, I think.

Elysia McCaffrey: We met with over 100 organisations.

Penny Mordaunt: We also facilitated others holding their own events in order to feed into the consultation. It was done well by the GEO.

Q252 Tulip Siddiq: What was the attendance like at the over 100 events that you held?

Elysia McCaffrey: The attendance was good. We received a huge amount of interest. Across the more than 100 organisations that we spoke to, we were able to speak to people who had a full range of opinions on the debate and encouraged them to complete responses to the consultation. We have had around 100,000 responses to the consultation. It is too soon to say what that is telling us—it is with our analysts—but we feel that everybody has had the opportunity to contribute.

Penny Mordaunt: We also extended the deadline for people responding. We certainly have not had individuals say that they could not get their response in or that they did not feel that they had our ear.

Q253 Chair: You mentioned February as being the date at which work would be completed. Could you clarify what you mean by “work completed”? Is that going to be where policy proposals are put forward, or legislation?

Penny Mordaunt: The volume of responses is so enormous that it will take us that time to work through them. We will publish a summary of the responses and the key issues, and then we will go from there in working out what we need to do in terms of those policy proposals. I can only emphasise that I intend to do that swiftly but well. I would not want there to be too much time between us publishing a summary of that consultation and us coming forward with proposals.

Q254 Chair: Before the summer.



HOUSE OF COMMONS

Penny Mordaunt: Yes.

Chair: Thank you very much, and thank you very much for your time today. We very much appreciate it. We realise you have very busy and hectic schedules. Thank you very much for taking the time to come before the Committee.

Penny Mordaunt: Thank you very much.