

**CLOSE YOUR
PAY GAP**

WORKPLACE CULTURE

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INTRODUCTION

This guidance is for private and third sector employers 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 organisation's Close Your Pay Gap personalised action plan.

This guidance accompanies the Close Your Pay Gap tool, which will help your organisation 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 Workplace Culture **Close Your Pay Gap tool** priority, providing information and advice on how workplace culture 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. On average, in 2017, women in Scotland earn 15% less per hour than men. The pay gap is the key indicator of the inequalities and differences that still exist in men's and women's working lives, and is caused by three main factors: occupational segregation; inflexible working practices; and pay discrimination. Although there will be differences between different organisations, 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.

The impact of workplace culture on your pay gap

Workplace culture can be difficult to define, though is generally considered to be a combination of the processes, attitudes, values and behaviours that exist within a workplace that impact upon the organisation and its staff. The culture might be largely determined by expectations of management, or may have evolved over many years among staff, and is often accepted without question.

While there may never be any intention to exclude particular groups or individuals, cultural norms at work can result in some people being put at a disadvantage. This can include, for example, organisations where there is an expectation to work very long hours, where women would struggle to balance the demands of their job with those of childcare, leading to these women being seen as less committed to the business.

Workplace cultures which don't feel inclusive to female staff can manifest in women being passed over for promotion, having less access to training and development opportunities, and being more likely to be working in a role that is below their skill level because of inflexible working practices. All of these factors can widen your **gender pay gap**, and your gender bonus gap.

CREATING A FAIR AND INCLUSIVE WORKPLACE CULTURE

Policies

It's important to have formal employment policies in place so that staff and line managers understand their roles, rights and responsibilities. Having standardised and transparent procedures in place to deal with, for example, recruitment, pay-setting, or promotion, will also help to protect your organisation from costly employment tribunal claims. Employment tribunals will automatically mark down any employer which has not demonstrated a willingness to provide a fair working environment.

Most employers will have a set of employment policies, but many may not have reviewed these in some time. It's good practice to make sure your policies are reviewed regularly to check they are in line with any changes in the law or best practice. You should also have policies which set out your commitment to **equality** and **diversity**. The following policies should be in place in your organisation:

- Equality and diversity.
- Equal pay for men and women.
- Dignity and respect at work (including bullying, harassment and victimisation).
- Flexible working.
- Supporting staff who are pregnant or on maternity leave.

An equality and diversity policy should include a statement on the value your business places on fairness and equality and diversity, and how this will be put into practice. Your equality and diversity policy should set out the behaviour you expect of your staff; the kind of behaviour that is unacceptable; and what staff can expect of you as an employer.

HEALTH AND SAFETY

Women who require to wear PPE for their jobs often report being issued with ill-fitting equipment that has been designed for men.

Employers have a legal duty to ensure that female employees are provided with equipment that is fit for purpose, taking into account different body shape and sizes from their male counterparts.

The Workplace (Health, Safety and Welfare) Regulations 1992 require that the following facilities are provided as a minimum:

- Where possible, separate toilet facilities for men and women, or, failing that, rooms with lockable doors;
- A supply of toilet paper and, for female employees, a means of disposing of sanitary products; and
- Separate use of changing facilities should be available to men and women in working environments where employees are required to change into and wear specialist clothing (overalls, a uniform, thermal clothing, and so on).

Having fair and transparent policies in place is important, but it's equally important to ensure they are implemented consistently across the business. Finding out how your employment policies work in practice can help you identify if they're being implemented fairly for both women and men in your organisation. It's good practice to regularly review how your policies are implemented, and seek the views of staff on this.

ACTIONS

Review your current employment policies, and update them according to best practice on promoting gender equality. You can find guidance on employment policies on the Equality and Human Rights Commission website www.equalityhumanrights.com.

Equality and diversity training

All staff should receive equality training so that they understand their rights and responsibilities, and how equality law affects them and their colleagues. Training can be undertaken as part of an induction, a team meeting, or as a separate session. Equality training is also a good way to demonstrate your commitment to preventing discrimination and promoting fairness and equality within your business.

Examples of topics that equality training may include:

- Dealing with bullying, harassment and victimisation.
- Sexual harassment.
- Discrimination.
- Promoting a positive workplace culture.
- Positive action in recruitment.
- Pregnancy and maternity discrimination.
- Promoting diversity.
- Equality law.
- Organisational equality policy.

SEXUAL HARASSMENT

Recent research has found that 52% of women had experienced some form of sexual harassment at work, nearly a quarter had been touched without invitation, and a fifth had experienced a sexual advance. The same research showed that one in five women reported the sexual harassment, but of those women 80% found that nothing changed, and 16% said that the situation worsened afterwards.

The Equality Act 2010 defines sexual harassment as “unwanted conduct of a sexual nature which has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.” The Equality and Human Rights Commission Code of Practice on Employment¹ defines “conduct of a sexual nature” as “verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature”.

Sexual harassment in the workplace has a significant and detrimental impact on women. It is an abuse of power, and sends a message to the victim that their primary value is as a sexual object, which undermines their skills, talent and effort. Sexual harassment at work creates a hostile environment, increases staff turnover, discourages women from seeking promotion, and widens your gender pay gap.

Where employers fail to take meaningful action on staff complaints of sexual harassment they may find themselves facing a costly employment tribunal claim. Employers should have a policy in place which addresses sexual harassment; many employers include this in their dignity and respect policy. You should review your policy to make sure it is consistent with the law and best practice. It is important that your reporting procedures are effective, and that complaints of sexual harassment are taken seriously. You should communicate to all staff that your organisation takes a zero tolerance approach to sexual harassment.

ACTIONS

Review your current policy on sexual harassment to ensure it is fit for purpose, or develop a policy on sexual harassment.

Make sure all line managers receive training on sexual harassment, including supporting staff who make a report of sexual harassment.

Develop an initiative to promote zero tolerance of sexual harassment across your organisation.

Staff communication

Workplace situations often escalate to an employment tribunal because of a lack of communication, or ineffective communication.

Staff should be given information about their rights and encouraged to speak to line managers as soon as they have a problem. Regular, short meetings with appropriate managers should be encouraged when a problem is identified. Encouraging a culture of openness will help to ensure that staff are confident that issues will be taken seriously.

Involving staff when changes are made to the business can help to foster a culture of openness. How you involve staff will depend on the type, size and structure of your business. This might be done through staff meetings and surveys, or through a trade union representative.

One-to-one meetings with line managers can also be a forum for discussion. Where line managers discuss an individual staff member's progress, it's important to make sure they take a consistent approach. Discrimination and unfair treatment often have at their root a failure to deal with situations in a consistent way. All line managers should receive equality training so that they understand their role in creating an inclusive workplace culture, and closing the pay gap.

By keeping staff informed about changes to the business, you can foster an understanding of, and better engage with your workforce on, implementing change. When updating policies, it's important that all staff and managers are aware of what their rights and responsibilities are.

Consultation

Consulting with staff on decisions that will affect them is good practice, and will help to create a culture of openness. It's important to take into consideration the impact business decisions may have on your staff and their role. You can consult with staff in a variety of ways including all staff surveys, and during team meetings. It's good practice for the consultation process to allow staff the opportunity to feedback on changes made. This provides the organisation with valuable feedback from staff on the front line, and across your business, and can help to improve staff morale and engagement.

Surveys

All staff surveys can be a cost-effective way to gain feedback from your staff about your organisational policies and practice. Reviewing your data by team or department can allow you to check if policies are being implemented consistently across your organisation. By collecting gender-disaggregated data you'll be able to identify in differences in the experiences of male and female staff. Make sure your staff survey includes questions on access to practices such as flexible working and care leave. It's also helpful to let staff know how the results of the survey will be used.

ACTIONS

Review internal communications practice to ensure staff are informed on new and existing policies, and changes to the business.

Review processes for business decisions to incorporate a stage for consulting staff on relevant issues. Make sure the process provides a mechanism for staff to provide feedback.

Consider using an all-staff survey to provide feedback on your employment policy and practice.

Review staff survey questions, and include a question to ask staff how well they feel employment policies are implemented, for example flexible working and carer's leave. This will allow you to identify where policies are not working well in practice.

Analyse staff survey responses by gender and department/team, and investigate patterns or issues that arise.

Recording data and understanding trends

Many organisations keep records on a range of employment practices. Record keeping is essential to ensure your recruitment and selection procedures are able to withstand scrutiny. Keep all documents connected with recruitment and selection processes, such as shortlisting records, interviewers' notes, or any other record of decision-making. Documents should be signed and dated by the person who created them.

It's good practice to collect **gender-disaggregated data**. This is when information is collected and broken down by gender, to aid comparison between men and women. This can be helpful in determining where women and men might be differentially impacted by workplace policies and practices. Data, broken down by gender, should be kept on the following:

- Job applicants.
- Applicants shortlisted.
- Successful applicants.
- Pay and reward.
- Requests for flexible working, including the decision made.
- Sickness and absence.
- Return to work after maternity leave.
- Staff taking paternity leave.
- Grievances.
- Disciplinarys.
- Staff leaving the organisation.

Tap into your talent

The most successful organisations make the best use of their most valuable resource: their people. Managing people in a way that enables and encourages them to maximise their potential benefits both individual and organisational performance. Attracting and retaining skilled people is a key challenge for employers. By developing effective training opportunities for staff, you may find it easier to retain skilled people, while benefiting from improved employee morale, and higher productivity.

Women have less access to both formal and informal training and development in the workplace. Men in operational and senior roles are more likely to access training, particularly the type of training that leads

to increased pay or promotion. Part-time, low-paid women are the group of workers least likely to be offered training and development opportunities in the workplace, but they are also the most likely to be over-qualified for their job.

Women are less likely to be able to access networking opportunities outside of working hours, because they are more likely to have caring roles. Many training and development opportunities are often discussed at these networks. Networking that requires participation in an activity stereotypically seen as male, such as golf or football, may function as a further barrier to female employees. Without a fair and transparent policy to follow, evidence shows that opportunities tend to go to the same groups of people, usually male employees, and this functions as a barrier to women's progression. 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 training and development practice affects men and women differently can help you to ensure fairness, build capacity across your organisation, and support women's progression and development. This will help you to close your gender pay gap.

ACTIONS

Support your female staff to participate in women's professional networks.

Develop a programme of lunchtime networking events.

Make sure you hold networking events in formal locations, wherever possible. Update any relevant policies and check all staff responsible for organising events are briefed.

Flexible working

Creating a culture where flexible and part-time working is valued in the same way as full-time working will help you to close your gender pay gap, and will enable you to make the most of women's skills and talent. An inclusive workplace culture is driven by your employment policy and practice. Make sure your commitment to flexible working is visible, and strong messaging from senior levels will help to achieve this.

Staff who are able to balance their work and caring responsibilities through being able to work flexibly are less likely to experience work-related stress and are less likely to be absent or late for work because of their caring responsibilities. Flexibility in working hours can also result in reduced travel or childcare costs for staff, further contributing to job satisfaction.

Where staff feel supported to work in ways which allow them to balance their responsibilities in and out of work they will be more loyal, and more productive, which in turn will make your organisation more profitable.

ACTIONS

Promote flexible working across the organisation to increase uptake.

Identify a senior leader who can act as a flexible and part-time working champion.

Presenteeism

There is overwhelming evidence that a long hours culture, or '**presenteeism**' can be harmful to both staff and productivity. Many women perceive that promoted posts will require a significant increase in hours spent at the office, which can be challenging for staff with caring responsibilities and acts as a disincentive. Developing flexible working practices can help staff work smarter rather than longer.

Retaining staff

Having gone through what can be an expensive and time-consuming process to recruit talented, skilled, and loyal people, you will want them to stay. It makes business sense to retain key people for as long as possible as it takes time, money and effort to recruit and train skilled staff.

Find out why people want to leave and what steps might encourage them to stay. Exit interviews enable you to find out why employees want to leave, and can highlight issues which you may need to address. Action to improve staff retention in your organisation might include:

- Providing an accurate impression of the job at the recruitment stage.
- Training line managers in effective supervision, including equality and diversity training.
- Providing opportunities for staff to develop skills and progress, where possible.
- Offering sideways moves, if promoted posts are not feasible. This can vary experience and make work more interesting.
- Offering flexible working, where possible.
- Avoiding a culture of **'presenteeism'** where people feel under pressure to work longer hours than are necessary.
- Making sure staff are not discriminated against or experience bullying or harassment.

ACTIONS

If you do exit interviews, review the data by gender and department. If you don't carry out exit interviews, consider including this in your existing people management processes.

PREGNANCY AND MATERNITY

Supporting your staff

Many women report a lack of support from their employer during pregnancy, and challenges in returning to work after maternity, or other parental, leave.

Recent research found that one in nine women lost their job because of pregnancy and maternity discrimination, and one in five pregnant women had experienced harassment related to pregnancy or flexible working. Having data on female employees' experiences will allow you to identify if there are patterns of staff on maternity or shared parental leave returning to jobs of a lower grade, or not returning to work from leave. Improving support for staff during and after maternity and shared parental leave increases staff retention and women's ability to progress. This will reduce your pay gap and enhance your organisation's reputation as a good employer.

ACTIONS

Develop a process to collect data on staff experiences of pregnancy and maternity/shared parental leave, which includes the support available for women returners. Disaggregate this information by department to identify any trends.

Communicating with staff on leave

Employers are entitled to make reasonable contact with staff during maternity leave. This might be to discuss arrangements for return to work, or providing an update on significant changes to the workplace.

Women on maternity leave can, by agreement, work for up to 10 days without bringing their leave to an end or affecting their maternity pay. These are called 'Keeping in Touch' (KiT) days. KiT days are designed to let women keep in touch with their employer, and the days can be used for any work-related activity including training or attendance at meetings or conference. Working for part of a day counts as one day's work and businesses must be aware that any such work only takes place with the agreement of both parties.

The law says you must let staff know about any promotion or development 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.

Return to work

It's good business sense to support staff to return to work after maternity, or other parental, leave, or from a longer career break, for example a break to provide care for a child or relative.

After having children, many women look to work part-time, or flexibly in another way. Because part-time work is commonly found in lower grades, it means many women are working below their skill level as they have to balance their work with caring roles.

Research by the Resolution Foundation² found that almost half (48%) of women on low to middle incomes, and almost half of women with degrees (42%), had to take a lower-skilled job on their return to work after having children because of a need to work part-time.

This is a huge loss of skills and talent to employers. It also functions as a drag on economic growth, as many women are in the wrong jobs for their skills, talents, and abilities.

WHAT THE LAW SAYS

If a staff member returns to work during, or at the end of, any of the following:

- Ordinary Maternity Leave;
- Ordinary Adoption Leave (the first 26 weeks of leave);
- Paternity Leave; or
- Shared Parental Leave where they have taken total leave of 26 weeks or less on **aggregate** (including any other periods of statutory leave);

they are legally entitled to return to the same job they were doing before the start of the leave, on the same terms and conditions they had before. The law says they must be given any pay rises (or improvements in other terms and conditions) that would have applied if they hadn't been on leave.

If a staff member returns to work during or at the end of:

- Additional Maternity Leave;
- Additional Adoption Leave (the second 26 weeks of leave); or,
- Shared Parental Leave where they have taken total leave of more than 26 weeks on aggregate (including any other periods of statutory leave);

they are usually entitled to return to the same job on the same terms and conditions as if they had not been absent. However, if it's not reasonably practicable for the staff member to return to their original job, they have a legal right to be offered a suitable alternative job.

The new job must be both suitable and appropriate for the staff member and on terms and conditions of employment which are no less favourable than their previous job.

It's good practice to take steps that enable all staff who are on maternity leave are supported to access training and development, if they wish to do so. Supporting staff on maternity, or other parental, leave to keep up to date with advances in technology or new developments within an industry will benefit the business as well as the individuals concerned.

Women returners programmes are becoming an increasingly popular way to attract talent by supporting professional women back into the workplace after a career break. Returnships offer a cost effective and innovative way to access a pool of talent and help reduce your pay gap. You can also provide refresher training for women returners whose family related career breaks may mean recent work experience is limited.

Close the Gap's **Think Business Think Equality** guidance³ has more information on supporting staff returning to work.

ACTIONS

Develop a women returners programme. Alternatively consider supporting your people to participate in existing external programmes. You can find out more about this from Equate Scotland www.equatescotland.org.uk/projects/women-returners/.

Paternity Leave and Shared Parental Leave

Research shows that fewer than 10% of men take more than two weeks' Paternity Leave after the birth or adoption of a child. When looking at male managers, this falls to just 2%.

Women still do the lion's share of childcare, and often have to take jobs that are below their skill level in order to find the flexibility they need to balance their responsibilities in and out of work. Employers have an important role in challenging gender stereotypes and supporting their male employees to take their full Paternity Leave entitlement, and to share caring responsibilities more broadly.

Shared Parental Leave has the potential to positively impact on both women's pay, and progression opportunities after having children. When more men take Paternity Leave and Shared Parental Leave, particularly at senior levels, this helps to demonstrate that having caring responsibilities is compatible with progression. Creating a culture which is supportive of men sharing caring responsibilities will be beneficial for both male and female staff, and ultimately reduce your pay gap.

WHAT THE LAW SAYS

Fathers and partners can take two weeks' Paternity Leave following the birth of a child or the adoption of a child, taken to support the mother or care for the new child. It can be taken as a single week or two consecutive weeks. In addition to this, if a mother wishes to return to work early or shorten her Maternity Leave and/or Pay, she is legally entitled to Shared Parental Leave with the father or her partner within the first year of the baby's birth.

Sometimes both parents will qualify for Shared Parental Leave, allowing them to take Shared Parental Leave together or separately. If only one parent qualifies for Shared Parental Leave, that parent can use it to take their leave in separate blocks even if the other parent can't share the leave. Shared Parental Leave can be taken in one block or, if you agree, in discontinuous blocks, for example, alternate weeks. Up to 50 weeks' Shared Parental Leave and up to 37 weeks' Shared Parental Pay may be taken.

All staff who have had a baby must take the two weeks off work immediately after childbirth (four weeks for factory workers) as compulsory maternity leave. Fathers or partners who qualify for Paternity Leave must take it before Shared Parental Leave or they lose entitlement to Paternity Leave.

You can find more information on Paternity Leave and Shared Parental Leave in our **Think Business Think Equality** guidance on Paternity Leave, and Father and Partners and Shared Parental Leave⁴.

ACTIONS

Promote your parental leave policy. Develop an initiative to encourage uptake of Ordinary Parental Leave and Shared Parental Leave in your organisation.

Parental Leave and time off for dependants

Staff who have caring responsibilities for a child or an adult are entitled to take unpaid time off during working hours to deal to with unforeseen matters and emergencies. There is no legal right to be paid, but it's good practice to offer an amount of paid time off for dependants. It demonstrates you value your people, and recognise the complexities that come with caring roles. It's important that managers are trained in implementing this policy to ensure it is applied consistently and staff are not penalised for taking unplanned leave.

WHAT THE LAW SAYS

Staff who have worked for you for at least a year are entitled to take up to 18 weeks of unpaid Parental Leave to look after a child up to the age of 18. The employee must be the father of the child or have (or expect to have) parental responsibility, and be taking the time off to look after the child. Parental Leave is different to Shared Parental Leave, which enables eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed.

ACTIONS

Develop a policy on emergency care leave. Make sure all line managers are trained on the policy, and update all staff on their entitlements.

Make sure line managers are trained in employee rights to emergency care leave.

LINE MANAGERS

Good employment policies are the foundation of any work to narrow the pay gap, but it's equally important that policies are implemented in a fair and consistent way across the business. Inconsistent implementation of policies can lead to staff in different areas of the business having very different experiences, and is likely to widen your pay gap. Line managers have an important role in reducing your organisation's gender pay gap, as they have responsibility for making policies work in practice, and they often make decisions on pay and performance management.

Putting policies into practice

Line managers should have an understanding of how a mismatch between policy and practice can impact on men and women differently, and therefore contribute to the pay gap. It's extremely unusual for a gender pay gap to be caused by pay discrimination alone. Other employment policies and practice also have a significant impact. This includes where line managers have discretion to make decisions on recruitment, training and development, promotion, and flexible working. Gender bias can easily creep in to discretionary decision making, although it's usually not intentional.

Finding out how your employment policies work in practice can help you identify if they're being implemented fairly for both women and men in your organisation. It's good practice to regularly review how your policies are implemented, and seek the views of staff on this, to identify if there may be a training need on a particular policy, or if there are issues with inconsistent implementation in particular teams or departments.

Pay and reward

Managers involved in pay and reward decisions, and performance management should be trained in equality-proofed decision-making. This should include training on the gender pay gap, **gender bias** and

discrimination in pay and reward systems and broader equalities training, to ensure the avoidance of bias (and the perception of bias) in their decision making. Training helps to build capacity in managers to make fair and objective decisions, and so that they understand how pay discrimination contributes to the pay gap.

Managers with discretion to award bonuses, commission, performance related pay and so on, should be trained in the reward system itself, and in the equalities aspects of pay and reward. It's important that line managers make sure that staff have a clear understanding of performance standards, and how to achieve them. Line managers should hold regular meetings with their team members throughout the performance period. They should also ensure that all decision making on performance ratings, and appeals, are fair and objective, and that they're able to evidence this, to protect the business from a reputationally damaging tribunal claim.

Flexible working

Creating a workplace that embraces flexible working is critical factor in closing your gender pay gap, and involving line managers in this process is key. Line managers often have discretion over whether or not employees are able to work flexibly. Line managers should have a clear understanding of your flexible working policy, and how to implement it in their teams. The business case for flexible working is well rehearsed but is often not cascaded down to line managers. It's therefore good business sense to ensure all line managers are briefed on the business benefits of a flexible and agile workplace. It's particularly important to highlight that **employee autonomy over working hours is linked to improved staff morale, and higher productivity.**

Building line managers' confidence in managing flexible working is an easy way to reduce your pay gap. Where line managers have thought creatively about how to make enable their teams to work flexibly, share this as a good practice case study across the business. Where line managers are trained to support their teams on different working patterns, staff will be better supported in their roles individually, and teams better able to work together.

Pregnancy and maternity

It's important for line managers to be able to manage pregnancy and maternity fairly, as this can protect your organisation from a costly discrimination claim. This includes keeping staff informed about training, development and promotion opportunities while they are on maternity leave, and supporting them to use their Keeping in Touch days. Supporting staff on return to work is also crucial, through offering additional training, and granting requests for flexible working or a reduction in hours. By supporting employees who are pregnant, on maternity leave, or have just returned to work, you'll be able to retain key people, enhance your organisational reputation, and protect your business from costly tribunal claims. Enabling women to return to work after having children means you'll be able to retain skilled people. It can also support progression and will narrow your pay gap.

GENDER EQUALITY AS A BUSINESS PRIORITY

Designating gender equality as a priority area is a necessary step in demonstrating your commitment to reducing your pay gap. Leadership plays a critical role in closing your pay gap by driving cultural change, and ensuring that appropriate action is taken to enable your organisation to reap the benefits of gender equality.

Organisations that take steps to advance gender equality become more productive, more innovative and more profitable. Research by Close the Gap⁵ identified clear and mounting evidence that gender equality at work is not just good for women, but is also a critical driver for improved business performance, and a worldwide catalyst for economic growth. Crucially, closing the gender gap in employment could be worth more than £17bn to the Scottish economy.

ACTIONS

Designate gender equality as a priority area for your organisation. Have a senior leader communicate this commitment to all staff.

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.

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