

CLOSE **YOUR** PAY GAP



RECRUITMENT AND PROMOTION

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INTRODUCTION

This guidance is for private and third sector companies who are covered by the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. It is particularly aimed at those with responsibility for developing work on the gender pay gap, and specifically developing their company's Close Your Pay Gap personalised action plan.

This guidance accompanies the Close Your Pay Gap tool, which will help your company to close its gender pay gap. The tool uses your gender pay gap information, along with a series of questions, to provide a personalised action plan to help you to close your pay gap. This guidance supports the Recruitment and Promotion **Close Your Pay Gap tool** priority, providing information and advice on how recruitment and promotion practice can impact on your gender pay gap, and how to implement your action plan.

Whilst every effort has been made to ensure that the explanations given here are accurate, only the courts or tribunals can give authoritative interpretations of the law.

WHAT IS THE GENDER PAY GAP?

The gender pay gap is the difference in average hourly earnings between men and women. It is caused by a range of complex, inter-related factors including job segregation (where men and women do different types and levels of work), a lack of flexible working opportunities and discrimination in pay and grading structures. These three causes are common across all workplaces and sectors.

The gender pay gap is not the same as equal pay, although unequal pay between men and women is a major cause of pay gaps at the enterprise level. Equal pay law covers the concept of equal pay for equal work, rendering it unlawful to pay a woman less than a man (and indeed vice versa) for the same job or jobs of equal value. Equal pay for equal work is only one small piece of the pay gap picture, and tackling this alone is not enough to close your gender pay gap.

Closing your pay gap requires an understanding of its causes, and action to tackle those. The Close Your Pay Gap tool can help you do this.

How recruitment and promotion practice impacts your pay gap

Stereotypical attitudes about men and women often influence recruitment and promotion decisions, whether consciously or not. This may include wrongly believing that men are better suited to jobs at senior levels. A lack of transparency in recruitment and promotion practice also contributes to women's under-representation in management and other senior roles.

Where senior people are often seen working long hours, this reinforces the idea that caring roles, which are predominantly done by women, are incompatible with progression. This means you can't be sure you have the right person for the role, and it's likely that you're not making the most of your talent. It's also bad for your gender pay gap.

Even in female-dominated jobs and sectors such as care, retail and cleaning, women are less likely to progress, and men are over-represented in management positions.

Many recruitment and promotion opportunities are accessed through informal networks, which women have less access to. Without a fair and transparent policy to follow, evidence shows that people tend to hire in their own image, so where men are over-represented in senior roles, this further entrenches gender inequality. Where you have more men in your top pay quartiles it widens your gender pay gap, and your bonus gap, as senior roles have greater access to bonus earnings.

Understanding whether your recruitment and promotion practice affects men and women differently can help you to ensure fairness, avoid costly mistakes, and widen your talent pool. Taking action to tackle presenteeism, widen access to networking, and ensure hiring decisions are based on skills and competencies, and not stereotypes, will help you to close your gender pay gap.

Each section of this guidance contains related actions which you can take to close your gender pay gap.

Close the Gap is Scotland's expert on the gender pay gap. We can provide a gendered analysis of your employment practice, and personalised support to your organisation, to help you to make the most of the pay gap reporting process and take effective action to close your pay gap. To find out more, visit **Work with Us**, or get in touch at info@closethegap.org.uk.

RECRUITMENT

Why it's important to get it right

Recruitment mistakes can be costly, and recruiting the wrong people can lead to increased staff turnover, reduced productivity and lower staff morale. Unfair recruitment practices can also lead to financial penalties. Discrimination during recruitment and selection can result in an employment tribunal claim, which not only costs time and money, but can also present a serious risk to reputation.

JOB SEGREGATION

There are two types of **job segregation: horizontal and vertical**. **Horizontal segregation** describes the way women and men tend to work in different jobs and sectors. For example, women are more likely to be home care workers, administrators and HR practitioners. Men are more likely to be plumbers, engineers and IT professionals. There are many reasons for this, including stereotyping about men and women's capabilities, skills and interests; access to training and flexible working; and the culture associated with different types of work. **Vertical segregation** describes the under-representation of women at senior levels, and is more commonly known as the '**glass ceiling**'.

Many of the jobs which are more likely to be done by women, such as cleaning, caring and retail, are low paid, with limited prospects for progression. Men who work in these female dominated sectors are more likely to hold senior or managerial roles. While job segregation restricts women's and men's choices, it also limits the available pool of talent for business, and widens your gender pay gap.

Recruitment and selection policies

It's important to have a formal recruitment and selection policy to enable you to demonstrate fairness, and ensure you're getting the right person for the job. Making sure a standardised and transparent process is followed will also help to protect your company from costly employment tribunal claims.

Your recruitment and promotion policy should include the following:

- Clear, written recruitment processes for developing job description and person specifications, advertising, shortlisting, and interviewing.
- A requirement that all staff involved in the recruitment process be trained, and that this training covers non-discrimination and fair treatment in recruitment.
- A requirement to advertise all vacancies, and that adverts reach the widest possible talent pool.
- A requirement to keep records of all decisions made during the recruitment process, including all notes from shortlisting and interview processes.

An effective recruitment and selection policy is one which sets out how you will make sure that the most suitable person for a job is selected. When current and prospective employees can see that you have a clear policy on recruitment and selection, and are committed to ensuring this is fair and objective, this enables you to attract and retain the best talent, and improves employee morale.

Your recruitment and selection policy should include a statement that the company is committed to equality and diversity, and aims to ensure that:

- The most suitable person for any job will be selected on the basis of their relevant merits and abilities to undertake the work;
- No member of staff or job applicant will be unfairly treated or discriminated against on any grounds, including gender;
- Your workforce is reflective of the population; and
- You particularly welcome applicants from under-represented groups.

EXAMPLE

Statements typically used in effective recruitment and selection policies:

- Vacancies will reach as wide a pool of potential applicants as possible.
- All job descriptions will be clear and concise, and objective person specifications.
- Staff involved in recruitment and selection will be familiar with the organisation's recruitment and selection policy, and be trained in non-discriminatory recruitment practice.

Your recruitment and selection policy should be regularly reviewed to ensure it remains consistent with the law and best practice.

ACTIONS

Develop and implement a fair, transparent and consistent recruitment procedure.

Job descriptions

It's important for you to have clear, written job descriptions and person specifications for every role in your organisation. They are a key part of ensuring you recruit the person with the right skills and competencies for the job, and have equal pay for equal work in your company, which will help close your pay gap. Making sure job descriptions and adverts are written in clear, gender-neutral language also helps you to recruit from the widest possible talent pool. A written job description, or job summary, which details job purpose, tasks and responsibilities should be in place for every job. The following template gives an example structure for a simple job description:

JOB DESCRIPTION (TEMPLATE)

Job title	Name by which the job is usually known (make sure this is gender neutral).
Department	Department where the post holder will be working.
Location	Where the job will be based.
Responsible to	Job title of the line manager of the post.
Responsible for	List job titles of any staff supervised by the post holder and/or resources for which the job holder is responsible.
Job purpose	Include brief description of the job holder's role.
Job scope	Number of people to be supervised, degree of precision required, value of materials and equipment post holder responsible for, and so on.
Main tasks	List and number the main job tasks, in order of importance. Use active verbs like 'writing', 'repairing', 'machining', 'calculating'. Avoid vague terms such as 'dealing with' and 'in charge of'.
Additional tasks	List any tasks post holder may be required to do from time to time.
Main duties and responsibilities	List the post holder's responsibilities, including any delegated authority they have.
Prepared by	Record the name and job title of the person who prepared the job description, for future reference.
Date	Record the date the job description was prepared, for future reference.

Note: The duties and responsibilities of the post holder may be varied at any time, in accordance with the business requirements of the company.

Job descriptions can be used for a variety of purposes, including:

- As a recruitment tool, they can be used as a basis for job advertisements, and should be sent to applicants with application forms.
- As a basis for employment contracts, specific reference to job descriptions can be made in contracts of employment.
- As a defence against a discrimination claim, they can help demonstrate selection decisions were objective.

Person specifications

A person specification is a valuable tool used to profile the ideal person to do a particular job. The emphasis should not be on what the job involves but on the personal attributes required. Where person specifications are used as part of a clear and objective recruitment policy they can help you to control for hiring bias in the recruitment process.

A person specification should detail the criteria to be used in shortlisting and in selecting candidates to fill a vacancy. When developing a person specification, you should use gender-neutral language, and ensure no assumptions are made about stereotypically male or female qualities or traits.

Person specifications should be kept simple and very tightly referenced to the job. They can include information under a number of headings, such as skills, knowledge and experience.

Qualifications specified must be necessary to do the job, unless candidates are being recruited on the basis of future potential (for example, graduates). All of the criteria included in a person specification must be applied equally to all applicants, and you should be able, if challenged, to justify why certain criteria are necessary.

You should check all **essential criteria** are genuinely essential. Evidence shows that women are less likely to apply for jobs for which they do not have **all** the essential and desirable criteria, whereas men will apply for jobs even if they only meet some of the criteria specified.

Similarly, it is essential that the specified **experience** relates closely to the actual requirements of the job. It isn't good practice to specify that experience must have been gained recently, for example in the past five years, as this may exclude women who have taken a career break to provide care for a child or relative. It's also important to allow for experience gained outside of the workplace, for example through volunteering.

The law says that when recruiting, you must not do something that would impact more negatively on someone who has a **protected characteristic** than on someone who does not share that characteristic. The protected characteristics in law are as follows:

- Age.
- Disability.
- Gender reassignment.
- Marriage and civil partnership.
- Pregnancy and maternity.
- Race.
- Religion and belief.
- Sex.
- Sexual orientation.

Unless you can demonstrate that your actions or requirements are **objectively justified** (that is, that your actions are a proportionate way of achieving a legitimate aim), any specified requirements that have a disproportionately negative impact on one group over another could be viewed as **indirect discrimination**.

EXAMPLE

Having a requirement that candidates must be over six feet tall may be considered indirect sex discrimination, since considerably fewer women than men would be able to fit that criteria. An employer would have to demonstrate that this requirement could not be met by, for example, providing equipment that would allow shorter people to reach heights, or the requirement might not be justified.

Similarly, having a requirement for candidates to have x number of years' experience, or 'recent experience', could potentially discriminate against women, who are more likely to take career breaks to care for children or relatives. An employer might consider whether appropriate experience could be gained in a non-working environment, such as the home or through voluntary work. Requirements for 'recent experience' would also need to be justified. Employers might ask themselves whether industry practices have changed drastically in recent years, or could new staff be easily trained on advances in certain technology?

Exceptions

The Equality Act 2010 does, in limited circumstances, allow advertisements aimed specifically at one gender. One reason for this is in cases where there is a genuine occupational requirement for an employee to be a particular gender. This might, for example, apply to caring roles, where personal care is delivered to clients of one gender or another.

The Equality and Human Rights website¹ provides further guidance on whether a genuine occupational requirement may apply.

¹ www.equalityhumanrights.com

ACTIONS

Make sure you develop a written job description and person specification for all vacancies in your organisation.

Application forms

When advertising a vacancy, it makes sense to use the best method of gathering information from applicants to help you shortlist, and appoint, the best person for the job.

CVs may seem a useful option. They allow applicants to tailor their application to their own preferences, but they can make shortlisting difficult. Varying degrees of information may be supplied by applicants while important details may be omitted. CVs can also include information which is not relevant to the job, or include details which may allow negative and discriminatory opinions about an applicant to be formed. For example, information about hobbies, or marital status, and numbers and ages of children and so on.

Job application forms, on the other hand, allow applications to be scored or ranked for shortlisting across a common set of criteria, and help ensure applicants provide consistently structured information which can be expanded on at interview. In addition, application forms can provide evidence of why a candidate has or has not been selected for interview, if a claim of unfair selection is taken to tribunal.

Job application forms should not include questions which are not relevant to the applicant's ability to do the job as this may amount to unlawful discrimination.

Some of the questions which may lead to unlawful discrimination include those related to:

- Gender, including family, ages of children, intentions to have children;
- Marital status or relationships, including whether Mrs or Ms; and
- First names (identify candidates by initials only, or blank out for shortlisting).

You should include a section on unpaid work experience. This allows applicants to demonstrate relevant skills or experience gained in unpaid work, for example, charities, parent teacher associations, and so on.

ACTIONS

Review the use of CVs in your organisation, and develop an action plan to phase out their use and replace them with a standardised application form.

Advertising vacancies

Recruitment practice that encourages applications from as the widest possible pool will attract the best talent, and will be better able to recruit non-traditional candidates. This will help tackle **job segregation**, a key cause of the **gender pay gap**.

Evidence shows that women are less likely to apply for jobs for which they do not have **all** the essential and desirable criteria, whereas men will apply for jobs even if they only meet some of the criteria specified. If jobs are not formally advertised then women, who tend to have less access to informal workplace networks, are less likely to be aware of development and promotion opportunities.

When advertising your job vacancy, avoid using gender-specific terminology (such as for ‘handyman’ or ‘waitress’), which may imply only one particular gender is suitable for the job. This can amount to direct **sex discrimination**, which is unlawful. Adverts should use gender neutral terms that can be applied equally to women or men.

Also be aware of **indirect sex discrimination**. This can occur where an apparently neutral provision, criterion or practice is applied to all staff, but can particularly disadvantage women or men. More information on indirect sex discrimination is outlined in the **Person Specifications** section on page 10.

When using images in a job advert, you should make sure that these do not appear to favour or suggest a particular type of person should apply for the post (for example, white, male, young). Images that show a diverse range of people are more likely to attract a wider pool of talent.

Vacancies should be advertised as widely as possible by using a variety of media, for example:

- Local newspapers.
- National or regional newspapers.
- Online recruitment sites.
- Social media.
- Company website.
- Trade and professional journals.
- Magazines.
- Job centres.
- Notice boards.

The law says you must let staff know about any promotion opportunities or other information relating to their job that they would normally be made aware of if they were working. This is particularly important

for staff who are on maternity, or other parental, leave, who may have a claim for pregnancy and maternity discrimination if they are not kept up to date.

ACTIONS

Review your recruitment policy to ensure all vacancies are advertised. It's best practice to run adverts for a minimum of three to four weeks, and to advertise in a wide range of media and locations.

Review your policy on contact during leave, and check line managers are aware of the requirement to keep employees on maternity, or other parental, leave updated about promotion opportunities.

FLEXIBLE WORKING

It makes good business sense to let prospective employees, and internal applicants, know that you're happy to consider flexible working. It helps you to attract and retain the best talent, and get the most out of your people. Promoting this for jobs at all levels, in particular more senior roles, is important. Jobs that are done part-time or flexibly tend to be concentrated in lower grades, where women are over-represented, often because they have responsibility for childcare, or other caring roles. By advertising jobs at all levels as considered on a flexible or part-time basis, you'll be able to recruit more women to senior roles, and this will help close your pay gap.

For more information on how flexible working can work for your organisation, read our **Flexible and Part-Time Working guidance**.

ACTIONS

Check all jobs are advertised as being considered for flexible working or part-time, wherever possible.

Positive action in recruitment

Gender stereotypes are pervasive in society. Women and men who aspire to work in jobs more common to the opposite sex often feel discouraged from doing so. The sectors and jobs with the greatest skills shortages, such as those in science, technology, engineering and maths, also often suffer from significant job segregation, which is a barrier to those shortages being filled. Organisations with equality-proofed recruitment processes which encourage applications from the widest possible pool are more able to recruit the people they need, and more effective on action to close their gender pay gap.

The law says that if you have identified that certain groups are under-represented within a particular role within your company, you can take '**positive action**' measures to try to address this. In recruitment, this can be done before, or at, the application stage when the positive action is targeting women. This means supporting women to perform to the best of their ability, which puts them on a level playing field with their male counterparts. It's important to note that this is different from the law on granting automatic interviews to disabled people who meet all of the essential criteria, which only applies to disabled people, and not other **protected characteristics**.

POSITIVE ACTION METHODS

- Make sure job adverts are worded to encourage applications from both women and men. Any pictures in adverts should represent both sexes.
- Extend advertising beyond the use of standard recruitment websites, including to recruitment sites or organisations which target women.
- Offer pre-interview information or training sessions, for potential employees to learn about the business and the skills required for the vacant post. This can include sessions targeted specifically at women.
- Offer work experience opportunities which avoid gender stereotyping. For example, engineering and construction placements for girls as well as boys.
- Provide induction training for women returners whose family related career breaks may mean recent work experience is limited.

EXAMPLE

A design company is looking to take on a new software developer. All of its current software developers are men, so the company directors decide that they should try to target women for the position. The company contacts Women in Technology, an organisation which promotes career opportunities to women working in information technology, to advertise the vacant position. The advertisement reaches a much wider pool, and there is an increase in female applicants.

Positive action can also be used in a tie break situation where two applicants, for example a man and a woman, are equally well qualified. In the example above, the design company could select a female candidate over the male candidate, providing she was equally well qualified, in furtherance of the company's efforts to have a more representative workforce.

This is not the same as 'positive discrimination', which is unlawful. If, after advertising for the post, a man applied and was better qualified than a female applicant, the company would have to offer the job to the male candidate, even though they were targeting woman in an effort to redress the gender imbalance in their workforce. To offer a post to a less well qualified person because they share a protected characteristic is discriminatory.

More information on positive action measures can be found on the Equality and Human Rights Commission website².

Shortlisting

When the job has been advertised and applications received, a shortlist of candidates to invite for interview should be drawn up.

Taking a fair, systematic and consistent approach helps ensure selectors don't discriminate unfairly on grounds of personal bias, consciously or subconsciously, when shortlisting interview candidates.

Applicants should be informed whether they have been selected for interview as quickly as possible.

SHORTLISTING INTERVIEW CANDIDATES

Set criteria for selecting candidates

- Criteria should be based closely on the person specification drawn up for the job.

Have a scoring system to assist decision making

- Examine each application and award points to each applicant, depending on how the individual criteria agreed for the job are met by each applicant.

Involve two or more people in the shortlisting process

- Where possible, at least two people should collaborate in deciding the shortlist of interview candidates. Where possible, there should be a gender balance.
- Each draws up their own list of potential candidates, then they meet and agree a final list, based on scores from their individual lists.
- Scores are totalled, and applicants with the highest scores are invited to interview.

Interviews

A structured interview provides a fair and consistent way to assess suitability for a post, as they are based on the interviewers asking the same questions of each candidate and assessing the quality of responses provided by each interviewee.

Deciding which questions should be included in the interview should be relatively straightforward, as the knowledge and skills, or competencies, required for the job should already be decided upon, having formed

the basis of any job advertisement and shortlisting process. For each question to be asked, the interviewers should decide on a score to be allocated to it, with the maximum score available being that which they would award to the 'ideal candidate'.

You may decide that certain competencies are more important to the job than others, and award a higher possible score to one question than to another.

Every candidate should have the same opportunity to present themselves effectively, to demonstrate their suitability and to ask questions at the interview

INTERVIEWING JOB APPLICANTS

Where possible, at least two people should conduct interviews, and it should be those who did the shortlisting

- One-to-one interviews can increase the potential for discrimination to occur. It's also difficult to concentrate on questions, take notes, and relax the candidate at the same time.
- Panel interviews, conducted by two or more people who have met and set criteria and interview questions beforehand, lessen the opportunity for discrimination.

Keep records of interviews

- Each interviewer should note every candidate's answers to the interview questions, and notes should be kept for future reference.

All interview candidates are asked the same questions

- All candidates should be asked the same set of questions which are decided by the interviewers beforehand.
- Where candidates are asked different questions, inconsistency and unfairness can result.
- If an unsuccessful candidate takes a complaint to an employment tribunal, this type of questioning can be difficult to defend.

Interview panels should be gender balanced

- Where possible, both men and women should be on interview panels.

Questions are relevant to the vacant job

- Make sure only questions related to the job in question are asked.
- Never ask questions about childcare arrangements or marital status. Even if such questions are asked of both men and women, this may amount to indirect sex discrimination.

During structured interviews, scores are allocated for each answer given by candidates, according to the rating system previously agreed. The successful candidate is the person who has achieved the highest overall score.

Always make sure information relating to candidates' answers, and copies of any scoring sheets, are kept for providing feedback to unsuccessful candidates. If a complaint of unfair selection is made, such evidence may be invaluable.

Everyone involved in the recruitment process should receive training in recruitment and selection, which should include equality and non-discrimination in recruitment, and cover the link between recruitment practice and the gender pay gap.

ACTIONS

Review your recruitment policy to ensure it's a requirement that an interview is held for all vacancies.

Review recruitment policy to ensure panel interviews are used, wherever possible.

Include a statement in your recruitment policy that 1-1 interviews will be avoided, wherever possible.

Include a statement in your recruitment policy that formal interviews will be held, wherever possible.

Review recruitment policy to specify that interview panels include an HR representative, wherever possible.

Update recruitment policy to specify that interview panels should include women and men, wherever possible.

Check all staff with hiring responsibilities have up-to-date knowledge of interview policy.

Decision making

Stereotypical views and attitudes may influence decisions, whether consciously or not. Assumptions about women's capabilities and preferences can lead to the wrong decision being made about whether they are right for a particular job. This can have the effect of widening your pay gap, and risks costly and reputationally damaging discrimination claims.

A fair and objective recruitment and selection policy should set out clearly how a successful applicant should be considered and selected. You should make sure all staff involved in recruitment panels or decision making are trained, and that this training includes the importance of non-discrimination in recruitment, and is kept up to date. It is important that you are able to be confident in your selection decisions, and demonstrate how these were made.

ACTIONS

Make sure all staff involved in recruitment decisions have received appropriate training, which should include equalities and non-discrimination in recruitment and selection, and cover relevant legislation.

Keeping records, and evidencing decisions

Discrimination during recruitment and selection can result in an employment tribunal claim, which not only costs time and money, but can also present a serious risk to reputation. It's important to record how you arrived at a decision to select a particular candidate over another, for example the qualification criteria upon which the selection was based, and the objective comparative assessment of those criteria. This will

enable you to evidence and justify your decision, and make sure you are making your selection based only on the criteria for the job, and therefore selecting the best candidate. It will also enable you to demonstrate this, and protect your organisation in the event of a tribunal claim.

It's important to be able to make the best use of your data. Gathering recruitment data, by gender, will enable you to identify patterns, for example, departments, roles, or grades where women are under-represented in appointments, or stages in the recruitment process where women appear to drop-off.

ACTIONS

Make sure data on the gender of applicants, shortlisted candidates, and successful candidates are recorded during the recruitment process.

Check that detailed records of all recruitment decisions are made and retained.

PROMOTION

The 'glass ceiling'

Women tend to work in more junior roles than men across all occupational sectors, and are usually concentrated in the lower grades of most companies. The invisible barrier that prevents women from progressing to senior levels, despite seemingly fair recruitment and promotion procedures, is called the '**glass ceiling**'.

The glass ceiling prevents women from reaching senior management level and boardroom positions. Women can also be discouraged from applying for promoted posts for a number of other reasons, including:

- A culture of **presenteeism** which wrongly equates long hours with excellence;
- The presence of so-called 'old boys' networks' which leave women without access to informal mentoring opportunities that men have;
- A perceived lack of work-life balance at senior levels;
- A lack of senior female role models; and
- Recruitment and selection processes that lack transparency.

Companies usually find that they have two glass ceilings: one below senior management, and one above senior admin workers. You can find more information on supporting the development of admin workers in our **Training and Development guidance**.

Informal networks

Many women struggle to access informal work networks, particularly those that are based on after-work socialising. These informal networks are frequently where promotion or development opportunities are discussed, and this can result in these opportunities going to the same groups of people. Informal

discussion of such opportunities can also mean jobs are not formally advertised, or the recruitment process is not followed as the successful candidate has already been identified.

Creating, or supporting your female employees to participate in, women's networks can help to build cross-organisational relationships, emphasise that the organisation values difference, and can help drive cultural change.

ACTIONS

Develop a plan to increase women's access to networking, and other informal development opportunities. This could include time off to attend networking events, or developing an in-house mentoring scheme.

'Shoulder tapping'

It's important to make sure that the formal recruitment procedure is followed for internal vacancies as well as external. Where it appears that staff have been 'shoulder tapped' for promotion opportunities, or the formal process has not been followed, it can have an impact on employee morale, and means it's unlikely that you are getting the best person for the role. Making sure a standardised and transparent process is followed will also help to protect your company from costly employment tribunal claims.

ACTIONS

Make sure that hiring for internal vacancies follows the formal recruitment process, and that all staff involved are aware of this.

Flexible working

A lack of flexible working and part-time roles is a barrier to women's progression at all levels, but particularly in senior grades. Women often have caring roles, and require working hours which allow them to accommodate this responsibility. Where women do not have equal access to progression it can widen your company's pay gap.

If you have senior employees working flexibly or part-time, consider developing a case study to share good practice and role model flexible working across the business. Good practice case studies help to demonstrate your company's commitment to closing your pay gap, and to show that working flexibly is not a barrier to progression.

ACTIONS

Develop a targeted initiative to promote flexible working to senior employees.

Ask a senior employee who works flexibly or part-time to become a flexible working champion, and share their story in staff communications.

Check all senior vacancies are advertised as being suitable for flexible working, wherever possible.

Talent management

The most successful companies make the best use of their most valuable resource: their people. Managing people in a way that enables and encourages them to reach their full potential benefits not only them but also the business.

Many companies have developed an internal talent management programme to enable them to grow their own talent. It's important these programmes are accessible to all staff.

It is essential to have a clear policy on access to your talent management programme, and that all staff understand this. It's also good practice to give clear feedback to staff who are unsuccessful in their application to the programme. Without a formal policy or transparent decision making process, there is a risk that bias and discriminatory practice can creep in. Where it appears that staff have been 'shoulder tapped' for development opportunities, it can impact staff employee morale and productivity, and means it is unlikely that you are making the most of your talent.

Gathering data on talent management applications and participation, by gender, will enable you to identify patterns, for example, where men are more likely to apply or be successful than women. Having this information will allow you to take action to encourage under-represented groups to participate.

ACTIONS

Develop a clear policy on access to your talent management programme, and communicate the policy to staff.

Make sure staff who are unsuccessful in their application receive meaningful feedback so they understand the decision, and the steps they can take to improve their chances of future success.

Make sure the application and selection process for your talent management programme includes a mechanism to record data on gender.

Presenteeism

Evidence shows that working longer hours does not mean increased productivity. A culture of presenteeism, which sees long hours equated with greater commitment or capability, discourages women from applying for senior roles. Helping staff to work smarter rather than longer, and ensuring senior staff model a culture of 'leaving on time', can have a positive impact on productivity, women's progression, and your gender pay gap.

ACTIONS

Develop a 'leave on time' initiative where senior staff model and promote good practice around working hours.

GLOSSARY

Direct discrimination

Less favourable treatment of a woman than a man (or vice versa) because of their sex.

Diversity

The recognition and valuing of difference, in its broadest sense. It is about creating a culture and practices that recognise, respect, value and harness difference for the benefit of service users, members of the public and employees.

Equality

Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration - recognising the diversity of different groups of women and men.

Equal value

As defined by the Equality Act 2010, an individual can claim equal pay with a comparator of the opposite sex where work is different, but which

would be assessed as equal in value in terms of demands such as effort, skill and decision-making.

Equal pay review

A process which looks at pay arrangements within an organisation to find, and address, gender discrimination. It involves comparing the pay of groups of workers who are doing equal work in the organisation and then investigating any gaps between men's and women's pay.

Gender

Refers to roles, attitudes, values and behaviours that men and women are encouraged to adopt by society. These characteristics can vary depending on the society around us. For example, historically, gender role stereotyping would suggest that women should look after children at home while men go to work in the formal labour market.

Gender bias

Gender bias describes where men and women are treated differently because of their gender, and it may be intentional or unintentional. It can also be

used to describe why a process or policy may have a differential impact on or outcome for women and men.

Gender pay gap

The gender pay gap is the difference in average hourly earnings between men and women.

Glass ceiling

Describes the under-representation of women at senior levels in organisations, and across the labour market.

Indirect discrimination

Occurs when an employer applies a provision, criterion or practice equally to both women and men that puts one sex at an unfair disadvantage.

Job segregation

Another term for occupational segregation.

Positive action

Refers to a range of lawful actions that seek to overcome or minimise disadvantages (e.g. in employment opportunities) that people who share a protected characteristic have experienced, or to meet their different needs.

Positive discrimination

Treating someone with a protected characteristic

more favourably to counteract the effects of past discrimination. It is sometimes confused with positive action, which is lawful.

Presenteeism

Refers to a working culture which equates working long hours with increased productivity, commitment or capability. This is a barrier to women's retention and progression within the workplace. The need to be seen to be putting in the extra hours do not fit with the family-friendly working practices many women (and men) need.

Protected characteristics

These are the grounds upon which discrimination is unlawful. The characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Occupational segregation

Refers to the clustering of men and women into different types of work (horizontal segregation) and into different levels of work (vertical segregation).

CLOSE YOUR PAY GAP

The Close Your Pay Gap tool is designed to help large employers close their gender pay gap. It's aimed at those who are publishing their gender pay gap figures under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. Close Your Pay Gap is developed by Close the Gap, Scotland's expert on the gender pay gap.

Close the Gap works in Scotland on women's participation in the labour market. We work with employers and policymakers to influence and enable action to address the causes of women's inequality at work.

Close the Gap
info@closethegap.org.uk
www.closethegap.org.uk
Twitter: @closethepaygap

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Close the Gap (SCIO) (known as Close the Gap) is a Scottish charity, SC046842. Close the Gap

