

# TALKING ABOUT SEX

GREAT EXPECTATIONS  
SEX EQUALITY TODAY

ANNUAL REPORT 2003–2004

EQUAL OPPORTUNITIES COMMISSION



Women. Men. Different. Equal.  
Equal Opportunities Commission

# EOC Annual report 2003–04

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## From the Chair and Chief Executive



# Chair, Julie Mellor

This year, the EOC has helped to shift the agenda on a series of sex equality issues and as a result we have seen concrete developments which will help make Britain a fairer society.

Flexible working rights for parents have been a great success: nearly a million people have already asked for new working arrangements and 77% of requests were fully granted. Work carried out by the EOC and others in establishing that carers have similar needs to parents has prompted the Government to review extending these rights to people caring for elderly relatives. Another commitment, to universal childcare for children under five, is equally welcome. Many parents currently live life on a knife-edge, worrying whether their childcare arrangements will breakdown. Only universal provision will enable parents to plan ahead and give employers greater confidence in their reliability. With fathers doing up to eight times more childcare than 30 years ago, we are also pushing for better support for parents in order to give both mothers and fathers greater choice over how they share their earning and caring responsibilities, which will itself help achieve greater pay equality.

In response to our call to take action on the implementation of a public sector duty to promote equality, the Government has pledged to amend sex equality legislation to make this happen. This will help greatly in promoting fairness and better use of women's skills in public sector workplaces and personalising services to meet the differing needs of women and men.

What's more, 20% of businesses are now conducting pay reviews. This was almost unimaginable when our Equal Pay Taskforce put equal pay back on the agenda three years ago. However, as our *Sex and Power* report made plain, women still occupy too few top jobs – less than 10% across business, the police and the judiciary. This shows how far we still have to go.

The new Commission for Equality and Human Rights (CEHR) gives us the chance to extend work on gender. Human life is just too tangled to be viewed through a single lens: the new Commission's broad remit means it will be able to work more effectively for lone parents, disabled women and women who are Pakistani or Bangladeshi, all of whom are more likely to be poor than men in the same disadvantaged groups. It can also address the needs of older women who, after a lifetime of lower earnings, face poverty as pensioners. Throughout time women have reached out across racial and religious divides to work together in resolving conflicts and creating stable communities. By looking through both a faith and gender lens, the CEHR can promote good community relations by engaging with and supporting women in new ways.

Success in moving the sex equality agenda forward requires action from business, trade unions, the public and voluntary sectors and from governments. We wholeheartedly thank all those organisations who have worked with us in partnership to make this such a successful year.

# Chief Executive, Caroline Slocock



This year, the EOC has been carefully listening to what people think about sex equality, looking at the reality and using this evidence-based analysis to point to practical solutions to make a difference.

Our formal investigation into pregnancy discrimination has shown that 1,000 women a year in England and Wales register claims of pregnancy-related unfair dismissal with employment tribunals, and this is likely to be just the tip of the iceberg. The investigation has touched a chord with the public and employers, many of whom have told us their own stories and are helping us to find ways of making pregnancy a better experience for both employees and employers. Our *It's time to get even* campaign reached seven million people and is helping them to check whether they are paid fairly.

Our formal investigation into jobs dominated by men or women has shown that it's in employers' interests to open up non-traditional areas like construction and plumbing to women because it's precisely those areas that have skill shortages. It's also in women's interests. They've told us they often didn't know when they chose their career that areas like childcare usually pay much less than the jobs men generally do and they say that knowing this would have made a difference. The investigation is showing everyone involved how to tackle barriers to change.

Many parents and carers have told us how draining, stressful and, despite the rewards, sometimes impossible juggling work and care for children and relatives can be. Many have had to turn down or leave jobs they need as a result. Talking to employers, we know that getting this right is essential for their success. Most employers who do provide support for parents and carers find that it adds to, not detracts from, their bottom line. We have used these facts to push this issue higher up the political agenda, drawing together a Parents' and Carers' Coalition of 36 organisations and using it to make a powerful case for change.

Our Formal Investigation into Royal Mail – the first we have conducted for 10 years – has seen us successfully negotiating an action plan with its management to address the main problems. We have also pursued some landmark cases through the courts, such as Flight Lieutenant Byard v the Ministry of Defence and Alabaster v Woolwich Building Society.

What we have discovered through this work is that sex equality really matters to people and that promoting sex equality benefits employers and the wider economy, as well as helping families and society at large – a win-win for all. Expectations for equality are often not matched by reality. People don't know what they can do to make things better. That's where we're making the real difference. Working in partnership with those who will make change happen, we are using the evidence to make the case for change and to give people the means to achieve it.

# Sex equality today: great expectations vs reality

This year, we asked people what their expectations are for equality between women and men. We found a fair and commonsense approach. At work, people believe they should have the same opportunities and the same rewards, regardless of their sex: 88% of women expect to earn the same as a man who has the same qualifications. Over 90% of people want their children to make free choices about work, unrestricted by traditional stereotypes about which kinds of jobs are 'suitable' for women and men. Most women think that there should be more women in powerful jobs: 85% think there should be more women MPs and 85% think there should be more women directors of FTSE 100 companies. People expect support for working parents. In fact 68% of people said this could affect their voting intentions. All in all not unreasonable expectations for the 21st century.

Yet, as this report reveals, there is a gap between these expectations and the reality. In today's world women working part-time earn 40% less per hour than men working full-time. Britain's jobs remain strongly divided on gender lines – only 1% of construction jobs and 8% of engineering jobs are held by women, while almost all nursery nurses and childminders are female. And half of women and men thought the job advice they received on leaving school was influenced by their sex. Women make up 46% of the workforce yet still hold fewer than 10% of most senior positions in many areas of life. 38% of mothers and 11% of fathers have left a job or been unable to take a job because of their parenting responsibilities.

Clearly we still have a long way to go before the concerns and needs of the general public are met. Each year, we set out in this report key indicators to show whether sex equality has been achieved. Over the last year, very little progress has been made, although the work the EOC and others has done should help to achieve progress in future years. In the meantime, our unequal society means that business, government and public services are missing out on the potential of both women and men. No-one can argue any more that it's just a matter of time until we have sex equality. Perhaps the clearest indication of this is the part-time pay gap which has stayed the same for the last 25 years. As female earning power is limited by the lack of career prospects and discrimination against part-time employees, so gender stereotypes become more rigid. Mothers who want to, or need to, work are mostly forced onto the 'mummy track' of low pay and poor prospects, as childcare responsibilities are seen as a sign of lack of commitment. And when there is not enough money in the home because of this, fathers often have to work longer and longer hours to bring more money in, which reduces the time they can spend as parents. Some of Britain's most successful organisations know they cannot make the most of the talent available unless they account for people's caring responsibilities. This should be the norm.

Our forthcoming investigation into flexible and part-time work will make suggestions about how to tackle the barriers which prevent Britain from capitalising on mothers', fathers' and carers' skills. Opening up opportunities – and equalising pay – for flexible and part-time working will be key to providing Britain's parents and carers with the support they need if people's expectations are truly going to be met.

# Women and men valued equally

## What people expect... equal pay and pensions

- Only 59% of women – compared with 73% of men – say they know or have a rough idea what most of their colleagues earn.
- 88% of women expect to earn the same as a man who has the same qualifications.
- 81% of women would choose to work for an employer who could prove they paid women fairly.
- Over 90% of working age women and men think it is unacceptable that women pensioners receive 41% less than men.

## Reality check...

- On average, women working part-time earn 40% less per hour than men in full-time employment, about the same as 25 years ago. Female full-time employees earn 18% less per hour than men in full-time employment.
- Jobs held by women are twice as likely to pay less than the minimum wage as jobs held by men.
- 57% of organisations surveyed in November 2003 had no plans to conduct an equal pay review.
- In 2001/02, median income of female pensioners was £103 per week, £73 less than that of male pensioners.

## Tackling the pay gap

People often lack information to judge whether they are being paid fairly and lack confidence to take action. While women would expect to earn the same amount as a man with the same qualifications, the reality is often very different. In January we launched a campaign, *It's time to get even*, to help people check their pay against others in similar work. The campaign reached seven million people as a result of widespread media coverage. Posters, beer mats and pay slips highlighted the £559 average monthly difference in women and men's pay, motivating people to check their payslips and prompting many employers to conduct an equal pay review.

We saw a 60% increase in hits on our website in January, including 30,000 hits on the pay gap calculator set up for the campaign (which lets you compare your salary with the average pay for your job). Over 16,000 people downloaded our equal pay advice. In the six weeks after the campaign launch, our helpline received many calls about equal pay, with callers ranging from stockbrokers to delivery drivers.

**“I knew I was underpaid – now I feel that you have given me the confidence to approach the subject with my employer. I feel I have something to back me up.”**

**Caller to the EOC Helpline**



## Employers to check their pay systems

Women are half the workforce and our research shows that most would choose to work for an employer who could prove that they were paying fairly. The EOC has developed a simple toolkit to help them check they are doing so. It makes good business sense for them to make sure that they are using all their human resources well. A pay review may also reveal that some people do not have equal access to certain jobs, including those at a higher level, or that inflexible working hours are a barrier affecting parents and carers.

We have been encouraging employers in key sectors, such as the City and retail finance, to conduct pay reviews and to join the Equal Pay Forum and Equality Exchanges. Membership of the Forum, which was set up by the EOC and Opportunity Now to help employers learn from each other about equal pay, has now hit our target for this year of 250 employers. The Exchanges are networks to keep employers updated on best practice and the law. We have also produced a range of tools to enable employers to take action on equal pay, including our Code of Practice on pay which was published in December 2003.

The proportion of employers undertaking pay reviews shows that this work is bearing fruit and by 2006 we expect 35% of organisations with 500 or more employees to be conducting pay reviews. However, it is clear that the EOC's measure of whether the voluntary approach is working will not be met without further action. Research shows that 29% of employers who undertook a pay review were influenced by EOC policy or publicity; the fourth most important factor overall. Another important influence was Government leadership – it committed to all civil service departments undertaking pay reviews – which suggests that further action by the Government will be influential in the years ahead.

In Scotland, the Close the Gap partnership published a range of employer case studies, highlighting the benefits of undertaking pay reviews, and hosted training weekends on equal pay for union representatives. A Gender and Business conference will also be held with Jim Wallace MSP, Minister for Enterprise and Lifelong Learning. In Wales, new Close the Pay Gap initiatives were launched at the Wales TUC and we have been successfully exploring new ways of using the small business kit.

### Action on pensions

Many people think the gap between the pensions of men and women is unacceptable but many others are unaware of it. That is why we have worked to increase awareness of the pensions gap and to identify ways to tackle it. The gap is a result of the lower salaries earned by women and the fact that many women also receive little or no compensation in their pension for time spent out of work to fulfil unpaid family commitments, such as childcare. We have joined forces with other groups, like Age Concern and the TUC, and to lobby for changes to the Pensions Bill.

### Case study: Lancashire, Marsden, Cox v 1. Reg Hardy 2. Gro-Well Foods

The three women were all area sales managers for an animal feed business. They discovered that their employer discriminated against them in a number of ways, such as providing them with old vehicles while a male sales manager received a new car. When they were dismissed under the guise of 'redundancy' they believed it was because they were women. They took their employer to an employment tribunal and were awarded a total of £26,100.

### Case study: Allonby v Accrington and Rossendale College

Ms Allonby was a part-time lecturer, employed through an agency, whose terms and conditions were altered to lower pay and with no access to the pension scheme. Ms Allonby challenged this. The European Court of Justice held that a state backed pension scheme only open to workers with contracts of employment may be discriminatory if a much lower percentage of women compared to men are able to meet that criteria.

### Helpline

Samantha\* works in the manufacturing sector. After seeing our *It's time to get even* campaign she rang the Helpline for advice. She has been employed by the same company for 12 years and a male colleague with less service is being paid more for doing the same job. The Helpline was able to give her information on her rights and advice on the steps that she could take to raise the matter with her employer.

Jennifer works for a company that, like many others, does not have a clear pay or grading structure and is secretive about pay. She was promoted but discovered that her (male) predecessor had been paid £2,500 more than she was being offered. Jennifer was told that she had to work up to this higher salary, with no clear progression or performance related pay structure. After talking to our Helpline staff, she was able to arrange a meeting with the company's CEO, who agreed that she should receive the same salary as her predecessor, backdated to the time she started. Jennifer said that the advice given by the EOC gave her the confidence to pursue the issue to a happy conclusion.

\*All names of Helpline callers have been changed to preserve anonymity

# Fair treatment, not discrimination

## What people expect..... equal opportunities at work

- 72% of men and 82% of women think not enough is being done to tackle differences in how men and women are treated at work.
- 67% of women and 59% of men agree that more must be done to tackle the problem of women losing their jobs when they say they are pregnant.
- 25% of women and 16% of men know someone who had problems at work because they were pregnant. This rises to 33% of women aged 25–34.

## Reality check

- Whenever a woman leaves her job because of pregnancy discrimination, the employer loses her skills and experience. The average cost of labour turnover to UK employers in 2002 was £4,301 per leaver.
- In 2002–03, 11,001 sex discrimination claims, and 5,053 equal pay claims were made to employment tribunals.
- On average, over 1,000 women registered complaints with employment tribunals in England and Wales every year between 1996 and 2002 to complain of unfair dismissal when pregnant. This is likely to be the tip of the iceberg.

## Pregnant and productive

Most women believe that pregnancy does not affect their ability to do their job. Yet many face discrimination at work when they become pregnant. This year, we started our first ever investigation into this issue to find practical solutions for both women and employers. Since its launch, over 400 women have contacted us to tell us about their experiences.

### Case studies:

When Michelle Smith became pregnant, her manager asked her publicly why she wasn't having an abortion and said that her absence might force him to close her branch altogether. She was later made redundant. She says, "They see it (pregnancy) as an illness. It wouldn't have affected the way I do my job but I wasn't given the chance."

A pregnant office manager was made to lift heavy furniture and was not allowed to attend breakfast meetings because she 'was not a good advert, in [her] condition, for the company'. When she lodged grievance procedures her employer told her she was 'delusional and hormonal'. She says "I have never been treated so badly in all my working life."



Image from collection:  
Photodisc Blue/Getty Images.

## Fair treatment, not discrimination



The average compensation award in cases involving pregnant-related dismissal was just £2762, which was around £2000 lower than the average awarded in other dismissal cases.

Pregnancy can be difficult for employers to manage. For some, it can herald future difficulties. In a survey of Britain's big employers, around 70% of employers reported that childcare problems mean staff are unable to work extra hours or work late when needed. These concerns can lead to discrimination. This can be coupled with a traditional image of maternity as incompatible with paid employment. One woman told us that her company "seems to believe that having a day off for a hangover is pretty macho, but having a day off for morning sickness is a pain in the neck." There are real benefits to employers who get it right – HSBC bank has almost trebled the number of women coming back to their jobs after having babies, saving millions of pounds in recruitment costs.

We are working closely with organisations like Acas and employers such as Barclays and BT to help us develop ideas that work for both employers and women. We worked with Tommy's, the Baby Charity, to produce *Six Steps to a Good Maternity Policy* and are also looking at how well the law protects pregnant women and those on maternity leave. Further studies will detail the incidence, causes and costs of pregnancy discrimination to individuals, employers and the economy. We will present our final report early next year and expect to present recommendations to make pregnancy a more productive experience at work for both employees and employers.

### Sharing our knowledge

Sex discrimination is the most common form of discrimination, with around 11,000 applications to employment tribunals between 2002–2003. However for many people who experience sex discrimination at work, the chances of redress are limited so it is not surprising that many people feel that more needs to be done to tackle it. Research in Wales found that many victims face obstacles preventing them from applying to employment tribunals; of those that did, 40% had to fund their actions themselves. The need for more effective and accessible justice has therefore never been greater. We are working closely with advisers and lawyers to raise the level of expertise on sex discrimination and equal pay. We have conducted training sessions for Citizens Advice (CAB) employment specialists and trades unions and our legal website ([www.eoc-law.org.uk](http://www.eoc-law.org.uk)) now gets some 67,000 page requests each month. After receiving funding from the Scottish Executive Justice Department, our website for legal advisers will also be going live in Scotland.

**"As a CAB adviser I have found this website a great help to me."**

**Geoff Butler**

**"Extremely helpful and accessible site. I was able to access all the information I needed to advise a client with a potential equal pay claim."**

**Lorna Borthwick, Counsel,  
Six Fountain Court**



Image from collection:  
Rubberball Productions/  
Getty Images.

In Wales, we successfully referred our first case on a pro-bono (unpaid) basis, the first step to what we hope will become a referral network among employment lawyers in Wales and the development of a pro-bono scheme nationwide.

## Law enforcement

The EOC has legal powers to investigate suspected sex discrimination. Numerous complaints of sexual harassment prompted us to launch the first formal investigation for 10 years into Royal Mail sorting offices. In August, we suspended it after agreeing a wide-ranging, three-year action plan with Royal Mail management. Independent investigators and new training and procedures will, we hope, end this problem and Royal Mail must deliver quarterly reports and undergo annual reviews to prove that this is the case.

Sometimes we also act in court as an intervener, a neutral participant there to clarify the law. In *Essa v Laing*, the employers argued that they were not liable for unforeseeable consequences of discrimination. Yet in many cases, particularly regarding sexual harassment and pregnancy dismissal, the consequence of discrimination can be serious, protracted and unanticipated. With the other equality commissions, we obtained a Court of Appeal ruling that applicants are entitled to compensation for losses which flow directly and naturally from the discrimination they experience, whether these losses are foreseeable or not. This means that if someone has an unusually bad reaction to discrimination they experience, they are still entitled to be compensated in full.

## Case study: Flight Lieutenant Byard v Ministry of Defence

Flt. Lt. Byard, an RAF pilot, resigned after constant verbal sexual abuse from her male colleagues. She won her sexual harassment case and the tribunal expressed its concern that complaining was not the done thing in the RAF, especially for junior officers who wanted to get on. As a result, sexual harassment rarely came to the attention of senior officers. The tribunal noted that, while the RAF has policies to eradicate discrimination, some hearts and minds still seem to need convincing. Flt. Lt. Byard was awarded compensation for injury to her feelings.

## Case study: Alabaster v Woolwich Building Society

Mrs Alabaster was awarded a lower rate of maternity pay than she was entitled to because it excluded a pay rise and profit-related pay. She challenged this successfully, establishing an important principle for other women in the future. The European Court of Justice ruled that a woman who receives a pay rise before the end of her maternity leave must receive the benefit of this in the earnings-related part of her maternity pay and failure to do so breaks the equal pay provisions of European law.

### Access to justice

Two cases we supported established important legal principles. Legal loopholes meant judges had no formal right to redress for discrimination and Chief Constables, unlike other employers, were not liable for sexual discrimination within their workforce. In *Hands v Commissioner of Police for the Metropolis*, Inspector Hands complained about obscene emails she had received from a colleague and the poor investigation that followed. In *Mannion v Lord Chancellor's Department*, Ms Mannion, a District Judge, complained of bullying and discrimination because of her gender and race.

We established that the European Equal Treatment Directive requires an effective remedy for acts of discrimination. As a result, the Sex Discrimination Act was amended to make Chief Constables as accountable as other employers. The Mannion case then established the principle that members of the judiciary can access employment tribunals when seeking a remedy for discrimination.

### KB v NHS Pensions

Ms B wished widowers benefits pension benefits to be paid to her partner, a female to male transsexual, if she died before him. The respondents refused on the basis that survivors' benefits are only payable to the surviving spouse. Ms B and her partner could not marry because he could not, under the current UK law, change the sex on his birth certificate. This case asked whether this denial breached Article 141 of the Equal Treatment Directive and the principle of equal pay for men and women.

The European Court of Justice found that benefits granted under a pension scheme constitute pay and therefore fall within Article 141. However, it found that the decision to restrict certain benefits to married couples only is a domestic UK matter and so individuals cannot claim discrimination under EU law.

While a requirement to be married is not considered discriminatory in itself, in this case it has resulted in unequal treatment and threatened the economic security of KB's partner. As a result, UK law on marriage and registration of births must be seen as incompatible with Article 141. However, legal recognition for transsexuals is a domestic matter, so this case has been sent to the UK courts.

# Caring roles shared

## What people expect...support for parents and carers

- 90% of people support increasing carers' allowance to the same level as the basic state pension (£77) for people caring full-time for elderly or disabled relatives or friends.
- 84% of people support the introduction of respite care support for carers.
- 83% of people support the introduction of a right to ask employers for changes to working patterns to enable a better work-care balance.
- 78% of adults agree that people who are not working full-time because they are looking after children, a relative or friend should get credits to their state pension.
- 78% of adults and 89% of parents agree there should be affordable childcare schemes for all school age children during school holidays.
- Over 70% of adults agree that the Government should help with childcare costs for working parents, and that they should also provide money to help both parents spend more time at home during a child's first year.
- 68% of adults said that a commitment to introducing specific policies that they supported to help parents and carers would be likely to influence their voting intentions. This went up to 79% for parents and 74% for carers.



Photograph courtesy of Digital Vision/Getty Images.



Photograph courtesy of Princess Royal Trust for Carers; carers support group.

## Reality check

- 38% of mothers and 11% of fathers have left a job or been unable to take a job because of their parenting responsibilities.
- 73% of Children's Information Services state that parents in their area report a lack of affordable, good quality childcare.
- A third of parents are stressed about finding enough time to spend with their children. This rises to 41% of fathers with children under five and nearly half of mothers who work full-time.
- Nearly one in five carers have left a job or been unable to take a job because of their caring responsibilities.
- Half of all carers are stressed about finding enough time with those they care for.

**“If I am not around as much as other people doing a similar job it will be noted.”**

**Father with one child, working for a charity**

For most employers the introduction of flexible working practices involves little or no costs.

### Better balance benefits business

The nature of work is changing. Business hours extend into the evenings and weekend, so more employers need their staff to have flexible work arrangements. More than nine in ten employers believe that people work best when they can balance their work with other aspects of their lives. Flexible working can reduce absenteeism, tackle skills shortages in areas such as nursing and maximise the employment potential of carers. What's more, for most employers the introduction of flexible working practices involves little or no costs, and many find that it can bring significant business benefits. For example, the RAC has seen productivity increase by 8% by allowing staff to work their annual hours flexibly; 57% of employers with four or more work-life balance practices in place say this helps them recruit staff.

For many, however, flexible working has yet to arrive. This year we have listened to many people who find juggling work and other responsibilities too demanding and want a better balance in their lives. We have created a Coalition for Parents and Carers of 36 member organisations. The Coalition has combined individual concerns and corporate best practice to create a convincing case for change. There are 12 million parents and 7 million carers in Britain: small wonder that this issue could affect voting intentions.



Image from collection: Photodisc Green/Getty Images.

**“A more flexible workforce is better suited to meeting customer needs. As a result of flexible working, we were able to increase the opening hours of our service to our clients by half an hour every day. We are also able to offer training on a Saturday.”**

**Cathy Busani, Managing Director of Happy Computers, an IT training company employing 43 staff.**

**“Logistically it's very difficult; I feel like I'm on the verge of a nervous breakdown most of the time.”**

**Michelle, mother of two and accounts manager for a small firm.**

The Coalition has combined individual concerns and corporate best practice to create a convincing case for change.

For the first time, measures to help carers are being considered.

We are also broadening the debate: for the first time, measures to help other carers are being considered and discussions about parental rights now routinely address fathers as well as mothers. This was not the case three years ago. After the launch of the Parents and Carers Coalition, the Prime Minister said that the Government will consider extending to carers the same right to apply for flexible working as that now enjoyed by parents of young children. This is a major step forward and has been picked up by other political parties: for the first time, the importance of childcare featured prominently in a shadow minister's speech.

The argument – that a positive approach to caring not only benefits individuals and their families but also businesses, society and the economy – is finally beginning to be heard.

**“Since introducing the new flexible measures, the council's unauthorised absence levels have reduced, the numbers applying for jobs have increased, the level of training undertaken has risen and... it is easier to respond to short-term work fluctuations.”**

**Michael Frater, CEO, Telford & Wrekin Borough Council**

### Other highlights

We began a series of events on issues facing new and expectant mothers at work, promoting the benefits of good employer policy and practice around maternity, flexibility

and breastfeeding. EOC Wales are pressing the Welsh Assembly Government for action to increase affordable, accessible childcare provision in Wales and to engage with fathers through the Fatherhood Wales Group. In Scotland, we shared the platform with Children in Scotland and Fathers Direct at *Father Figures*, a major national conference looking at supporting positive child and father relationships.

### Helpline calls

Laura is a home care assistant who was having difficulties combining work with the care of her own small child. She rang the Helpline and was told her rights under the Sex Discrimination Act. Two weeks later she said that this help had given her the courage to approach her employer and she had now reached an amicable arrangement for family-friendly hours.

Mark is a police officer. He wanted to spend more time with his partner, so asked to reduce his 40 hour week by two hours. It took him seven months to get approval for this arrangement; just three months later, he was told that it was affecting the work of the department and he must return to his old hours. He does not believe this will make any real difference to his team and feels that a female in similar circumstances would not be treated in the same way. As no women work in his department, he needs to look beyond it for a comparison. The EOC adviser suggested he should also seek advice from Acas and directed him to the EOC website for information on part-time work and family friendly working.

Around half of women (54%) and men (47%) thought the job advice they received on leaving school was influenced by their sex.

# Equal choice, not stereotypes

## What people expect... free choice in education and work

- Over 90% of people would want children to make free choices about work, unrestricted by traditional stereotypes about which kinds of jobs are 'suitable' for men and women.
- Around half of women (54%) and men (47%) thought the job advice they received on leaving school was influenced by their sex.
- Nearly two-thirds of women had been unaware of differences in rates of pay for jobs mainly done by women and those mainly done by men: Of these, 67% of women aged 16–24 said they would have considered a wider range of career options if they had known these differences.

## Reality check...

- Sex segregation is high in some sectors with skills shortages, and these are often sectors which are experiencing skill shortages, especially sectors which are dominated by men.
- Women comprise over 90% of young people starting Modern Apprenticeships in early years care and education (98%), hairdressing (93%) and beauty therapy (99%). Men form the vast majority of trainees in construction (98%), engineering (97%), and plumbing (99%).
- There has been no significant increase in women coming into construction, engineering and plumbing (all areas experiencing skills shortages) in the last 10 years.



From left to right; Vivian Bond (bricklayer), Julie Mellor Chair of the Equal Opportunities Commission, Pauline Crotty (painter) and Doreen Markland (painter).

**“I never got any suggestions from any careers adviser other than nurse, teacher, nursery nurse or social worker.”**

**Woman, 25**

## Stamping out stereotypes

Between April and June 2003, a fifth of job vacancies were hard to fill because of a shortage of applicants with the required experience, qualifications or skills. This is damaging individual businesses and the economy as a whole. What's more, while many people want free choice in their careers, the reality is that many occupations are effectively closed off to men or women. The investigation we launched this year into occupations segregated by gender showed that this was no coincidence.

There has been no significant increase in women coming into construction, engineering and plumbing.



The first phase of the investigation demonstrated a clear link between skills shortages in sectors such as plumbing, construction, and engineering and the under-representation of women in those sectors. Widening recruitment to include more women offers a straightforward, common sense, practical solution. The childcare industry is also facing skills shortages and recruiting more men would help tackle this problem.

The investigation is focusing on Modern Apprenticeships in areas of skill shortages but has drawn out wider lessons for employment and training in the UK more generally. It has prompted the Learning and Skills Council, which funds Modern Apprenticeships, to review equal opportunities across sectors, in terms of gender, race and disability. Meanwhile, a joint campaign with JIVE partnership will promote jobs in construction, plumbing, ICT and engineering, and draw attention to the higher pay they offer.

**“When my brother wanted to train as a nanny, he was told there would be no point as no-one would want to employ him.”**

**Woman, 39**

The investigation takes into account different education and training structures in Scotland and Wales. In Wales, we are working with the Education Minister to implement recommendations for the Welsh Modern Apprenticeship scheme. EOC Scotland has commissioned Scotland-specific research which will be carried out by Glasgow Caledonian University; it is also providing guidance on avoiding sex stereotyping in work placements.



Images from the EOC's *Know your place* campaign.

The findings from the first phase of the investigation have led us to call on the Government to develop a national strategy to tackle gender segregation in training and work. This should incorporate targets for change and provide incentives and information for young people and employers in skill shortage areas to make it easier for them to make non-traditional choices. The next stage of the investigation will outline the best ways to tackle job segregation and so benefit individuals, businesses and the economy overall.

**“My career has been great. I have never been bored and I still find it varied and challenging. I am still a single mother and financially I have done well. Most of my female friends are really envious of my unusual career choice.”**

**Woman, 31, gas service engineer**

21% of women (compared with 5% of men) feel very unsafe walking alone after dark. 43% of women never walk alone in their local area at night.

# Different lives, equal services

## What people expect... public services

- 21% of women (compared with 5% of men) feel very unsafe walking alone after dark. 43% of women never walk alone in their local area at night.
- Women are far more worried about violent crime than men. Almost a quarter say they are very worried about being raped or physically attacked and 19% are very worried about being mugged.
- 77% of men and 86% of women aged 16–64 think there should be more female local authority chief executives.

## Reality check

- Domestic violence accounted for 18% of all violent incidents in 2002/03 – 73% of victims were women.
- Although 64% of public sector employees are women, they comprise only 13% of local authority chief executives.
- 81% of men and 61% of women aged 17 and over hold full driving licences.

## Duty calls

The EOC warmly welcomed the Government's commitment to implement its promise to give public sector bodies a duty to promote gender equality. This will be the most significant change in sex equality law since the Sex Discrimination Act 30 years ago and is legislation for which we have fought for many

years. It will speed the move towards modernised work practices in the public sector, and should lead to better services. Because fewer women drive, they are heavier users of public transport. Fathers, as well as mothers, need support from family services.

The duty will require public service providers, like local councils, to think about how best to meet the differing needs of women and men. This could include making public transport easier for women with small children and ensuring off-peak services run more often to clinics, schools and shops. It could mean better street lighting so women feel safer after dark and friendlier health services for men who are less likely to use GP services. Some public bodies are already following good practice, but it is not widespread.

## Embedding gender equality

The new duty is likely to require the Government to make sure that new policies and laws take into account the impact on both women and men. We are working to improve understanding of the benefits of building equality into all stages and levels of policy-making to avoid putting any groups at a disadvantage and to promote equality (this is known as 'mainstreaming'.) We have been working closely with the Treasury to look at incorporating a gender assessment in budgets and in the Comprehensive Spending Review.

Although 64% of public sector employees are women, they comprise only 13% of local authority chief executives.

Public bodies to promote sex equality: the most significant change in sex equality law in 30 years.

In Wales, we helped to secure a National Assembly review of mainstreaming across policy-making and service delivery. In Scotland, EOC Commissioner Rowena Arshad was a key member of the Scottish Strategic Group on Women, which published a report outlining recommendations for *Improving the Position of Women in Scotland*.

“Many of my customers tell me about their health worries but are reluctant to go to their GP because the waiting times are too long and they don't feel they are ill enough to go... the problem is a lot of them fail to spot the 'tell tale' signs of illness until they end up in hospital or worse.”

**Greg Mason, Barbershop Health Clinic**

### Women against violence

The EOC supported other organisations in their work to make sure that violence against women is treated as seriously as other forms of violent crime. After consulting experts in the field, we responded to the Home Office consultation that led up to the current Domestic Violence Bill. In Wales, the Equality Exchange organised a series of seminars focusing on domestic abuse, with other organisations, to raise awareness of the issue. EOC Scotland was involved with and commented on the consultation of the Scottish Executive review of their Domestic Violence Strategy.



9% of editors of national newspapers are women.

## Equal power

### What people think about... women's under-representation in top jobs

- 85% of women and 74% of men think there should be more women MPs.
- 85% of women and 76% of men think there should be more women directors of FTSE 100 companies.
- 78% of women and 68% of men think there should be more women senior police officers.
- 87% of women and 74% of men think there should be more women high court judges.
- 83% of women and 70% of men think there should be more women health authority chief executives.

### Reality check...

Women make up only:

- 7% of senior police officers
- 7% of senior judiciary
- 9% of top business leaders
- 9% of national newspaper editors
- 18% of MPs
- 29% of health authority chief executives.

**Women make up nearly half the work-force. So why are they only directors at 9 per cent of firms?**



Photograph courtesy of Photodisc Blue/Getty Images.

## Sex and power: who runs Britain?

### Room at the top

**Women's and men's lives are changing.**

More women work than ever before. Nearly two thirds of women with children now work; 30 years ago it was less than half. Women are having children later in life, and fathers are spending more time with their kids. *Mums*

Women make up 46% of the workforce and 32% of managers and senior officials but hold fewer than one in ten of the most senior positions.

The truth is that women are still often prevented from getting to the top because they take on more caring responsibilities than men.

### Making representatives more representative

When women still hold fewer than 10% of the most senior positions in many areas of public life, serious questions arise about the ability of Britain's decision makers to understand fully the concerns of the general public, and the pool of talent is being restricted.

Our report, *Sex and Power: who runs Britain?* demonstrated that, despite 30 years of sex equality legislation, women are still not getting the country's top jobs. The old argument that 'it's just a matter of time' is no longer credible, given the years that have passed and the vast pool of available talent.

The truth is that women are still often prevented from getting to the top because they take on more caring responsibilities than men. Until organisations accept that they cannot make the most of the talent available without accounting for people's caring roles, the same sorts of people will stay in charge and business, government and public services will still rely on a limited range of experiences to make decisions that affect us all.

In political parties discrimination against would-be female political candidates can be a problem. To try and change this, we have been working with political parties and local government nationwide, suggesting ways in which they can improve their selection procedures. In Scotland, we produced a toolkit and gave evidence during the passage of the Local Governance Act. Both the Scottish National Party and the Scottish Green Party have since committed to measures to improve their gender balance. In Wales, we published *Choose a Winner*, promoting gender balance in government and decision-making; all four major political parties have committed themselves to promote and distribute the publication.



# About the EOC

Set up under the Sex Discrimination Act in 1975, the Equal Opportunities Commission (EOC) is an independent, non-departmental public body, funded primarily by the Government. Our remit covers sex equality issues in Great Britain: we have offices in Cardiff, Glasgow, Manchester and London.

We aim to set the agenda on sex equality issues, genuinely engaging the public, taking the lead in debate, getting 'buy in' from other stakeholders, through our campaigns and research. We build the capacity of employers, unions, legal advisers and others to tackle sex equality, creating the tools they need, and building partnerships and alliances. And we aim to use our enforcement powers fully and confidently to ensure the sex equality laws are complied with. We provide a confidential helpline for people with queries about sex discrimination issues, and detailed legal advice and information is available on our website for legal and HR practitioners as well as for individuals.

Our Corporate Plan (2003–2006) sets out seven themes: Women and men valued equally; Fair treatment, not discrimination; Caring roles shared; Equal choice, not stereotypes; Different lives, equal services; Equal power; and Women safe against violence (where our work is primarily in support of others taking the lead on this issue).

The EOC's business plan for 2003–2004 had ambitious, specific targets within these themes, which were achieved successfully, with information on delivery against major targets in the preceding text. More detail on the targets is available from our business plan, which is available on the EOC's website

([www.eoc.org.uk](http://www.eoc.org.uk)). Some overall indicators of the EOC's efficiency and effectiveness are set out below:

- An Opinion Leader survey at the end of 2003 of 102 opinion leaders (from politics and government, senior business, city, policy and non-profit, media) showed that 68% thought the EOC was quite or very effective.
- A media evaluation report covering the last 9 months, which was carried out by an independent agency, confirmed that the highly positive rating of the EOC's press coverage outperformed all the agency's long list of other public sector clients.
- Demand for our services has dramatically improved; exceeding both targets of website hits and helpline enquiries to 600,000 a month and 500 enquiries a week respectively.
- Our website was considered to be the Government's most usable website according to an independent benchmarking survey.
- We were re-accredited with Investors in People, and the assessor noted "several strengths, notably effective conveyance of recognition, high commitment to equality of opportunity, systematic business planning and effective training needs analysis. Importantly, there was clear evidence of relevant outcomes relating to both people development and the performance of the organisation" and "All staff understood the organisation's priorities and had individual targets that supported these."

Looking to the future, the most important development for the EOC will be the advent of the new Commission for Equality and Human Rights (CEHR).

# Towards a Commission for Equality and Human Rights

In October 2003, the Government formally announced its intention to create a Commission for Equality and Human Rights (CEHR). This will promote a culture of human rights across Britain and promote and enforce equality across age, disability, gender, race, religion and sexual orientation. The EOC supports this new body. We believe that having a single equality and human rights champion makes sense for individuals, employers and service providers. Many people don't relate to the current equality agenda because it appears to be about some groups rather than our whole society or because it appears to separate out different aspects of their identity and expects them to pick one – such as their age, faith, race or sex – as the most important. To live up to its potential, however, the Commission needs to start off with a clear and ambitious vision, supported by more modern and coherent legislation and the appropriate resources.

Our main objective in the coming months is to ensure that the CEHR can promote sex equality more effectively.

We have worked closely with the Government, other campaigners and the voluntary sector to achieve these goals. The new All Party Parliamentary Group for Equality is a welcome development in this respect. In November, we also took part in a seminar with the Prime Minister to develop the Government's vision for equality, for which we provided real-life examples of public services which were improved through better understanding of women's and men's needs.



Image from collection: Photodisc Green/Getty Images

We are grateful to the European Social Fund for supporting our investigations on pregnancy discrimination and gender segregation, and our work with JIVE to open up jobs for women in engineering, construction and ICT.



As the leading agency set up to tackle sex discrimination, the EOC is committed to challenging discrimination in all its forms and at all levels of society.

## People

### Analysis by gender, disability and ethnic origin of EOC staff

	Total	%	AO	PA	EO & Equiv	HEO & Equiv	SEO & Equiv	G7	G6
<b>Gender</b>									
Female	127	84%	16	14	25	33	13	21	5
Male	25	16%	5	0	2	10	3	3	2
Total	152	100%	21	14	27	43	16	24	7
<b>Disabled</b>									
Total	10	7%							
<b>Ethnic Origin</b>									
White	138	91%							
Non-White – Mixed, Asian, Black & Chinese	14	9%							
Total	152	100%							

### Notes

- The EOC has undertaken a full analysis of these categories by grade. Ethnic origin has also been recorded and analysed using the census categories as recommended by the Commission for Racial Equality. This model is based on the requirements of the Race Relations Amendment Act and the EOC's own equality scheme. However, as staff numbers are small, it is possible that individuals could be identified from the figures and therefore we have not published the information in this format.
- 7% of staff from AO grade to Grade 7 have identified themselves as having a disability.
- Of all employees, 4% are Black, 3% are Asian, 1% are Mixed, and 1% are Chinese.

There is representation of ethnic minority groups from AO grade to Grade 7, although the majority are in the AO to HEO grades.

**Recruitment:** is by competitive interview, with candidates short listed from application forms and assessed at interview against a person specification. The EOC welcomes applications regardless of sex, race, disability, sexual orientation, age and religion.

**Progression and development:** The EOC's Investor in People status was confirmed in January 2004. We delivered a corporate programme of diversity awareness training in the last quarter of 2003–2004.

Our ambition is to understand and respond to the needs of all women and men.

## Equality scheme

This is the second year of the EOC equality scheme, which commits us to ensure that our work on sex equality takes into account the full diversity of women and men and fulfils our duties under the Race Relations Amendment Act.

As the leading agency set up to tackle sex discrimination, the EOC is committed to challenging discrimination in all its forms and at all levels of society. We will positively promote diversity and equality of opportunity, recognising that we are here to serve a diverse and multi-racial society, and encourage other organisations to follow our lead. We are committed to the view that all organisations – including the EOC – make better decisions if they are representative of the wider community and therefore need to make a positive effort to reflect Britain's diversity in those they recruit. Our ambition is to understand and respond to the needs of all women and men, which we can only do if we are sensitive to differences of sex, race, disability, sexual orientation, age and religion, and free of discrimination as an employer and contractor. This is particularly important in the light of forthcoming legislation in relation to sexual orientation, age and religion, and the Government's decision to set up the new Commission on Equality and Human Rights.

In practical terms, this means that we make sure all our investigations involve consultation with ethnic minority groups. Our campaigns also benefit from consultation with different minority groups who help us develop our campaign messages. The EOC also offers an 'advise the advisers' service and has been working with black advice organisations who advise on employment issues and who want to increase their knowledge of sex discrimination law.

## Equal pay review

As you would expect from an organisation committed to tackling unfair pay between men and women, we have carried out an equal pay review following the same guidance set out in the Equal Pay Kit we produce for other organisations.



Photograph courtesy of Pre-School Learning Alliance.

**Commissioners**

**Julie Mellor** has more than 20 years experience in business and in the public sector, having worked for British Gas, TSB, Shell and in local government. She is a board member of the National Consumer Council, the Employers' Forum on Disability and is Chair of the Anaphylaxis Campaign.  
*EOC Chair from Feb 1999*



**Caroline Slocock** was previously in charge of childcare policy at the Department for Education and Skills, and also worked in the Treasury as a Senior Adviser on Public Expenditure and Head of Personnel. She was the first woman private secretary to work at 10 Downing Street.  
*Chief Executive from April 2002*



**Jenny Watson** is author of *Something for everyone: the impact of the Human Rights Act and the need for a Human Rights Commission*. She is a partner in Watson Wilkinson, a communications consultancy, and sits on the Council of the Women's Library at London Metropolitan University.  
*Deputy Chair from May 1999*



**Tesse Akpeki**, a solicitor and Chartered Secretary, is Head of the Trustee and Governance Team at the National Council for Voluntary Organisations. She is also a Non-Executive director of West London Mental Health Trust.  
*Commissioner from Dec 2000 – Dec 2003*



**Rowena Arshad** OBE is Commissioner for Scotland. She has been the Director for the Centre for Education for Racial Equality in Scotland (CERES) since 1994. She is currently chairing a Committee for the Scottish Executive on widening access into elected membership within Scottish local government.  
*Commissioner from June 2001*



**Sue Ashtiany** specialises in employment and discrimination law and is a partner at Nabarro Nathanson. She is also a non-executive director of Channel 4, an Honorary Fellow of Harris Manchester College and a member of the Court of Oxford Brookes University.  
*Commissioner from Dec 2000*



**Fiona Cannon** is head of Equality and Diversity for the Lloyds TSB group. She is a member of the CBI's Equal Opportunities Panel, and chairs the practitioners group of the IPPR Race Equality Taskforce.  
*Commissioner from Feb 2000*



**Kay Carberry** is Assistant General Secretary of the TUC. She has served on a number of government advisory bodies on equality, employment, education and training and currently sits on advisory groups on pensions and illegal working.  
*Commissioner from May 1999*



**Jeannie Drake OBE** is a Deputy General Secretary of the Communication Workers' Union. She sits on the Employment Appeal Tribunal, the board of the Sector Skills Development Agency and the Government-appointed Pensions Commission. She sits on the TUC General Council and its Executive Committee.  
*Commissioner from Feb 2000*



**Surinder Sharma** is Director, Diversity Europe, for the Ford Motor Company. He was formerly Head of Equal Opportunities at BBC Television and at Littlewoods plc. He has also worked for the Commission for Racial Equality.  
*Commissioner from Feb 2000*



**Duncan Fisher** is Director of Fathers Direct, the national information centre on fatherhood. He serves on a number of government and voluntary sector working groups on engaging with men in the care of children.  
*Commissioner from Jan 2004*



**David Smith** is Director of People, Loss Prevention and IT for Asda Stores and is a member of Asda's Executive Board. He is a member of the CBI's Employment Policy Committee and is a Vice-President of the CIPD.  
*Commissioner from Mar 2002*



**Deborah Mattinson** is founder and joint Chief Executive of Opinion Leader Research, a research agency. She is also a trustee of the Green Alliance.  
*Commissioner from Mar 2002*



**Tess Woodcraft** is Managing Director of the Centre for Strategy and Communication. She was formerly Director of Communications at the London Borough of Islington, Chief Executive of the Kids' Clubs Network and Women's Officer of NALGO (now UNISON).  
*Commissioner from May 1999*



**Sylvie Pierce** is the Managing Director of Capital and Provident Regeneration, which focuses on inner city regeneration. She is also the Chair of Drugscope and a visiting professor at London Guildhall University.  
*Commissioner from Dec 2000 – Dec 2003*



**Dr Neil Wooding** is the Commissioner for Wales. He is Director of the Centre for Equality and Human Rights inside NHS Wales. He sits on a number of voluntary sector organisation boards, is a Fellow of the National Centre for Public Policy and an adviser on Equality, Human Rights and Social Justice to the Welsh Assembly Government.  
*Commissioner from June 2002*



# Want to know more?

## Call our Helpline

Enquiries to the EOC's Helpline exceeded expectations last year, with over 27,000 calls or emails. We saw a significant increase in enquiries about equal pay, pregnancy and maternity as a result of our campaigns.

Our Helpline team provides advice and information on sex discrimination and equal pay. Most people still contact us by phone, but we are seeing a steady increase in email enquiries and these now form around 12% of the total. Our advisers outline the options available to anyone who believes that they have suffered sex discrimination, with details of the steps that they can take to resolve their situation.

The Helpline also serves a crucial role by providing feedback to other EOC teams. Our new database allows us to track the progress of campaigns, source anonymous case studies for our media team and report on trends linked to specific topics, which helps to inform policy, campaigns and legal work.

## Number of enquiries

The total number for the year was 27,219.

Top five issues:

- 1 Pregnancy and maternity
- 2 Equal pay
- 3 Work-life balance
- 4 Sexual harassment
- 5 Recruitment and selection

## Visit our website

Last year our website received around 600,000 page requests website every month. The site has proved pivotal in communicating our messages and campaigns to our audiences and is a primary source of information for our teams and Helpline.



## Read our new publications

The EOC makes all its publications available free of charge via our website, [www.eoc.org.uk](http://www.eoc.org.uk), or by ringing our Helpline on 0845 601 5901



Women. Men. Different. Equal.  
Equal Opportunities Commission

## Contact us

Equal Opportunities Commission Helpline

**0845 601 5901**

Calls charged at local rates and interpreting service available  
Typetalk service available on 18001 0845 601 5901

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