

European Scrutiny Committee

House of Commons London SW1A 0AA

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From: Sir William Cash MP

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6678/20 and 6648/20: Gender equality: Commission strategy and stocktaking

The Committee have asked me to thank you for your Explanatory Memoranda (EM) on the two above listed documents of 8 June 2020. The Committee was somewhat disappointed with their content with neither EM providing a satisfactory assessment of the Commission's plans for combating gender discrimination over the next five years. Indeed, in parts, it appears as though sections of the Commission's documents have been copied *verbatim* in your EMs. We are sure you will agree this is not what is expected of Government Departments and falls short of what is required for effective Parliamentary scrutiny. Should your Officials have any queries regarding the expected content of EMs, the Committee secretariat is on hand to offer advice.

The Commission's Gender Equality Strategy is a significant document and highlights the seriousness with which the EU intends to treat all facets of direct and indirect gender-based discrimination over the coming years. The importance of this document to the UK is clear: the calls for action it makes of Member States are directly relevant to the UK during the post-exit transition period—when the UK is obliged to give effect to EU law—and afterwards (when the legal and policy responses of the 28 EU Member States will serve as a comparator for the UK's own approach to equalities).

More critically, the Ireland/Northern Ireland Protocol to the UK/EU Withdrawal Agreement lists six EU law equality Directives that must be complied with in Northern Ireland beyond 31 December 2020. Any suggested revisions to these instruments will be trialled in EU documents like the Commission Communication and report under scrutiny; speaking to the

continued importance of this category of EU document after the end of the transition period.

The Commission's Gender Equality Strategy raises a number of questions concerning the EU-initiated work that the Government is undertaking whilst the UK remains bound by EU law, and the complementary domestic initiatives that it has carried-over from the previous administration. As such, we request further information on:

- the Government's view of the EU's approach to gender mainstreaming and whether it has considered adopting a similar policy for its own legislative and economic agenda;
- the timetable that the Government is working towards for ratifying the ILO Convention on combating violence and harassment in the world of work;
- whether the Government will review the operation of The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and consider introducing new criteria such as reporting for organisations with fewer than 250 employees;
- whether the Government is considering, or will consider, legislating to ensure that women are represented on the corporate boards of large UK-based companies;
- whether the Government will commit to give effect to those parts of the Work-Life-Balance Directive and the Transparent and Predictable Working Conditions Directive that are not currently provided for in UK law i.e. two months paid non-transferable leave per parent, and the restriction of probationary work periods to six months; and
- the Government's view on including a chapter on trade and gender equality in a future agreement with the EU and whether it will commit to promote and protect gender equality as an objective of negotiations with the EU.

I am copying this letter to Lord Kinnoull and Christopher Johnson in the Lords; Caroline Nokes MP, Chair of the Women and Equalities Committee; Harriet Harman MP, Chair of the Joint Committee on Human Rights; Stephen Timms MP, Chair of the Work and Pensions Committee; Les Saunders at the Cabinet Office; and to Joe Lawrence, Departmental Scrutiny Co-ordinator.

CHAIR