Unequal impact? Coronavirus and the gendered economic impact

Fifth Report of Session 2019–21

Report, together with formal minutes relating to the report

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Women and Equalities Committee

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Summary

The extraordinary and unprecedented circumstances occasioned by covid-19 compelled the Government to take extensive measures to support and protect the population, often at great speed. Whilst the health and economic crisis affected everyone, we quickly became aware of the particular and often disproportionate economic impact on individuals and groups who may already be vulnerable, marginalised or overlooked. This Report highlights how existing gendered inequalities in the economy have been ignored and sometimes exacerbated by the pandemic policy response.

The Committee’s key recommendations and conclusions are:

- The Government acted at considerable speed to design and implement schemes to protect jobs, and the Coronavirus Job Retention Scheme (CJRS) and Self-Employment Income Support Scheme (SEISS) have provided a vital safety net to millions of people. However, the design of these schemes overlooked - and in some respects continues to overlook - the specific and well-understood labour market and caring inequalities faced by women. This demonstrates the importance of equality analyses.

- We recommend that schemes to support employees and the self-employed should be informed by an Equality Impact Assessment, drawing on evidence of existing inequalities. The Government must conduct and publish Equality Impact Assessments of the CJRS and SEISS alongside its response to this Report. We believe this approach would better protect those already at disadvantage in the labour market, including women, and could inform more effective responses to future crises.

- We are concerned that the Government’s priorities for recovery are heavily gendered in nature. Investment plans that are skewed towards male-dominated sectors have the potential to create unequal outcomes for men and women, exacerbating existing inequalities.

- The Treasury must provide Equality Impact Assessments for the Industrial Strategy and ‘New Deal’. These should include a Gender Beneficiary Assessment of investments from the industrial strategy to date, including receipts of grants, gender occupational composition of companies operating infrastructure contracts, innovation grants and training participants and outcomes. The Treasury should also undertake an economic growth assessment of the Women’s Budget Group’s care-led recovery proposals. We recommend the Government publish these assessments within six months.

- We recommend the Government amend the Flexible Working Regulations 2014, to remove the 26-weeks’ service threshold for employees to request flexible working arrangements. The pandemic has clearly demonstrated that it is unhelpful and unnecessary.

- The Government should publish the draft Employment Bill by the end of June 2021. The draft Bill must take into account the recommendations made throughout this report.
We recommend the Department for Work and Pensions commit to maintaining the increases in support that have been provided during the pandemic until the end of the pandemic, including the £20 increase in standard allowance for Universal Credit.

While changes to the availability for Statutory Sick Pay (SSP) have benefited many, it has also thrown into sharp relief the demographics of those who are not eligible, and for whom the level of SSP provides an inadequate safety net. Women are over-represented in this demographic, and we are concerned that the Treasury seems both unaware and uninterested in the evidence showing this.

We urge the Government to conduct a study to examine the adequacy of, and eligibility for, Statutory Sick Pay. Such a study should be published within three months, alongside an equality impact analysis. This should be done alongside our recommendation for all workers on zero-hour contracts to be able to claim SSP, as set out in our Report on Unequal impact? Coronavirus and BAME people.

We urge the Government to introduce legislation in this Parliamentary session to extend redundancy protection to pregnant women and new mothers. The Government must also publish a cross-departmental strategy, following consultation with stakeholders, for dealing with pregnancy and maternity discrimination. We recommend this strategy be published within the next six months.

We recommend the Government publish, by June 2021, an early years strategy which sets out how childcare provision can best support not only working parents, but also those who are job-seeking and re-training. The review must also consider the feasibility of extending eligibility for free childcare provision for children under the age of three years.

We were concerned to hear the Minister for Equalities repeatedly refer to considering the effects of policies “in the round” in response to questions about the gendered impact of the Government’s policies. We are deeply concerned that a GEO Minister should appear dismissive of the imperative to consider the effects of policies on those with protected characteristics under the Equality Act. Such consideration is a legal requirement clearly set out in the Act’s Public Sector Equality Duty. While we acknowledge that the Government intends to take a “new approach to tackling inequality”, it has a continuing legal duty to ensure its policies and decisions do not adversely affect groups of people with protected characteristics. We are scrutinising the Government’s “new approach to fairness” in a separate inquiry.

We believe the GEO must take a more proactive role in mainstreaming gender equality in policy development across all Government departments. We urge the GEO and the Minister for Women and Equalities to be much more ambitious in co-ordinating equalities strategies and holding departments to
account on equalities. The GEO’s strategy plan for 2020–2021 must reflect these proactive policy development priorities and demonstrate clear key performance indicators for achieving them.

- We recommend the Government require all departments to collect and publish data disaggregated by sex and protected characteristics in a way that facilitates reporting and analysis on how, for example, gender, ethnicity, disability, age and socio-economic status interact, and can compound disadvantage.

- We recommend that gender pay gap reporting be urgently reinstated, with reporting for the financial years 2019/20 and 2020/21 required in April 2021.

- We recommend the GEO and EHRC explore the feasibility of reporting on parental leave policies in addition to gender gaps in furlough and redundancies for 2020/21 to supplement the information on pay and bonuses. We also urge the Government to support The Equal Pay (Implementation and Claims) Bill.

- The Government should publish proposals for introducing ethnicity and disability pay gap reporting within the next six months.

- We recommend the Government amend the HR1 form to require information about the sex, race, and if possible other protected characteristics of staff.
1 Introduction

1. The extraordinary and unprecedented circumstances occasioned by covid-19 compelled the Government to take extensive measures to support and protect the population, often at great speed. Whilst the health and economic crisis affected everyone, we quickly became aware of the particular and often disproportionate economic impact on individuals and groups who may already be vulnerable, marginalised or overlooked. At a time of national emergency, it was vital that the crisis response did not leave anyone behind. At the end of March 2020, we launched our inquiry “Unequal Impact: Coronavirus (covid-19) and the impact on people with protected characteristics”.¹

2. This ‘umbrella inquiry’ received over 500 submissions from a diverse range of stakeholders. Having carefully considered that evidence, we decided to focus on three sub-inquiries based on recurring themes. In this sub-inquiry, we wanted to understand how the economic impact of coronavirus has impacted men and women differently; for example, because of existing gendered economic inequalities or the over-representation of women in certain types of work, and also because of actions the Government has taken.

Evidence

3. In addition to the numerous submissions our umbrella inquiry received which addressed this area, we received 47 submissions to this sub-inquiry. We heard oral evidence from Maternity Action, Women’s Budget Group, Gingerbread, the National Hair and Beauty Federation, the Trades Union Congress, the Professional Association of Childcare and Early Years, as well as a number of academics and experts on the economy, labour market and workplace. In our final evidence session, we heard from the Minister for Equalities and Exchequer Secretary, Kemi Badenoch MP; the Minister for Employment, Mims Davies MP, and the Minister for Small Business, Consumers and Labour Markets, Paul Scully MP. We are incredibly grateful to everyone who took the time to contribute; a list of all witnesses and contributors of published evidence is listed at the end of this report. We also want to thank our Specialist Advisers Professor Abigail Adams-Prassl² and Dr Alison Parken³ for their advice, expertise and significant contributions.

¹ Women and Equalities Committee, ‘Unequal impact: Coronavirus (Covid-19) and the impact on people with protected characteristics’, accessed 12 January 2021
² Associate Professor and Senior Research Fellow, University of Oxford
³ Honorary Senior Research Fellow, Cardiff University
2 Labour Market and Employment

4. In this Chapter we consider how the Government’s main policies, particularly the Coronavirus Job Retention Scheme, specifically impacted on women and affected pre-existing trends or inequalities in the labour market. We consider how flexible working, necessitated by the pandemic, impacted gender equality in the workplace. Finally, we consider whether the Government’s priorities for growth and recovery are likely to create equal economic opportunities for men and women.

Pre-pandemic trends

5. On the eve of the pandemic, women’s labour force participation reached a record high in the UK: female employment stood at 72% in the final quarter of 2019, 1.94 million more women were in work compared to a decade before, and the share of women working full-time increased strongly between 2015 and 2019. However, as noted by the Women’s Budget Group (WBG), the headline employment figures by gender “mask considerable variation in the rates of participation in paid work by ethnicity and disability”. Furthermore, long standing gender differences in sectors, occupations, earnings, working hours, and employment security remained. This was evident across a variety of measures:

- The gender pay gap for median gross earnings (excluding overtime) amongst all employees was 17.3% in 2019. 79% of occupations had a gender pay gap of more than zero.
- Women were more likely than men to work part-time, and made up the majority (58%) of those in involuntary part-time employment.
- Women were the majority of those on temporary contracts (53%) and on zero-hours contracts (55%).
- Female employees were more likely than male employees to be working in jobs paying the National Minimum Wage. Low paid women were more likely than low paid men to remain stuck in low paid jobs.

Labour Market Policy Over the Pandemic

6. The pandemic bought about an unprecedented labour market shock and prompted a swift and wide-ranging policy response in order to protect jobs. The two key pillars of the Government’s labour market policy response have been the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS). In the light of the evidence we received, we focus below on the CJRS.
Unequal impact? Coronavirus and the gendered economic impact

**The Coronavirus Job Retention Scheme**

7. The CJRS, often referred to as the “furlough” scheme, was announced on 20 March 2020 and allowed employers to furlough workers for a minimum of three weeks, with the Government contributing 80% of employees’ salaries, up to a cap of £2,500 per month. By 14 June 2020, more than 9 million jobs—around a third of UK employees—had been furloughed under the CJRS. Under the scheme, employers could “top-up” salary payments, but workers were not permitted to work any hours until the introduction of flexible furlough on 1 July.

8. On 24 September, the Government announced a new Job Support Scheme (JSS) to replace the CJRS on 31st October. However, concerns were expressed that the design of the JSS did not give employers a financial incentive to retain workers part-time. On 22nd October, the Government announced a revised JSS with a lower minimum hours requirement and reduced employer contributions to create a stronger incentive for firms to retain workers part-time and to protect low-paid jobs. Following the announcement of the second national lockdown, it was announced that the CJRS (with the option of flexible furloughing) would be reintroduced until 31st March 2021. This was again extended to the end of April 2021.

**Gendered Employment Impacts of the Pandemic Policy Response**

9. The pandemic has caused severe disruption to the labour market. 370,000 workers were made redundant over August-October 2020, a record high, according to the ONS. While falling employment amongst men was largely driven by full-time self-employed men, falling employment amongst women was concentrated amongst part-time workers.

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11 The original CJRS scheme closed to new applications at the end of June.
12 The scheme was intended to be available for workers even if they were not previously furloughed. The original design of the JSS required employees to work at least a third of their usual hours and for employers to pay the wages of staff for the hours they worked. For hours not worked, the government and the employer were each to pay one third of their equivalent salary. The Government’s contribution was capped at £697.92 per month.
13 Q105 [Dr Monica Costa Dias]. See also, Resolution Foundation, The Winter (Economy Plan) is coming, September 2020
14 “Plan for Jobs: Chancellor increases financial support for businesses and workers”, HM Treasury press release, 22 October 2020
15 For employers that were legally required to close their premises as a direct result of Government-set coronavirus restrictions, the revised JSS ‘Closed’ scheme saw each employee receive two thirds of their normal pay, paid by their employer and fully funded by the government, to a maximum of £2,083 per month. For a discussion of the motivations for the reform see, “Rishi Sunak steps up efforts to avert mass unemployment”, FT.com, 22 October 2020
17 HMRC, ‘Check if you can claim for your employees’ wages through the Coronavirus Job Retention Scheme’, accessed 12 January 2021. Employees did not need to have been furloughed previously to be enrolled on the new CJRS scheme. The Government committed to covering 80% of an employee’s usual salary for hours not worked up to a maximum of £2,500 per month until 31st January 2021. The £2,500 cap is proportional to the hours not worked.
19 ONS, ‘Employment in the UK: November 2020’, accessed 12 January 2021; see also, Q112 [Dr Brown]
10. The IFS estimated that women were a third more likely to be employed in sectors that were “shut down” over the first national lockdown, and thus particularly at risk of job loss.\textsuperscript{20} HMRC statistics show that in most countries and regions more women than men were furloughed at 31 July.\textsuperscript{21}

11. Witnesses told us that gendered impacts of the pandemic were predictable given that women, particularly BAME women,\textsuperscript{22} were disproportionately employed in less secure, low quality work arrangements.\textsuperscript{23} A number of studies have found that those in insecure work, including zero-hours arrangements and temporary employment, suffered greater falls in earnings and hours over the pandemic than those on more secure contracts.\textsuperscript{24}

12. Workers on less secure contracts who were eligible for the CJRS have faced different experiences while furloughed. Furloughed workers on less secure contracts were less likely to have had their wages topped up by their employer beyond the 80% subsidy provided by the government.\textsuperscript{25} As women are more likely to be employed on insecure contracts, this has meant that women were 10 percentage points less likely than men to receive a discretionary top-up to their furloughed earnings.\textsuperscript{26}

**Combining work and care**

13. The pandemic has caused great disruption to care responsibilities. The gender gap in total childcare time increased over the pandemic; women increased the number of hours devoted to care by more than men, putting an additional burden on working mothers.\textsuperscript{27} IFS research found that mothers found it harder to work productively from home during the pandemic.\textsuperscript{28} Adams-Prassl et al found that mothers were 10 percentage points more likely than fathers to ask to be furloughed, while there was no gender gap amongst those without children.\textsuperscript{29}

14. Furlough was not clearly articulated as a right for those with caring responsibilities.\textsuperscript{30} Professor Rubery noted that this was at odds with the majority of EU member states, which made parental leave for care reasons a right over the pandemic.\textsuperscript{31} Witnesses argued

\textsuperscript{20} IFS briefing note, ‘Sector shutdowns during the coronavirus crisis: which workers are most exposed?’, 6 April 2020 (accessed 12 January 2021)

\textsuperscript{21} HMRC, ‘Coronavirus Job Retention Scheme statistics: September 2020’, accessed 12 January 2021

\textsuperscript{22} Q4 [Dr Stephenson]

\textsuperscript{23} Qq2–3 [Dr Stephenson; Professor Adams-Prassl]


\textsuperscript{25} Q6


\textsuperscript{28} IFS briefing note, ‘How are mothers and fathers balancing work and family under lockdown?’, 27 May 2020 (accessed 12 January 2021)


\textsuperscript{30} Treasury Committee, Fourth Special Report of Session 2019–21, Economic impact of coronavirus: Gaps in support: Further Government Response, HC 749. The Treasury Committee had noted that “employees are unable to make use of the CJRS if they need to temporarily halt their employment themselves to care for an isolating relative or to look after children”. The Government, in announcing the Winter Economy Plan, stated that the JSS “will contribute towards the wages of employees who are working fewer than normal hours due to decreased demand”.

\textsuperscript{31} Q107
that workers with caring responsibilities should have had the right to be furloughed,\textsuperscript{32} and that its absence has had a disproportionate effect on women’s employment.\textsuperscript{33} Pregnant then Screwed also criticised the all-or-nothing design of the original CJRS which had led to an “unfair division of domestic labour” and increased the risk of women being “earmarked for redundancy”.\textsuperscript{34}

15. Professor Rubery made a connection between the original design of the furlough scheme and future redundancies:

If everybody had been put on short-time working, we would have had less of a situation where those on furlough would be those being lined up for possible redundancies.\textsuperscript{35}

16. The Government acted at considerable speed to design and implement schemes to protect jobs, and the Coronavirus Job Retention Scheme (CJRS) and Self-Employment Income Support Scheme (SEISS) have provided a vital safety net to millions of people. However, the design of these schemes overlooked - and in some respects continues to overlook - the specific and well-understood labour market and caring inequalities faced by women. This demonstrates the importance of equality analyses.

17. We recommend that schemes to support employees and the self-employed should be informed by an Equality Impact Assessment, drawing on evidence of existing inequalities. The Government must conduct and publish Equality Impact Assessments of the CJRS and the SEISS alongside its response to this Report. We believe this approach would better protect those already at disadvantage in the labour market, including women, and could inform more effective responses to future crises.

Priorities for the Recovery

Inclusive Growth

18. On 30 June, the Prime Minister announced a ‘New Deal’, with the theme of ‘Build, Build, Build’, to counteract the economic impacts of Coronavirus.\textsuperscript{36}

19. Witnesses were critical of the Government’s priorities for recovery. Professor Rubery critiqued the gendered language of the economic recovery, arguing that the Government must “move beyond the “build, build, build” rhetoric”.\textsuperscript{37} Dr Stephenson questioned both the economic and equality bases of this approach:

the focus on shovel-ready projects, hard hats and hi-vis jackets suggests a focus on jobs that historically have been more likely to be done by men. It is really important to provide training and support for women to enter

\begin{itemize}
\item \textsuperscript{32}Q107 [Professor Rubery]; A Member of the Public (CVG0007); Pregnant then Screwed (CVG0032)
\item \textsuperscript{33}Q106 [Dr Monica Costa Dias]; Pregnant then Screwed (CVG0032)
\item \textsuperscript{34}Pregnant then Screwed (CVG0032)
\item \textsuperscript{35}Q107 [Professor Jill Rubery]. DELVE, a multi-disciplinary group convened by the Royal Society, warned that the premature ending of the CJRS risked a deterioration in mothers’ employment and career prospects. See, “Royal Society DELVE initiative, Economic Aspects of the COVID-19 Crisis in the UK”, 14 August 2020 (accessed 14 January 2021)
\item \textsuperscript{36}“‘Build build build’: Prime Minister announces New Deal for Britain”, Office of the Prime Minister press release, 30 June 2020 (accessed 13 January 2021)
\item \textsuperscript{37}Q138 [Professor Rubery]\
\end{itemize}
into those sectors and to get jobs in those industries, but looking at what, in the short term, would deal with the immediate crisis of loss of jobs in retail and hospitality, investment in care creates more jobs more quickly. Construction always has a time lag, however shovel-ready the project.  

20. Witnesses stressed the economic case for greater investment in the care sector including childcare. Some 42% of UK families have dependent children; care-givers in these families cannot work effectively and consistently without access to affordable, reliable childcare. Before the pandemic, the most common reason for economic inactivity amongst working age women was “looking after family/home”; 1.7 million women were economically inactive in the final quarter of 2019 for this reason. Lack of childcare was identified as a major barrier to the take-up of adult learning in pilots of the National Retraining Scheme, which is particularly concerning given the increased need for job-seekers to retrain in viable sectors. Dr Stephenson told us that WBG modelling had estimated a “care-led” recovery would “create over 2 million jobs, vastly more jobs for women, but actually significantly more jobs for men than, for example, investment in construction”.

21. We asked the Minister for Equalities about the focus on typically male-dominated industries to which she responded, “We are not providing policies based on where men and where women work”. She continued:

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.

22. We are concerned that the Government’s priorities for recovery are heavily gendered in nature. Investment plans that are skewed towards male-dominated sectors have the potential to create unequal outcomes for men and women, exacerbating existing inequalities.

23. The Treasury must provide Equality Impact Assessments for the Industrial Strategy and ‘New Deal’. These should include a Gender Beneficiary Assessment of investments from the industrial strategy to date, including receipts of grants, gender occupational composition of companies operating infrastructure contracts, innovation grants and training participants and outcomes. The Treasury should also undertake an economic growth assessment of the Women’s Budget Group’s care-led recovery proposals. We recommend the Government publish these assessments within six months.

24. Women are traditionally under-represented in sectors that have been singled out for Government investment, such as science, technology, engineering and maths
(STEM) and construction. More must be done to tackle gender inequalities in representation and career progression in these male-dominated sectors so that women do not lose out in the recovery.

25. **We recommend the Government fund training schemes specifically aimed at women in the Digital, AI, and the Green Economy through its Kickstart, New Training Fund and Restart programmes.**

**Working from home**

26. The labour market impacts of the pandemic raise wider issues for labour market policy in general and priorities for the recovery. The pandemic has bought about a big shift in working from home. Working from home brings opportunities for gender equality in the labour market. In April last year, the Minister for Women and Equalities told us of the potential for positive change in this regard:

> … a lot of employers who previously said people could not work from home are now finding that they can absolutely deliver from home. We should take the opportunity to capitalise on some of those cultural changes that have happened to make it easier for people balancing family and career to work from home, to make it more flexible and to challenge the culture of presenteeism, which has been very alive in business and has also been very alive in politics.\(^{45}\)

27. However, working from home could create challenges for career progression. Dr Brown argued that the ability to work from home could be a “silver lining” from the pandemic for women with children, while also warning of a definite risk of “permanent home workers being left out of the career ladder”\(^{46}\). A number of witnesses pointed out that working from home does not cause care responsibilities to vanish.\(^{47}\) As Dr Costa Dias described:

> … working from home for women is not the same thing as working from home for men… The number of hours [that women] have of uninterrupted work is minimal, while the fathers are much less likely to be interrupted… [This] may be damaging for her career prospects. Continuing to work […] offers a less professional image of working mothers than working fathers.\(^{48}\)

28. Nonetheless, witnesses said that greater flexibility to work from home, for those who want to, was something that should be made easier for workers. The Flexible Working Regulations 2014 provide eligible employees with a statutory right to request a flexible work arrangement (including hours, schedule and location changes). To be eligible, an individual must be an employee and have worked for 26 consecutive weeks for their employer. Professor Rubery argued that the pandemic has revealed how “unnecessary” the 26-week work service threshold in the Flexible Working Regulations was:

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\(^{45}\) Oral evidence taken on 22 April 2020, HC (2019–21) 276, Q14 [Liz Truss]

\(^{46}\) Q123

\(^{47}\) Q2 [Professor Adams-Prassl]; Q123 [Professor Rubery and Dr Monica Costa Dias]

\(^{48}\) Q123
I cannot see any real reason why people at the point of hiring cannot be given that opportunity [...] This is vital, because at the moment flexible working arrangements trap women into working for the employer with whom they have negotiated a reasonable working arrangement.

29. **We recommend the Government amend the Flexible Working Regulations 2014, to remove the 26-weeks’ service threshold for employees to request flexible working arrangements. The pandemic has clearly demonstrated that it is unhelpful and unnecessary.**

**Employment rights and enforcement**

30. The 2017 Taylor Review of Modern Working Practises, culminating in the Good Work Plan, provided a detailed assessment of the quality of work in the UK labour market. The Employment Bill was expected to implement a number of aspects of the Good Work Plan, including provisions around flexible working, employment status, labour market enforcement, extending redundancy protection for expectant and new mothers, carer’s leave and extended leave for parents of babies in neonatal care. No draft Bill has been published. Dr Brown argued that implementation of the Good Work Plan and the Employment Bill were “key” for embedding gender equality in future labour market strategy and would help to address issues relating to insecure work and flexible working.49

31. **The Government should publish the draft Employment Bill by the end of June 2021. The draft Bill must take into account the recommendations made throughout this report.**
3 Benefits and Social Security

32. In this Chapter we consider the gendered impacts of the changes to the benefits and social security system during the pandemic.

Pre-pandemic trends

33. Pre-pandemic research showed that women were more likely than men to claim benefits at some point in their lives, and thus were more affected by its design and overall generosity. Witnesses told us that the timeliness and structure of benefit payments could give rise to gendered economic effects. In April 2020, Professor Fran Bennett of the University of Oxford wrote that “outdated assumptions about family life” still remained as cornerstones of Universal Credit design.

Situation during the pandemic

34. The pandemic has caused a large increase in the number of people claiming benefits. There was a 90% increase in the number of people on Universal Credit between 12 March and 8 October. Over 700,000 people who applied for Universal Credit during the first month of lockdown remain on the system. Claims for other working age benefits also increased: the Department for Work and Pensions received over 250,000 claims for Jobseekers’ Allowance and over 20,000 claims for Employment and Support Allowance.

35. Dr Monica Costa Dias from the IFS warned that those losing their job at this time faced long-term unemployment and a prolonged period relying on government support. She emphasised the need to carefully consider the longer-term support required by people.

The Adequacy of the Safety Net

Universal Credit

36. On 20 March, a number of changes to the welfare system were made to “strengthen the safety net”. The basic Universal Credit (UC) award was raised by £20 per week (£1,040 per year), the maximum amount that claimants could receive to help with housing costs was increased, and the “minimum income floor” was suspended. These temporary

50 Q115 [Dr Monica Costa Dias]
51 University of Oxford Department of Social Policy and Intervention, ‘Coronavirus - the making or the unmaking of Universal Credit?’, 20 April 2020 (accessed 13 January 2021)
52 DWP, ‘Universal Credit statistics: 29 April 2013 to 8 October 2020’, accessed 13 January 2021
53 Ibid.
54 HC Deb, 4 May 2020, col 421
55 Qn115–6
57 A rule that reduced entitlements among the low-income self-employed, see DWP, ‘Universal Credit for the self-employed’, accessed 13 January 2021
expansions are due to end in April 2021 and have not been extended to legacy benefits. The benefit cap\(^{58}\) on the total value of benefits claimants can receive has remained in place, as has the two-child limit.\(^{59}\)

37. The Minister for Employment, Mims Davis MP, called the £20 a week increase to Universal Credit “a really important intervention for families most in need”.\(^{60}\)

38. Witnesses broadly welcomed these changes, although concern was expressed about the overall generosity of the welfare system. The pandemic had exacerbated perceived weaknesses in the Universal Credit system: for example, the requirement for a five-week wait for the first payment; single household payments; and joint household assessments and incentives.\(^{61}\)

39. After submitting a claim for UC, some applicants may have to wait at least five weeks before receiving their first payment. We heard that the five-week wait can cause particular difficulties for women in abusive relationships, especially during the pandemic, as other opportunities for support have been restricted.\(^{62}\)

40. Evidence has shown that single household payments as a default can make it easier for perpetrators of abuse to control their victims.\(^{63}\) The WBG argued that the ability to request alternative payment arrangements has been insufficient to alleviate these risks over the pandemic (and is also problematic in “normal” times).\(^{64}\)

41. Eligibility for UC is assessed at the household level. Both partners earnings and savings are assessed for eligibility and both partners must agree an individual claimant commitment. There is only one work allowance (earnings disregard) for a couple. 45% of unsuccessful UC claimants over the pandemic were ineligible because they/their partner was earning too much money.\(^{65}\) The Child Poverty Action Group concluded that such findings were “clearly hugely problematic when considered alongside women’s financial inequality”.\(^{66}\)

42. The design of Universal Credit creates risks for women’s financial independence, which can have severe consequences for women in abusive relationships. These risks have been heightened over the pandemic as other opportunities for economic support have been limited. They now also affect many more households given the rise in claimant numbers.

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\(^{58}\) The maximum amount of money from benefits that some households can receive, see Gov.uk, ‘Benefit cap’, accessed 13 January 2021

\(^{59}\) DWP/HMRC, ‘Families with more than 2 children: claiming benefits’, accessed 13 January 2021

\(^{60}\) Q161

\(^{61}\) Q13 [Dr Stephenson]; Q40 [Rosalind Bragg]; Q116 [Dr Monica Costa Dias]; Women’s Budget Group (Mrs0071); Women’s Aid Federation of England and Wales (Mrs0158); Scope (Mrs0367)

\(^{62}\) Surviving Economic Abuse (CVG0031); See also, Howard M., Benefits or barriers? Making social security work for survivors of violence and abuse across the UK’s four nations, June 2019

\(^{63}\) See, for example, Howard M., Benefits or barriers? Making social security work for survivors of violence and abuse across the UK’s four nations, June 2019

\(^{64}\) Women’s Budget Group (Mrs0071)

\(^{65}\) Child Poverty Action Group, Mind the Gaps: Reporting on families’ incomes during the pandemic, October 2020

\(^{66}\) Ibid.
43. The Department for Work and Pensions must urgently conduct or commission research to develop its understanding of the gendered impact of Universal Credit design, including the wait for the first payment; the single household payment structure; joint eligibility assessment; and the single earnings disregard. We recommend this research be commenced within two months of publication of this Report.

**Legacy Benefits**

44. Benefits which existed before UC (known as ‘legacy benefits’), which include benefits for disabled people, have not been increased since the start of the pandemic. Many stakeholders called on the Government to apply the increase to legacy benefits.67 There is evidence that more women than men receive legacy benefits and thus the exemption of legacy benefits from the £20 per week is likely to have had a greater impact on women.68

45. Mims Davis MP told us that “It is very difficult to upgrade and support people as quickly. We simply could not do it operationally.” She said those on legacy benefits could check their eligibility to apply for Universal Credit online, or apply for the hardship allowance fund from their local council.69

46. We recommend the Department for Work and Pensions commit to maintaining the increases in support that have been provided during the pandemic until the end of the pandemic, including the £20 increase in standard allowance for Universal Credit.

47. We find it implausible that it is operationally impossible to increase the rates of legacy benefits by the equivalent amount of the increase in Universal Credit. We recommend the Government immediately increase legacy benefit rates by the equivalent amount.

**Benefit Conditionality and Job Search Support**

48. Many benefit claimants are subject to work-related conditions. Failure to meet these can result in sanctions. Claimant responsibilities to look for work vary by the age of the youngest child for single parents and lead carers.70 The requirement for people receiving Universal Credit to prove that they are looking for work (claimant conditionality) was suspended for 3 months until 1 July 2020. On 29 June, the Secretary of State for Work and Pensions announced that benefits sanctions and conditionality would be reintroduced from 1 July.71

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67 Sense (Mrs0096); Zacchaeus 2000 Trust (Mrs0146); Parkinson’s UK (Mrs0249); MS Society (Mrs0345); see also, Joseph Rowntree Foundation, ‘Joint open letter to The Chancellor - Keep the lifeline’, 30 September 2020 (accessed 13 January 2021)

68 In explaining the reasons for changes in the number of male and female Universal Credit claimants over time, the DWP has noted that legacy benefits tend to have been claimed more by women. See, DWP, ‘Universal Credit Statistics: 29 April 2013 to 9 July 2020’, accessed 13 January 2021

69 Qq163–4

70 Those whose youngest child is aged two or under, do not have to look for work. Those whose youngest child is aged 3 or 4, must work a maximum of 16 hours a week (or spend this time looking for work). Those with children aged between 5 and 12, have to work a maximum of 25 hours a week (or spend this time looking for work). Those with children aged 13 or older, have to work a maximum of 35 hours a week (or spend this time looking for work).

71 “Benefit sanctions to return in England as jobcentres reopen”, The Guardian, 29 June 2020
49. Many witnesses expressed concern about the reintroduction of claimant conditionality on working mothers given disruption to childcare availability. For example, Gingerbread had asked the Government not to reimpose conditionality, given many single parents without childcare simply could not look for work. While there is Government support available to cover the cost of 30 hours of childcare per week, Professor Jill Rubery and Dr Monica Costa Dias highlighted that this is only available to parents who are in work or about to start work (rather than job-seeking) and is usually only available once children have reached the age of three.

50. As discussed in Chapter 2, traditionally female-dominated sectors have been hit harder during this recession and vacancies in service sector jobs remain depressed. Witnesses argued that this could affect women's ability to quickly find new forms of employment, especially given increased caring responsibilities. In the light of this, Professor Jill Rubery argued that conditionality needed reconsideration and urged a “change in mindset”, with targeted support for women including re-training provisions.

51. Mims Davis MP argued that the reintroduction of conditionality was “really important to help understand [claimants], support them and know what they need for the next stage of their career” and that it was “right that we looked to reinstate it”. While the Minister stated that DWP conducted an Equality Impact Assessment for the reintroduction of conditionality, she said this would not be published and “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.” She said “sanctions have never been lower” and that DWP would “always look for good cause and any reason that [a claimant] cannot adhere to their claimant commitment.”

52. Whilst this Report was in preparation, we noted that the Equality Impact Analysis (EIA) had in fact been published as part of a response to a Freedom of Information request in July 2020. We found the EIA to be insufficient and not fit for purpose. Under the heading “evidence and analysis”, the analysis of sex as a protected characteristic amounted to tabular data showing Universal Credit caseloads by females and males. Despite those figures showing more ‘benefit units’ with an adult female, the analysis amounts to this statement:

The reinstatement of conditionality will be equally applied to all claimants. We consider these changes will not have a disproportionate impact on the basis of gender.

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72 Q41 [Victoria Benson]
73 Gov.uk, ‘30 hours free childcare’, accessed 13 January 2021
74 Q126–7
75 Q113 [Professor Rubery]; Q115 [Dr Monica Costa Dias]
76 Q113
77 Q161
78 Q154
79 Q158
80 DWP, Equality Analysis for Reinstatement of Universal Credit, new style and legacy JSA and ESA Conditionality (review of The Coronavirus Regulations 2020 and Legacy JSA and New-Style (NS) JSA Regulations 2020), June 2020
81 DWP, Equality Analysis for Reinstatement of Universal Credit, new style and legacy JSA and ESA Conditionality (review of The Coronavirus Regulations 2020 and Legacy JSA and New-Style (NS) JSA Regulations 2020), June 2020, para 49
53. There is no mention of childcare or any recognition that women continue to bear the burden of this. In a separate section, under “family formation”, the EIA states:

We can expect that many claimants with children will have much altered childcare arrangements and may have difficulty adjusting or making new childcare arrangements. This will be taken into account using existing flexibilities, both in setting reasonable expectations of availability and work search, and including availability for interview and work start. Application of existing easements to switch off work related requirements for additional childcare responsibilities and other situations will continue to be applied where appropriate.82

54. 90% of single parents are women.83 There is failure to recognise that as women make up the majority of single parent households, and carry out most of the childcare in two parent families, this policy will inevitably impact women more negatively than men.

55. In discussing specific safeguards for carers who cannot work or search for work due to caring disruptions, Mims Davis MP pointed to the “emergency childcare easement” available when schools and childcare become “inaccessible”.84 The Minister also stressed that work coaches have been “very receptive” to the needs of lead carers and those with clinically extremely vulnerable children.85

56. Appropriate and clear guidance to Jobcentre Plus work coaches is vital, given pre-pandemic research which found that mothers subject to Universal Credit conditionality felt that their caring responsibilities were disregarded. We were unable to find specific guidance to work coaches on emergency childcare easements, beyond the very general guidance in the entirely inadequate Equality Impact Assessment of the decision to reinstate conditionality. We recommend the DWP provide such guidance to us in response to this Report and to work coaches as a matter of urgency.

57. Job vacancies remain depressed and women with caring responsibilities require targeted job search support. Maintaining mothers’ attachment to the labour market and increasing the opportunities to retrain for jobs in viable sectors is critical. DWP must expand and tailor its offer for mothers seeking employment, so that it encompasses retraining and re-skilling for jobs in the most viable sectors. This should be maintained for the duration of the pandemic as a minimum.

**Statutory Sick Pay**

58. The March 2020 Budget extended Statutory Sick Pay (SSP) to being available from ‘day one’ for people who were ill or self-isolating as a result of covid-19. For other illnesses, SSP is available from the fourth day an eligible worker is off sick. The level for SSP is set at £95.85 per week, payable for 28 weeks. To qualify for SSP, an individual must be classed as an employee and earn at least £120 per week on average. People have been required by

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82 DWP, *Equality Analysis for Reinstatement of Universal Credit, new style and legacy JSA and ESA Conditionality (review of The Coronavirus Regulations 2020 and Legacy JSA and New-Style (NS) JSA Regulations 2020)*, June 2020, para 52
84 Q158
85 Q158
law to self-isolate since 28 September, supported by payment of £500 for those on lower incomes who cannot work from home and have lost income as a result. However, take-up of these payments has been very low.

59. Many of those who submitted evidence to the Committee’s umbrella inquiry as well as this sub-inquiry, argued for a change to the eligibility criteria and an increase to the level of SSP.

60. The Minister, Mims Davis MP, did not agree that there was need for a change. She told us that “statutory sick pay is part of a broader welfare safety net. Those on low incomes who need SSP may qualify for other benefits.” However, as discussed above, the wait for the first UC payment is five weeks, and those applying for “New Style” Employment Support Allowance have been advised that their first payment should be made in “around two weeks”.

61. Mims Davis MP also pointed out that “employers have occupational sick pay policies that can also support people.”

62. However, research and evidence to the inquiry has shown that women are less likely to have access to occupational sick pay policies beyond the statutory minimum through their jobs. Professor Jill Rubery cautioned against a reliance on voluntary provision by employers:

I worry that, in a crisis, employers may step away from that kind of support and provision… It would not surprise me to see employers stepping away from providing the sick pay that most of the middle classes in the public sector have got used to.

Gendered differences in eligibility

63. Research by the WBG shows that women are less likely to qualify for SSP because of “low or intermittent pay, zero-hours contracts and not enough regular hours/earnings due to caring responsibilities.” The TUC concludes that women would be the main beneficiaries of removing the qualifying earnings rule for SSP; 70% of those benefitting from the change would be women. Dr Duncan Brown argued that “[t]here is just no
logic for the lower earnings limit. Clearly, that discriminates heavily against women in being able to claim it.97 In response to this evidence, Kemi Badenoch MP, Exchequer Secretary to the Treasury, told the Committee:

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.98

64. While changes to the availability for Statutory Sick Pay (SSP) have benefited many, it has also thrown into sharp relief the demographics of those who are not eligible, and for whom the level of SSP provides an inadequate safety net. Women are over-represented in this demographic, and we are concerned that the Treasury seems both unaware and uninterested in the evidence showing this.

65. We urge the Government to conduct a study to examine the adequacy of, and eligibility for, Statutory Sick Pay. Such a study should be published within three months, alongside an equality impact analysis. This should be done alongside our recommendation for all workers on zero-hour contracts to be able to claim SSP, as set out in our Report on Unequal impact? Coronavirus and BAME people.

97 Q117
98 Q153; See also, letter dated 18 November 2020 to the Chair of the Committee from Kemi Badenoch MP, Minister for Equalities, Government Equalities Office, which acknowledges the research by WBG and the TUC but does not address them.
4  Young people

66. In this Chapter, we consider the challenges faced by younger people pre-pandemic in the wake of the 2008 recession, and evaluate the success of apprenticeship and training schemes designed to assist this group. We have examined the economic impact on young men and women during the pandemic and consider Government schemes.

Pre-Pandemic trends

67. Prior to the pandemic, the picture for young people was one of rising economic activity and employment following the damaging impacts of the 2008 recession.\(^9\) Youth unemployment declined from 2013 - 2019, reaching 10.1% and 13.5% for women and men aged 16–24 in July-September 2019 respectively.\(^10\) However, pay progression was weak,\(^11\) and young people were disproportionately likely to work for low pay.\(^12\) The Resolution Foundation argued the best ever educated generation could not translate education to earnings as many entry level jobs available offered little training or job progression.\(^13\) Young people, those in full time education, BAME people\(^14\) and women were disproportionately likely to work on zero-hour contracts,\(^15\) and agency work increased by 30% for young people under 30 from 2011.\(^16\)

68. The Government’s flagship Apprenticeship training programme was designed to encourage employment and progression via a mix of work-based and formal learning.\(^17\) However, enrolment in the programme was below target and the introduction of new payment arrangements (‘the levy’) in 2017/18 caused a 26% fall in starts.\(^18\) Further, occupational gender stereotyping within the apprenticeship scheme had not been addressed. In 2018, women made up only 8% of STEM apprenticeships starts but 80% of

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\(^10\) *Youth Unemployment Statistics*, Briefing Paper 5871, House of Commons Library, November 2020

\(^11\) IFS, ‘What has been happening to career progression?’, 31 July 2020, accessed 15 January 2021

\(^12\) ONS, ‘Annual Survey of Hours and Earnings (ASHE)’, accessed 15 January 2021. Data relates to April 2020, when the Real Living Wage rates were £9.50 across the UK and £10.85 in London. Since 2016 the National Minimum Wage and the National Living Wage have been amalgamated. This is currently £8.20 per for 21–24 years, £6.45 for 18–21 yrs and £4.55 under 18. See Gov.uk, ‘National Minimum Wage and National Living Wage rates’, accessed 15 January 2021

\(^13\) Resolution Foundation/Intergenerational Commission, *The Kids Aren’t Alright: A new approach to tackle the challenges faced by young people in the UK labour market*, February 2018

\(^14\) Livinng Wage Foundation, ‘Living hours campaign launched to tackle work insecurity: New research finds one in six workers are in insecure, low paid work, with millions facing cancelled shifts, a lack of stable hours, or short-term contracts’, accessed 15 January 2021

\(^15\) ONS, ‘Contracts that do not offer a minimum number of hours’, accessed 15 January 2021


\(^17\) There are 4 main types of apprenticeship, Intermediate (Level 2), Advanced (Level 3), Higher (Foundation Degree and above), and Degree (Bachelors or Masters). The number of women starting apprenticeships has been growing, particularly at the lower levels, since the range of study was expanded into traditionally female occupations (i.e., retail).

starts in public services and care. The National Audit Office [NAO] found that women typically earned lower salaries than men after completing apprenticeships at every level, and that this gap grows each year after completion. TUC research also showed that young women were less likely to find a permanent position on finishing their course and reports an 18.4% gender pay gap amongst apprentices, linked to the gendering of occupations.

69. The NAO criticised the Government for not having a gender equality plan, with the need to monitor the progress of women and girls in STEM apprenticeships. The Young Women’s Trust concluded that there needed to be greater use of positive action measures by employers to recruit women into STEM apprenticeships.

Impact of the Pandemic

70. Young people have been hit especially hard by the economic turmoil caused by the pandemic. The fall in employment has been greatest amongst those aged 16–24 years old, reaching a record low in August-October 2020. IFS research found that young workers were two and a half times as likely to work in a shut-down sector: shut down sectors employed nearly a third (30%) of all employees under the age of 25 (25% of young men and 36% of young women). Given this, the IFS warned that the pandemic will make it much harder for young people to attain in-work progression. The number of young people claiming unemployment related benefits increased by 122% between March and July.

71. Understanding gender differences in the economic impact of the pandemic amongst young people has been complicated by data issues: statistics are rarely disaggregated by age and gender. In written evidence, the Young Women’s Trust (YWT) criticised the lack of official analysis or data of the gendered impact of the pandemic. From their own research and experience, the YWT identified a number of concerns for young women that demonstrate the specific impacts of the pandemic on them, including struggling financially before and during the crisis; taking on additional debt; being more likely to be on zero-hour contracts and in insecure work; inconsistent implementation by employers of the furlough scheme; the unaffordability of childcare, and closure of childcare provision. They called for the immediate release of gender disaggregated redundancy data to assess the impact of these inequalities.
Government action during the pandemic

72. In his Summer Economic Update, the Chancellor announced a number of measures specifically aimed at young people, who he acknowledged were “amongst the worst hit by the crisis”. This included £1.6 billion to be invested in scaling up apprenticeships, traineeships and employment support schemes; additional job finding support; and the £2 billion Kickstart Scheme, which aims to create new, fully subsidised jobs for young people across the country. Those aged 16–24, claiming Universal Credit and at risk of long-term unemployment, would be eligible.

Apprenticeships and Kickstart

73. By November 2020, over 19,000 job placements had been created via KICKSTART.¹²⁰ No equality disaggregated breakdown of these placements was available. The Chief Executive of the Young Women’s Trust, Sophie Walker expressed concern about the future prospects of young women entering or attempting to enter Kickstart, “unless these jobs lead to permanent employment, they will do little to raise young women’s prospects or lift them out of poverty.”¹²¹

74. The WBG recommended that KICKSTART guaranteed an equal number of work placements for young women and young men, made efforts to ensure women don’t miss out on well-paid work placements and monitored and published data disaggregated by protected characteristics.¹²² Dr Duncan Brown argued that, without a proactive approach, Kickstart could reinforce occupational segregation amongst young men and women.

75. Mims Davies MP told us that that “Kickstart was absolutely the right opportunity for our young people, because of covid-19 and managing that potential scarring effect on our young people[…]:

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.¹²³

76. Witnesses to our inquiry stressed the need to develop high quality, reputable training programmes that genuinely improved job prospects and developed skills employers valued.¹²⁴

77. Prior to the pandemic, young people faced a number of challenges including relatively high unemployment, an overrepresentation in forms of insecure work, and long-term issues of low pay and slow career progression. The Government’s flagship apprenticeship programme, intended to boost both employment and progression, suffered from a number of gender inequality issues (including pay and occupational

¹²⁰ “More than 19,000 jobs created by Kickstart Scheme so far”, HM Treasury press release, 12 November 2020 (accessed 15 January 2021)
¹²¹ Young Women’s Trust, ‘Chancellor’s statement: we need to avoid repeating mistakes of the past’, 8 July 2020 (accessed 15 January 2021)
¹²² Women’s Budget Group, Covid-19 and economic challenges for young women, November 2020, p 7
¹²³ Q187
¹²⁴ Q125 [Dr Monica Costa Dias; Dr Brown]
segregation) that remained unresolved. The pandemic has both exposed and exacerbated the economic vulnerability of young people, given their over concentration in shutdown sectors, and in insecure work.

78. We recommend that the Government mainstream equality into the design of apprenticeships and worked-based learning and actively challenge occupational segregation by gender. It must publish a gender equality plan for its apprenticeship programme and an action plan to increase the number of women in STEM apprenticeships.

79. We recommend that the Government establish quotas for women in its Kickstart scheme.

80. We recommend that DWP introduce training for Jobcentre Plus work coaches on supporting applicants into gender ‘atypical’ jobs.
5 Pregnancy and Maternity Discrimination

81. In this Chapter, we consider the issue of pregnancy and maternity discrimination prior and during the pandemic.

Pre-pandemic trends

82. Current legislative protections for pregnancy and maternity are set out across a number of legislative provisions. Despite legal protection, there has been evidence of widespread pregnancy and maternity discrimination. Research by the Equality and Human Rights Commission (EHRC) found that more than three quarters of women (77%) had had a negative or potentially discriminatory experience as a result of pregnancy or maternity; around one in nine mothers (11%) reported they felt forced to leave their job; 70% of employers felt that women should declare their pregnancy during recruitment, 25% that it was a reasonable to ask women about their plans to have children during recruitment and 27% that pregnancy was an unreasonable cost burden.

83. In 2016, our predecessor Committee concluded: “shockingly, pregnant women and mothers report more discrimination and poor treatment at work now than they did a decade ago.”

84. Yet the Government has again made little progress to stop discrimination. No legislation has been brought forward to meet the Government’s proposal to improve redundancy protection for pregnant women and mothers returning from maternity leave or to bring forward an Employment Bill to achieve said protection.

Situation during the pandemic

85. A survey of 19,950 mothers and pregnant women undertaken by Pregnant then Screwed in July 2020 confirmed the high levels of anxiety amongst pregnant women and mothers about redundancy. 15% of mothers had been made redundant or expected to be in the next six months; 10.5% of pregnant women, and 11.2% of those on maternity leave, were in the same position. A significant proportion of those made redundant, thought their pregnancy, maternity leave or motherhood was a factor.

86. The EHRC’s written evidence to the Committee’s ‘Unequal Impact’ umbrella inquiry described the reported instances of pregnancy and maternity discrimination as one of the “most urgent, immediate threats to equality” during the pandemic. The EHRC was particularly concerned about evidence of employed pregnant women or those

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125 These include the Equality Act 2010, Employment Rights Act 1996, Maternity and Parental Leave (etc) Regulations 1999 and EU law such as the Pregnant Workers Directive and the Equal Treatment Directive.
126 EHRC, ‘Pregnancy and maternity discrimination research findings’, accessed 18 November 2020
127 Women and Equalities Committee, First Report of Session 2016–17, Pregnancy and maternity discrimination, HC 90
128 Maternity Action (Mrs0183)
130 Gov.uk, Queen’s Speech December 2019, accessed 9 December 2020
131 Pregnant then Screwed, ‘The true scale of the crisis facing working mums’, accessed 15 January 2021
132 Equality and Human Rights Commission (Mrs0388)
on maternity leave being forced to take unpaid leave; forced to start maternity leave early; being placed on sick leave, rather than furloughed; or refused furlough because they have childcare responsibilities and are not deemed to be working (in contrast to male colleagues with children). The EHRC noted that some employed pregnant women have been forced to work without proper health and safety risk assessments.\(^{133}\)

87. Working Families told us that pregnant women had been incorrectly placed on sick leave as a result of the Government’s “initial confusing messaging”, which originally implied that all pregnant women would be required to shield for 12 weeks. They pointed out that under the original guidance, employees could not be furloughed until any Statutory Sick Pay period has ended. This meant that pregnant employees incorrectly placed on SSP for 12 weeks (based on the initial guidance), were not eligible for furlough for that period, placing them at a disadvantage compared to other employees.\(^{134}\)

### Proposals for change

88. The EHRC recommended that the Government made clear to employers that pregnant employees should be placed on full paid leave, if their health and safety would not be protected through workplace adjustments. They also recommended the Government remind employers of their obligations under equality law in relation to unlawful pregnancy and maternity discrimination. Rosalind Bragg emphasised the need for healthy and safety guidance for pregnant women in different occupational settings, and for redundancy protection to be strengthened.\(^{135}\)

89. On 8 July, Maria Miller MP (former Chair of the Committee) reintroduced a 10 minute rule bill to prohibit redundancy during pregnancy and maternity leave and for six months after the end of the pregnancy or leave.\(^{136}\) The Bill is scheduled for second reading on 12 March 2021. It has received support from a wide range of sources including Maternity Action, the EHRC, Fawcett Society, Pregnant Then Screwed, Working Families, the Royal College of Midwives, Unison and Usdaw.

90. In oral evidence, Paul Scully MP, Minister for Small Business, Consumers and Labour Markets, told us that the ‘rules had not changed’ - pregnancy and maternity discrimination was already against the law.\(^{137}\) When asked what the Government should have done, or was doing now, to tackle the ongoing problem of discrimination he pointed to “clear health and safety guidance to employers to minimise the risks in the workplace”,\(^{138}\) increasing the capacity of the tribunal system,\(^{139}\) and extending redundancy protection once an “appropriate legislative vehicle” became available.\(^{140}\) Asked whether the Government would support Maria Miller MP’s Bill, in the absence of a draft Employment Bill, he said:

> It is the approach we might not necessarily agree with […] 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

\(^{133}\) Equality and Human Rights Commission (CVG0023)

\(^{134}\) Working Families (Mrs0138)

\(^{135}\) Q28 [Rosalind Bragg]


\(^{137}\) Q173; Q177; Q180

\(^{138}\) Qq173–4

\(^{139}\) Qq176–8

\(^{140}\) Q177
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.\footnote{Q176}

91. However, Maria Miller MP, when introducing the Bill in 2019, noted that it would not need a new watchdog to enforce it. Paul Scully MP’s analysis of the approach in the draft Bill was also challenged by Maternity Action:

As Minister Scully surely knows, “securing consent from a state enforcement body” forms no part of Maria Miller’s Bill, which is entirely in line with “the current UK system of enforcing employment law through the tribunal system”.\footnote{Maternity Action (CVG0047)}

92. We are gravely concerned by evidence detailing potentially unlawful and discriminatory practices towards pregnant women and those on maternity leave during the pandemic. This should have been better anticipated by the government at the beginning of the pandemic and preventative actions taken. It cannot be allowed to continue. The Government must act now to prevent further discrimination, particularly as we enter a time of potentially unprecedented job losses, to which pregnant women and new mothers may be particularly vulnerable.

93. \textit{We urge the Government to introduce legislation in this Parliamentary session to extend redundancy protection to pregnant women and new mothers. The Government must also publish a cross-departmental strategy, following consultation with stakeholders, for dealing with pregnancy and maternity discrimination. We recommend this strategy be published within the next six months.}
## 6 Childcare

94. In this Chapter, we consider the challenges faced by the childcare sector pre-pandemic in terms of finances, workforce and recruitment issues and challenges posed for parents by the design and operation of the subsidised childcare schemes. We then look at how the sector fared during the pandemic, the sufficiency of Government support and what is needed in terms of a short- and long-term strategy for the sector.

### Pre-pandemic situation

95. The childcare sector relies on a mixture of private and public funding. Approximately a quarter of the sector’s funding comes from free entitlement funding for children, 64% of funding comes from parent fees (subsidised through various schemes), and the remainder comes from a variety of other sources including local authority grants. Since 2017–2018, public funding has remained largely frozen. The IFS estimated that around a quarter of childcare providers overall (11% of private nurseries, and 34% of childminders) were in significant financial deficit on the eve of the pandemic.  

96. Liz Bayram of the Professional Association for Childminders and Early Years (PACEY) told the Committee that an ongoing challenge had been: threadbare financial existence that they have had to cope with due to the prolonged absence of long-term strategy from Government for children and young people.

97. The sector has faced long-standing problems with workforce training and retention. These issues have become increasingly salient as funded childcare provision has expanded and demand has increased. The early years workforce is predominantly female, young, and low paid. In August 2020, the Social Mobility Commission found that: 96% of staff were women; 40% of staff were aged under 30; and 13% of the workforce earned less than £5.00 an hour.

98. Dr Costa Dias told us that the extension of the Government subsidised childcare scheme to 30 hours allowed more women to work. However, she argued that the absence of assistance for mothers with very young children harmed women’s career opportunities:

> If mothers are not going back to work during these very early years—zero, one and two—they will miss out; they will leave their job. They will then go back to looking for a new job and starting again at the bottom of their careers. That is a big cost.

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144 Q45


146 Gov.uk, *30 hours free childcare*, accessed 19 January 2021. The childcare offer differs depending on whether the parent lives in England, Scotland, Wales or Northern Ireland. In England, 30 hours childcare with an approved provider for 38 weeks of the year is available if the child is 3–4 years old, where the parent (and partner, if applicable) is: in work (or starting/restarting work in the next 31 days); on sick leave or annual leave; on shared parental, maternity, paternity or adoption leave. People on certain benefits may also be eligible if their partner is working. The offer is also contingent on income requirements and immigration status.

147 Q127
99. Professor Rubery told the Committee that “we have some of the most expensive childcare in Europe”, and that eligibility and availability of the 30 hours’ childcare was problematic.\(^{148}\)

### Policy and Guidance during the Pandemic

100. On 18 March 2020, the Education Secretary, Gavin Williamson, announced the closure of schools and early years providers from 20 March, save for children of keyworkers and vulnerable children, where possible.\(^{149}\) At that time, the Government had not yet announced the CJRS nor the SEISS. The Government confirmed that providers would continue to be paid in full for the publicly funded free entitlement hours they expected to deliver, regardless of actual take-up or even whether the setting remained open.\(^{150}\)

101. On 17 April 2020, the Department for Education released further guidance on the interaction of the CJRS scheme with the free entitlement funding: providers with (uninterrupted) public funding available to pay staff wages were not allowed to access additional public money through the CJRS to cover those wages. This guidance was described as a ‘U-turn’ by the shadow Minister for Children and Early Years.\(^{151}\) Childcare providers were able to re-open from 1 June 2020.\(^{152}\)

### Limitations of the Government’s Approach

102. There was no mention of childcare in either the Summer Economic Statement or the Winter Economy Plan. This was astonishing given the vital importance of childcare provision for women’s participation in paid work, and the precarious position of the childcare sector. As Dr Costa Dias told us:

> Having a proper policy on how to build up more care and more affordable care for parents is crucial to allowing women to work in a more uninterrupted way through a longer period of their working lives.\(^{153}\)

103. Witnesses argued that despite the continuation of public entitlement funding, financial support for the childcare sector has been insufficient and has not reflected the specific needs of the sector.\(^{154}\)

104. Ahead of the Chancellor’s Summer statement, an open letter to the Chancellor from the Fawcett Society, co-signed by the Chairs of the Women and Equalities Committee, the Education Committee and Liaison Committee and others, urged the need for additional financial support for the childcare sector.\(^{155}\)

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\(^{148}\) Q127; Q134

\(^{149}\) HC Deb, 18 March 2020, cols 1083–4


\(^{151}\) "A major U-turn on early years funding could leave many key workers without childcare", The House magazine, 20 April 2020

\(^{152}\) Early Years Alliance, ‘DfE releases EYFS guidance for 1 June reopening’, 24 May 2020 (accessed 21 January 2021)

\(^{153}\) Q128

\(^{154}\) See, for example, Q51 [Liz Bayram]; Q126 [Professor Rubery]; Women’s Budget Group (Mrs0071); Young Women’s Trust (Mrs0242)

\(^{155}\) Letter dated 1 July 2020 from Sam Smethers, Chief Executive of the Fawcett Society to the Chancellor of the Exchequer
105. The IFS concluded that Government support has not sufficiently mitigated financial problems for providers. It concluded that:

[T]he lockdown period is likely to have significantly damaged the finances of many childcare providers with income from parent fees. Under the pessimistic assumption that all fee income from parents dried up, we estimate that a quarter of private nurseries might have been operating at a significant deficit (with more than £5 of costs for every £4 of income). This compares to 11% of providers pre-crisis.\(^{156}\)

106. The research also found that childminders, who are mostly self-employed, have also been badly hit. Even presuming all childminders received self-employment grants, the total loss of parent fees could see an additional 30% of childminders now earning less than £4 of income for every £5 of costs (counting what they usually pay themselves in the costs). In practice, the IFS said many childminders will see their earnings negatively affected, which could jeopardise their ability or desire to stay in the market.\(^{157}\)

107. In oral evidence, Liz Bayram argued that the Government consistently ignored heterogeneity in the needs of providers across the sector, which meant that many providers did not benefit from what Government support has been available. She emphasised that “Early years settings, preschools, childminders and nurseries are different. One of the challenges that we have faced is not recognising that those sectors have different experiences and needs.”\(^{158}\)

108. As PACEY pointed out in a letter to the Chancellor on 25 March 2020, childminders did not benefit from the continuation of public entitlement funding as only 3% of children eligible for a funded place take up that place with a childminder. PACEY stated that childminders had told them that “closure is having a devastating impact on their immediate livelihood and on the sustainability and viability of their businesses.”\(^{159}\)

109. The IFS estimates that 50% of providers rely on a mix of private and public funding.\(^{160}\) These settings were not necessarily eligible for support for staff wages through the CJRS (as originally designed) given the 17 April guidance.\(^{161}\)

110. We heard also heard of gaps in eligibility for SEISS in the sector. Liz Bayram told the committee that surveys conducted by PACEY highlighted that the self-employment scheme did not give the vast majority of childminders the financial help they needed. Some childminders were newly registered and unable to provide the tax information;

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\(^{156}\) IFS, *Challenges for the childcare market: the implications of COVID-19 for childcare providers in England*, September 2020

\(^{157}\) Ibid., p 9

\(^{158}\) Q49


\(^{160}\) IFS, *Challenges for the childcare market: the implications of COVID-19 for childcare providers in England*, September 2020, p 40

\(^{161}\) Ibid, p.25. The report authors explain: “Providers with a mix of funding streams were asked to calculate the share of their income that came from private sources; they were then able to access the furlough scheme to cover up to the proportion of its wage bill that was notionally paid from private income... the design of the furlough scheme left gaps in the support for staff costs, as it initially prevented employees from being furloughed for part of their hours. This meant that some providers with an employee ‘almost-but-not-quite’ eligible for furlough, because a small part of their wages was covered by public funding, would not have been able to claim any money from CJRS for that employee.”
others could not benefit from the scheme because the available grant was based on yearly profit, and many registered childminders do not earn profit. In response to a written parliamentary question about how many childminders and nannies were eligible for the scheme, HMRC said they were unable to report this from the information available.162

111. The Government told us that that childcare providers were supported by the general support packages that are available to businesses across the economy and that the sector is not alone in facing decreased demand. Kemi Badenoch MP, the Minister for Equalities, told us:

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.163

112. PACEY urged the Government to take this opportunity to make “transformational changes” to early years education and childcare. Liz Bayram stressed the need for a long-term strategy which recognised the need to invest in early years education164

113. We asked the Minister for Equalities about the need for a long-term cross-government early years strategy, given the pre-pandemic and current difficulties. She responded “We have a long-term strategy and we have been seeing that policy in action so far. Again, we do not change policy every month.”165

114. A reliable and affordable childcare system is a prerequisite of a gender equal economy and a gender equal recovery from the pandemic. Yet, the childcare sector could hardly have been in worse financial shape on the eve of the pandemic and a system already not working for many parents buckled during the pandemic. A chronic lack of investment has resulted in long-standing workforce and financial challenges for the early years sector.

115. Given this backdrop, many childcare providers were vulnerable to the economic turmoil generated by the pandemic. The Government’s financial support for the sector has not been sufficiently generous nor has it been targeted to the specific needs of providers. Even with Government support, the significant drop off in private fees means many providers are likely to have run at a significant loss. Given that women make up the vast majority of the childcare workforce, and that mothers continue to bear the main responsibility for childcare, there is a clear gendered impact. The Government must commit to urgent short-term financial support and a sustainable and holistic long-term strategy.

163 Q188
164 Q54
165 Q194
116. We recommend the Government publish, by June 2021, an early years strategy which sets out how childcare provision can best support not only working parents, but also those who are job-seeking and re-training. The review must also consider the feasibility of extending eligibility for free childcare provision for children under the age of three years.
7 Embedding equalities and improving equality data

117. In this Chapter, we look at the extent to which equality, especially gender equality, has been mainstreamed into policy responses to the pandemic. We focus on the role of the Government Equalities Office, considering both its understanding of its own role as well as what it has achieved in practice. We then turn to the question of how to ensure data collection supports effective equality analysis of economic policy.

The Government Equalities Office

118. The Government Equalities Office (GEO) describes one of its main strategic objectives as “putting equalities at the heart of Government.”

119. Witnesses expressed concern about the role and effectiveness of the GEO in this regard. We heard concerns that there has been a lack of gender perspective and gender mainstreaming in the policy response to covid-19. As Dr Brown stated, “Despite the gendered impact of the crisis, women and girls have largely been left behind.”

120. The GEO told us that “the Equality Hub in the Cabinet Office [was] playing a wide-ranging role in the Government’s efforts to tackle the pandemic.” They argued that their actions included “providing expertise and legal advice across Government in relation to the Public Sector Equality Duty” and:

working with other departments to ensure that policy development, including for the recovery and renewal phase, takes account of differential impacts on different groups of individuals—including by gathering together and sharing current research from academics, think tanks and others.

121. The Minister for Women and Equalities emphasised that cross-departmental working was important. She went on to say the GEO supported Departments in carrying out their equality impact assessments and envisaged the “GEO working in a hub-and-spoke model whereby we are there to provide advice, but the Departments themselves are responsible for implementing the policy.” The Minister did not clarify specifically how the GEO was supporting Government departments (prior to the pandemic or since), either in conducting equality impact assessments or in terms of mainstreaming equality into policy development.

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166 Government Equalities Office, Strategic plan 2019/20, July 2019
167 Q121
168 Government Equalities Office (M0492)
169 Government Equalities Office (M0492)
170 Oral evidence taken on 22 April 2020, HC (2019–21) 276, Q2; Qq4–5 [Liz Truss]
171 Oral evidence taken on 22 April 2020, HC (2019–21) 276. Our predecessor Committee identified a similar lack of clarity about the GEO’s role, see Women and Equalities Committee, The role of the Minister for Women and Equalities and the place of GEO in government, Second Report of Session 2017–19, HC 1546.
122. Asked how she would rate the GEO’s success in achieving its strategic objective of putting equalities at the heart of Government during the pandemic, Kemi Badenoch could only point to cross departmental work on covid’s effects on BAME people and the GEO’s role in clarifying the definition of childcare to include informal childcare support bubbles.\textsuperscript{172}

123. Aside from these examples, the Minister tended to refer to consideration of the effects of policies “in the round” rather than on particular groups, including women.\textsuperscript{173} This may be indicative of the Government’s emerging “new approach to fairness”, in which it intends to move “well beyond the narrow focus of protected characteristics [under the Equality Act 2010]”, as set out recently in a speech by the Minister for Women and Equalities.\textsuperscript{174}

124. We are concerned that the Government Equalities Office (GEO) did not anticipate how inequalities were likely to be exacerbated by the pandemic and ensure that it influenced the policy response, including in relation to employment, welfare, childcare and pregnancy and maternity. We have seen little evidence that the Government has conducted any robust or meaningful analysis of the gendered impact of its economic policies during the Coronavirus crisis. This was a crucial opportunity for the GEO to realise its strategic objective to “put equalities at the heart of Government”, by working with Departments to embed gender-sensitive measures in the policy responses to Coronavirus. We have little confidence that the GEO has either understood this to be their role or sought to fulfil it.

125. We were concerned to hear the Minister for Equalities repeatedly refer to considering the effects of policies “in the round” in response to questions about the gendered impact of the Government’s policies. We are deeply concerned that a GEO Minister should appear dismissive of the imperative to consider the effects of policies on those with protected characteristics under the Equality Act. Such consideration is a legal requirement clearly set out in the Act’s Public Sector Equality Duty. While we acknowledge that the Government intends to take a “new approach to tackling inequality”, it has a continuing legal duty to ensure its policies and decisions do not adversely affect groups of people with protected characteristics. We are scrutinising the Government’s “new approach to fairness” in a separate inquiry.\textsuperscript{175}

126. We believe the GEO must take a more proactive role in mainstreaming gender equality in policy development across all Government departments. We urge the GEO and the Minister for Women and Equalities to be much more ambitious in co-ordinating equalities strategies and holding departments to account on equalities. The GEO’s strategy plan for 2020–2021 must reflect these proactive policy development priorities and demonstrate clear key performance indicators for achieving them.

\textsuperscript{172} Q198
\textsuperscript{173} See, for example, Q153; Q161; Q182; Q193
\textsuperscript{174} Gov.uk, ‘Fight for Fairness’, 17 December 2020 (accessed 14 January 2021)
\textsuperscript{175} Women and Equalities Committee, ‘The role of the GEO: embedding equalities across Government’, accessed 14 January 2021
Improving evidence–better data

Disaggregated data from Government

127. The need for data disaggregated by sex and indeed other protected characteristics, has been made strongly and repeatedly to us.176 We note that there is a disparity not just between departments as to what data is disaggregated and when, but indeed within individual departments.177 We heard from the Office for National Statistics (ONS) that they were committed to providing disaggregated data.178 Other witnesses also stressed how fortunate we were to have robust and reliable data sets, at least in part as a result of the commitment of the ONS.179 Government ministers and officials also pointed to the availability of ONS statistics.180

128. Whilst we are grateful for the work the ONS has done, and note the recent establishment of the Inclusive Data Taskforce,181 this is not a substitute for action by the Government to make data from administrative sources available. ONS data inevitably suffers from a time lag, and we note with concern that the publication of UK labour market statistics is significantly slower than in other countries.182 The covid-19 pandemic is the clearest possible example of real-time policy making requiring real time data. Further, administrative data is not affected by the same sampling concerns that have affected survey results over the pandemic.183

129. Robust equalities data is crucial to effective policy responses. We have been frustrated by the lack of data disaggregated by sex and other protected characteristics. The lack of intersectional data in large government data sets continues to frustrate meaningful analysis.

130. We recommend the Government require all departments to collect and publish data disaggregated by sex and protected characteristics in a way that facilitates reporting and analysis on how, for example, gender, ethnicity, disability, age and socio-economic status interact, and can compound disadvantage.

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176 See, for example, Q4 [Professor Adams-Prassl]; Q137 [Professor Rubery and Dr Monica Costa Dias]; Engender (Mrs0379); Professor Sophie Harman and Dr Clare Wenham (Mrs0153); Eleanor Glanville Centre (Mrs0204); Northern Ireland Women’s European Platform (Mrs0037); Women’s Budget Group (Mrs0071); Fawcett Society (Mrs0136)

177 Examples include HMRC disaggregating furlough, but not flexible furlough, data by gender and the Race Disparity Unit disaggregating only some of its data by sex as well as race.

178 Oral evidence taken on 6 May 2020, HC (2019–21) 276, Q117 [Liz McKeown]

179 Ibid., Q45 [Professor Sir Michael Marmot]; Qq86–7 [Professor Rasul]

180 Q141 [Tom Hemingway]; Q200 [Paul Scully]; Q207 [Jo Warner]

181 Established by the National Statistician in October 2020, the taskforce aims to improve data in a range of areas including equalities (the protected characteristics under the Equality Act 2010, as well as additional areas associated with equality in the broader sense) and data on those at risk of greater disadvantage or who may be missing from household surveys. See, UK Statistics Authority, Inclusive Data Taskforce, accessed 20 January 2021.

182 For example, UK labour market statistics for August-October were released on 15th December, see ONS, ‘Labour market overview, UK: December 2020’, accessed 20 January 2021, while in the US, employment statistics for November were published on 4 December, see U.S. Bureau of Labor Statistics, ‘Employment Situation Summary’, accessed 20 January 2021

183 Q137 [Professor Rubery]
Specific data gaps and reporting requirements

131. In addition to the general concern for administrative data disaggregated by protected characteristics, there has been particular focus from witnesses and in written evidence on the areas of pay gaps and reporting, and disaggregating redundancy data.¹⁸⁴

Gender Pay Gap reporting

132. Enforcement of gender pay gap reporting requirements on employers with more than 250 employees was suspended for the 2019/20 financial year due to the pandemic. This decision was defended by the Minister for Women and Equalities, who told us “the very clear message we are sending to companies is that the No.1 priority is that they stay in business and that they keep people employed.”¹⁸⁵ However, this was criticised in a number of submissions, who cited evidence on the positive impact of reporting on women’s pay and called for it to be reinstated.¹⁸⁶ The business director of Business in the Community warned that the disproportionate economic effects of the pandemic on women “could lead to a widening of the pay gap–making reporting this year especially important.”¹⁸⁷ Dr Mary Ann Stephenson told the Committee of the positive impact of gender pay gap reporting to date as “a really useful driver of change, both in exposing those gaps within different companies and sectors, and for women in those sectors to be able to start a conversation with their employers”.¹⁸⁸ Professor Adams-Prassl agreed and also recommended that firms report on the gender composition of which workers were furloughed, made redundant, and had hours cuts over the pandemic.¹⁸⁹

133. There have also been calls for pay gap reporting to be reformed. A comparative analysis of gender pay gap reporting across 11 countries found that the UK was world-leading in terms of transparency and compliance, but was “unique” in its “light touch approach” compared to other countries.¹⁹⁰ There are three broad themes to recommendations:

a) Reporting thresholds should be lowered. Currently only companies with more than 250 employees have to report on their gender pay gap. This is higher than the median employer size, which is used as a threshold in other countries.

b) Reporting organisations must publish an action plan to make the changes necessary to tackle gender pay gaps.¹⁹¹

c) Pay gap reporting should be expanded to include ethnicity reporting.¹⁹²

¹⁸⁴ For example, Q131 [Dr Brown]; Young Women’s Trust (Mrs0242); Women’s Regional Consortium (Mrs0247); Equality and Human Rights Commission (CVG0023); TUC (CVG0027)
¹⁸⁵ Oral evidence taken on 22 April 2020, HC (2019–21) 276, Q65 [Liz Truss]
¹⁸⁶ See, for example, Young Women’s Trust (Mrs0242); Women’s Regional Consortium (Mrs0247)
¹⁸⁸ Q15
¹⁸⁹ Q15
¹⁹⁰ Fawcett Society, Gender pay gap reporting: a comparative analysis, October 2020, p 19
¹⁹¹ ibid., p 30
¹⁹² See, for example, Baroness McGregor-Smith, Race in the workplace, February 2017 and Cabinet Office, Race Disparity Audit: Summary Findings from the Ethnicity Facts and Figures, October 2017 (revised March 2018), which both identified significant earnings gaps by ethnicity.
134. Some of these recommendations would be achieved by the private member’s bill brought by Stella Creasy MP, the Equal Pay Implementation and Claims Bill. This would require businesses with 100 employees or more to publish their gender pay gap data, and include provisions on ethnicity pay gap reporting. The Bill has attracted cross-party support. Dr Brown told us that the Bill will “significantly improve women’s ability to claim equal pay and progress claims” and act as a useful complement to reporting requirements.\(^\text{193}\)

135. **We were disappointed that the Government chose to suspend, rather than delay, gender pay gap reporting and enforcement for this year.** Given the high number of women who have been furloughed or worked reduced hours due to caring responsibilities, and the evidence of continuing gender inequality in other areas, this should have been a time for more - not less - transparency.

136. **We recommend that gender pay gap reporting be urgently reinstated, with reporting for the financial years 2019/20 and 2020/21 required in April 2021.**

137. **We recommend the GEO and EHRC explore the feasibility of reporting on parental leave policies in addition to gender gaps in furlough and redundancies for 2020/21 to supplement the information on pay and bonuses. We also urge the Government to support The Equal Pay (Implementation and Claims) Bill.**

**Ethnicity pay gap reporting**

138. As stated above, introducing ethnicity pay gap reporting is widely supported. The Government had stated it would publish its response to a consultation on ethnicity pay gap reporting by the end of 2021.\(^\text{194}\) However, Kemi Badenoch told us:

> 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.\(^\text{195}\)

139. We do not accept it is impossible to ensure consistent definitions of ethnicity; the fact that people self-define in a number of ways does not prevent collection of this data through the census for example.

**Disability pay gap data**

140. The Office for National Statistics found that in 2018, median pay for non-disabled employees was £12.11 an hour whilst for disabled employees it was £10.63 an hour, resulting in a pay gap of 12.2%. They found that the disability pay gap was wider for men than for women. Other studies which measured economic wellbeing found significant difficulties for disabled women including unemployment, economic inactivity, and career progression. The TUC and others have called for an introduction of disability pay gap reporting.\(^\text{196}\)

\(^{193}\) Q135

\(^{194}\) The BBC reported that it had seen a “leaked report” showing that 73% of businesses who responded to the consultation support the introduction of ethnicity pay gap reporting for businesses with more than 250 staff. See, “Employers back requirement for large firms to disclose ethnicity pay gaps”, BBC News, 19 December 2020.

\(^{195}\) Q185

\(^{196}\) See, for example, TUC (Mrs0498); Unite (Mrs0504: see also, “Government urged to introduce disability pay gap reporting for employers”, People Management, 5 November 2020
141. There have been growing calls for ethnicity and disability pay gap reporting. The unequal economic effects of the pandemic have demonstrated the imperative to introduce these measures.

142. **The Government should publish proposals for introducing ethnicity and disability pay gap reporting within the next six months.**

**Disaggregating redundancy data**

143. Research and evidence to this Committee suggests women have been, and will be, particularly vulnerable to redundancy. Employers are required to give advance notice to the Government through the HR1 form, where 20 or more redundancies are proposed within a period of 90 days or less. However, the only information the HR1 form requires about the employees is their “occupational group”. It is therefore difficult to accurately calculate how women and those with protected characteristics have been (or will be) impacted by job loss, or to conduct any intersectional analysis.

144. The Young Women’s Trust and others have called on the Government to require employers to publish their redundancy data, by protected characteristics and other metrics such as full or part time working status and occupational sector. Dr Duncan Brown agreed and said it “would be relatively straightforward to get a gender breakdown, and possibly an ethnicity breakdown as well”. However, Jo Warner, Deputy Director, Individual Rights & Migration, BEIS told us 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.

145. **Whilst we appreciate the greater ‘reach’ of the ONS data, the HR1 form would provide valuable (and complementary) real time data, with which to analyse those most at risk of redundancy before policy decisions are implemented.**

146. **We recommend the Government amend the HR1 form to require information about the sex, race, and if possible other protected characteristics of staff.**

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197 [Young Women’s Trust](https://www.youngwomenstrust.org.uk/); ‘*Young women’s experiences of the coronavirus crisis*’, 27 October 2020 (accessed 20 January 2021); see also, [London School of Economics’ COVID 1Care Research Group](https://www.lse.ac.uk/); [Equality and Human Rights Commission](https://www.equalityhumanrights.com/); [Pregnant Then Screwed](https://www.pregtthenwired.co.uk/)

198 Q131

199 Q201
Conclusions and recommendations

Labour Market and Employment

1. The Government acted at considerable speed to design and implement schemes to protect jobs, and the Coronavirus Job Retention Scheme (CJRS) and Self-Employment Income Support Scheme (SEISS) have provided a vital safety net to millions of people. However, the design of these schemes overlooked - and in some respects continues to overlook - the specific and well-understood labour market and caring inequalities faced by women. This demonstrates the importance of equality analyses. (Paragraph 16)

2. We recommend that schemes to support employees and the self-employed should be informed by an Equality Impact Assessment, drawing on evidence of existing inequalities. The Government must conduct and publish Equality Impact Assessments of the CJRS and the SEISS alongside its response to this Report. We believe this approach would better protect those already at disadvantage in the labour market, including women, and could inform more effective responses to future crises. (Paragraph 17)

3. We are concerned that the Government’s priorities for recovery are heavily gendered in nature. Investment plans that are skewed towards male-dominated sectors have the potential to create unequal outcomes for men and women, exacerbating existing inequalities. (Paragraph 22)

4. The Treasury must provide Equality Impact Assessments for the Industrial Strategy and ‘New Deal’. These should include a Gender Beneficiary Assessment of investments from the industrial strategy to date, including receipts of grants, gender occupational composition of companies operating infrastructure contracts, innovation grants and training participants and outcomes. The Treasury should also undertake an economic growth assessment of the Women’s Budget Group’s care-led recovery proposals. We recommend the Government publish these assessments within six months. (Paragraph 23)

5. Women are traditionally under-represented in sectors that have been singled out for Government investment, such as science, technology, engineering and maths (STEM) and construction. More must be done to tackle gender inequalities in representation and career progression in these male-dominated sectors so that women do not lose out in the recovery. (Paragraph 24)

6. We recommend the Government fund training schemes specifically aimed at women in the Digital, AI, and the Green Economy through its Kickstart, New Training Fund and Restart programmes. (Paragraph 25)

7. We recommend the Government amend the Flexible Working Regulations 2014, to remove the 26-weeks’ service threshold for employees to request flexible working arrangements. The pandemic has clearly demonstrated that it is unhelpful and unnecessary. (Paragraph 29)
8. The Government should publish the draft Employment Bill by the end of June 2021. The draft Bill must take into account the recommendations made throughout this report. (Paragraph 31)

Benefits and Social Security

9. The design of Universal Credit creates risks for women’s financial independence, which can have severe consequences for women in abusive relationships. These risks have been heightened over the pandemic as other opportunities for economic support have been limited. They now also affect many more households given the rise in claimant numbers. (Paragraph 42)

10. The Department for Work and Pensions must urgently conduct or commission research to develop its understanding of the gendered impact of Universal Credit design, including the wait for the first payment; the single household payment structure; joint eligibility assessment; and the single earnings disregard. We recommend this research be commenced within two months of publication of this Report. (Paragraph 43)

11. We recommend the Department for Work and Pensions commit to maintaining the increases in support that have been provided during the pandemic until the end of the pandemic, including the £20 increase in standard allowance for Universal Credit. (Paragraph 46)

12. We find it implausible that it is operationally impossible to increase the rates of legacy benefits by the equivalent amount of the increase in Universal Credit. We recommend the Government immediately increase legacy benefit rates by the equivalent amount. (Paragraph 47)

13. Appropriate and clear guidance to Jobcentre Plus work coaches is vital, given pre-pandemic research which found that mothers subject to Universal Credit conditionality felt that their caring responsibilities were disregarded. We were unable to find specific guidance to work coaches on emergency childcare easements, beyond the very general guidance in the entirely inadequate Equality Impact Assessment of the decision to reinstate conditionality. We recommend the DWP provide such guidance to us in response to this Report and to work coaches as a matter of urgency. (Paragraph 56)

14. Job vacancies remain depressed and women with caring responsibilities require targeted job search support. Maintaining mothers’ attachment to the labour market and increasing the opportunities to retrain for jobs in viable sectors is critical. DWP must expand and tailor its offer for mothers seeking employment, so that it encompasses retraining and re-skilling for jobs in the most viable sectors. This should be maintained for the duration of the pandemic as a minimum. (Paragraph 57)

15. While changes to the availability for Statutory Sick Pay (SSP) have benefited many, it has also thrown into sharp relief the demographics of those who are not eligible, and for whom the level of SSP provides an inadequate safety net. Women are over-represented in this demographic, and we are concerned that the Treasury seems both unaware and uninterested in the evidence showing this. (Paragraph 64)
16. **We urge the Government to conduct a study to examine the adequacy of, and eligibility for, Statutory Sick Pay. Such a study should be published within three months, alongside an equality impact analysis. This should be done alongside our recommendation for all workers on zero-hour contracts to be able to claim SSP, as set out in our Report on Unequal impact? Coronavirus and BAME people. (Paragraph 65)**

**Young people**

17. Prior to the pandemic, young people faced a number of challenges including relatively high unemployment, an overrepresentation in forms of insecure work, and long-term issues of low pay and slow career progression. The Government’s flagship apprenticeship programme, intended to boost both employment and progression, suffered from a number of gender inequality issues (including pay and occupational segregation) that remained unresolved. The pandemic has both exposed and exacerbated the economic vulnerability of young people, given their over concentration in shut down sectors, and in insecure work. (Paragraph 77)

18. **We recommend that the Government mainstream equality into the design of apprenticeships and worked-based learning and actively challenge occupational segregation by gender. It must publish a gender equality plan for its apprenticeship programme and an action plan to increase the number of women in STEM apprenticeships. (Paragraph 78)**

19. **We recommend that the Government establish quotas for women in its Kickstart scheme. (Paragraph 79)**

20. **We recommend that DWP introduce training for Jobcentre Plus work coaches on supporting applicants into gender ‘atypical’ jobs. (Paragraph 80)**

**Pregnancy and Maternity Discrimination**

21. We are gravely concerned by evidence detailing potentially unlawful and discriminatory practices towards pregnant women and those on maternity leave during the pandemic. This should have been better anticipated by the government at the beginning of the pandemic and preventative actions taken. It cannot be allowed to continue. The Government must act now to prevent further discrimination, particularly as we enter a time of potentially unprecedented job losses, to which pregnant women and new mothers may be particularly vulnerable. (Paragraph 92)

22. **We urge the Government to introduce legislation in this Parliamentary session to extend redundancy protection to pregnant women and new mothers. The Government must also publish a cross-departmental strategy, following consultation with stakeholders, for dealing with pregnancy and maternity discrimination. We recommend this strategy be published within the next six months. (Paragraph 93)**

**Childcare**

23. A reliable and affordable childcare system is a prerequisite of a gender equal economy and a gender equal recovery from the pandemic. Yet, the childcare sector could
hardly have been in worse financial shape on the eve of the pandemic and a system already not working for many parents buckled during the pandemic. A chronic lack of investment has resulted in long-standing workforce and financial challenges for the early years sector. (Paragraph 114)

24. Given this backdrop, many childcare providers were vulnerable to the economic turmoil generated by the pandemic. The Government’s financial support for the sector has not been sufficiently generous nor has it been targeted to the specific needs of providers. Even with Government support, the significant drop off in private fees means many providers are likely to have run at a significant loss. Given that women make up the vast majority of the childcare workforce, and that mothers continue to bear the main responsibility for childcare, there is a clear gendered impact. The Government must commit to urgent short-term financial support and a sustainable and holistic long-term strategy. (Paragraph 115)

25. We recommend the Government publish, by June 2021, an early years strategy which sets out how childcare provision can best support not only working parents, but also those who are job-seeking and re-training. The review must also consider the feasibility of extending eligibility for free childcare provision for children under the age of three years. (Paragraph 116)

Embedding equalities and improving equality data

26. We are concerned that the Government Equalities Office (GEO) did not anticipate how inequalities were likely to be exacerbated by the pandemic and ensure that it influenced the policy response, including in relation to employment, welfare, childcare and pregnancy and maternity. We have seen little evidence that the Government has conducted any robust or meaningful analysis of the gendered impact of its economic policies during the Coronavirus crisis. This was a crucial opportunity for the GEO to realise its strategic objective to “put equalities at the heart of Government”, by working with Departments to embed gender-sensitive measures in the policy responses to Coronavirus. We have little confidence that the GEO has either understood this to be their role or sought to fulfil it. (Paragraph 124)

27. We were concerned to hear the Minister for Equalities repeatedly refer to considering the effects of policies “in the round” in response to questions about the gendered impact of the Government’s policies. We are deeply concerned that a GEO Minister should appear dismissive of the imperative to consider the effects of policies on those with protected characteristics under the Equality Act. Such consideration is a legal requirement clearly set out in the Act’s Public Sector Equality Duty. While we acknowledge that the Government intends to take a “new approach to tackling inequality”, it has a continuing legal duty to ensure its policies and decisions do not adversely affect groups of people with protected characteristics. We are scrutinising the Government’s “new approach to fairness” in a separate inquiry. (Paragraph 125)

28. We believe the GEO must take a more proactive role in mainstreaming gender equality in policy development across all Government departments. We urge the GEO and the Minister for Women and Equalities to be much more ambitious in co-ordinating equalities strategies and holding departments to account on equalities. The
GEO’s strategy plan for 2020–2021 must reflect these proactive policy development priorities and demonstrate clear key performance indicators for achieving them. (Paragraph 126)

29. Robust equalities data is crucial to effective policy responses. We have been frustrated by the lack of data disaggregated by sex and other protected characteristics. The lack of intersectional data in large government data sets continues to frustrate meaningful analysis. (Paragraph 129)

30. We recommend the Government require all departments to collect and publish data disaggregated by sex and protected characteristics in a way that facilitates reporting and analysis on how, for example, gender, ethnicity, disability, age and socio-economic status interact, and can compound disadvantage. (Paragraph 130)

31. We were disappointed that the Government chose to suspend, rather than delay, gender pay gap reporting and enforcement for this year. Given the high number of women who have been furloughed or worked reduced hours due to caring responsibilities, and the evidence of continuing gender inequality in other areas, this should have been a time for more - not less - transparency. (Paragraph 135)

32. We recommend that gender pay gap reporting be urgently reinstated, with reporting for the financial years 2019/20 and 2020/21 required in April 2021. (Paragraph 136)

33. We recommend the GEO and EHRC explore the feasibility of reporting on parental leave policies in addition to gender gaps in furlough and redundancies for 2020/21 to supplement the information on pay and bonuses. We also urge the Government to support The Equal Pay (Implementation and Claims) Bill. (Paragraph 137)

34. There have been growing calls for ethnicity and disability pay gap reporting. The unequal economic effects of the pandemic have demonstrated the imperative to introduce these measures. (Paragraph 141)

35. The Government should publish proposals for introducing ethnicity and disability pay gap reporting within the next six months. (Paragraph 142)

36. Whilst we appreciate the greater ‘reach’ of the ONS data, the HR1 form would provide valuable (and complementary) real time data, with which to analyse those most at risk of redundancy before policy decisions are implemented. (Paragraph 145)

37. We recommend the Government amend the HR1 form to require information about the sex, race, and if possible other protected characteristics of staff. (Paragraph 146)
Formal minutes

Tuesday 26 January 2021

Virtual meeting

Members present:

Caroline Nokes, in the Chair

Eliot Colburn
Angela Crawley
Peter Gibson

Kim Johnson
Nicola Richards

Draft Report (Unequal Impact? Coronavirus and the gendered economic impact), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 146 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Tuesday 2 February at 2.30 p.m.]
Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the inquiry publications page of the Committee’s website.

Wednesday 8 July 2020

Professor Abi Adams-Prassl, Senior Research Fellow, University of Oxford; Dr Mary-Ann Stephenson, Director, UK Women’s Budget Group  Q1–21

Victoria Benson, CEO, Gingerbread; Rosalind Bragg, Director, Maternity Action  Q22–44

Wednesday 16 September 2020

Liz Bayram, Chief Executive, Professional Association of Childminders and Early Years; Victoria Brownlie, Director of Policy and Public Affairs, National hair and Beauty Federation; Mary Robertson, Senior Policy Officer, Trades Union Congress  Q45–104

Wednesday 14 October 2020

Professor Jill Rubery, Professor of Comparative Employment Systems, University of Manchester; Dr Monica Costas Dias, Deputy Research Director, Institute for Fiscal Studies; Dr Duncan Brown, Principal Associate, Institute of Employment Studies  Q105–138

Wednesday 4 November 2020

Mims Davies MP, Parliamentary Under Secretary of State, Department for Work and Pensions; Paul Scully MP, Minister for London and Parliamentary Under Secretary of State, Department for Business, Energy and Industrial Strategy; Kemi Badenoch MP, Exchequer Secretary to the Treasury, HM Treasury and the Government Equalities Office; Jo Warner, Deputy Director, Department of 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 of Work and Pensions  Q139–203
Published written evidence

The following written evidence was received and can be viewed on the inquiry publications page of the Committee’s website.

CVG numbers are generated by the evidence processing system and so may not be complete.

1. Action, Maternity (CVG0048)
2. Action, Maternity (CVG0047)
3. A member of the public (CVG0016)
4. A member of the public (CVG0008)
5. A member of the public (CVG0007)
6. A member of the public (CVG0009)
7. Brown, Dr Duncan (CVG0045)
8. Brownlie, Mrs Victoria (Director of Policy and Public Affairs, National hair and Beauty Federation) (CVG0043)
9. Close the Gap (CVG0039)
10. Dunstan, Mr Richard (Public Affairs Officer, Maternity Action) (CVG0046)
11. Engender (CVG0035)
12. Equality and Human Rights Commission (CVG0023)
13. Gains, Professor Francesca (CVG0013)
14. Garthwaite, Dr Kayleigh; Dr Ruth Patrick; Dr Maddy Power; Dr Geoff Page; Dr Kate Pickett; Dr Ben Baumberg Geiger; and Dr Kate Summers (CVG0026)
15. Menstrual Health Coalition (CVG0015)
16. NAHT (CVG0021)
17. National Ugly Mugs (CVG0014)
18. Northern Ireland Women’s European Platform (CVG0012)
19. Potter, M; C Clayton; and R Clayton (CVG0002)
20. Pregnant Then Screwed (CVG0032)
21. Pregnant Then Screwed (CVG0042)
22. Professional Association of Childcare and Early Years (PACEY) (CVG0028)
23. Reeves, Miss Claire (Sexual health outreach worker and self employed (online IT consultant), Terrence Higgins Trust and self-employed) (CVG0005)
24. Refugee Action (CVG0018)
25. Robinson, Miss Angela (Business Support Officer, Children's Services, Solihull Metropolitan Borough Council) (CVG0038)
26. Royal College of Midwives (CVG0011)
27. Runnymede Trust (CVG0040)
28. Simpson, Ms Nikita; Professor Laura Bear ; and Professor Deborah James (CVG0019)
29. Surviving Economic Abuse (CVG0031)
30. THE THREAD POLICY RESEARCH CENTRE (CVG0020)
31. The Health Foundation (CVG0030)
Unequal impact? Coronavirus and the gendered economic impact

The Law Society of England and Wales (CVG0029)

The WASPI Campaign (Women Against State Pension Inequality) (CVG0041)

Trade Union Congress (CVG0027)

UK Women’s Budget Group (CVG0004)

UNFPA (CVG0037)

UNISON (CVG0025)

Waterhouse, Elizabeth (Senior Finance Manager, Telecoms consultancy) (CVG0036)

Weldon-Johns, Dr Michelle (Senior Lecturer, Abertay University) (CVG0010)

Women, (Professor, Women’s Budget Group) (CVG0044)

Working Families (CVG0022)
List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee’s website.

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