

**Equality and
Human Rights
Commission**

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Submission from the

Equality and Human Rights Commission (EHRC)

**on the Sixth Periodic Report of the United Kingdom to the United
Nations Committee on the Elimination of all forms of
Discrimination Against Women (CEDAW)**

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Introduction

1. The Equality and Human Rights Commission (EHRC, "the Commission") is an independent statutory body established under the provisions of the Equality Act 2006 ('the Act') with new powers to enforce legislation and to encourage and promote equality for all. The Commission has jurisdiction over England, Wales and some human rights issues in Scotland¹. EHRC liaises with the Equality Commission for Northern Ireland which has the equivalent equality remit for that region. As an integrated and independent single body with new powers, it brings together and adds to the work of the Commission for Racial Equality (CRE), Disability Rights Commission (DRC) and Equal Opportunities Commission (EOC). The Commission opened its doors on 1 October 2007.
2. The Commission is Great Britain's (GB) first independent statutory body for human rights. Until the creation of the EHRC in October 2007, there has been no GB wide statutory body to promote and protect human rights in Britain. The Commission has a tripartite mandate of equality, human rights and good relations. The importance of fundamental rights is reflected in our strategic priorities and our vision².

The Commission's duties in relating to human rights are:

- to promote understanding of the importance of human rights
 - to encourage good practice in relation to human rights
 - to encourage public authorities to comply with the Human Rights Act³ (HRA). The Equality Act gives the Commission the power to take judicial review proceedings using the Human Rights Act and to intervene in human rights cases taken by others. These are significant powers that the Commission has already employed to intervene in four cases
3. In the first six months of its operation, the Commission launched a human rights inquiry⁴, 6th March 2008. The aims of this inquiry are: to assess progress made towards the effectiveness and enjoyment of a culture of respect for human rights in GB ten years since the HRA, and to consider how the current human rights framework might be developed to realise the Commission's vision of a society built on fairness and respect, confident in all aspects of its diversity. The Commission intends to publish the findings and recommendations of the inquiry in March 2009.

¹ The Commission has jurisdiction over human rights issues in Scotland where it relates to a power "reserved" to the Westminster parliament. In relation to powers "devolved" to the Scottish parliament, the Scottish Commission for Human Rights (SCHR) will have jurisdiction although it has yet to commence operating but is expected to do so later this year.

² Our vision is a society built on fairness and respect. People confident in all aspects of their diversity'

³ section 9 of the Equality Act

⁴ <http://www.equalityhumanrights.com/en/projects/humanrightsinquiry/Pages/HumanrightsInquiry.aspx>

4. The Commission is fully committed to working with the full range of European and International organisations that promote human rights. The Commission engages extensively with the United Nations (UN) Human Rights system, the Council of Europe and the European Union. Furthermore, the Commission plans to act as the 'independent mechanism'⁵ required to ratify the UN Convention on the Rights of Persons with Disabilities in GB. We also hope to get formal accreditation as a NHRI at the earliest opportunity.
5. The Commission's response takes into consideration the content of the sixth periodic report of the United Kingdom and this submission specifically addresses some of the topics raised in the CEDAW committee's List of Issues and the committee's Concluding Observations of the last examination of the United Kingdom of Great Britain and Northern Ireland (1999). These are: the optional protocol, the gender equality duty on the public sector, violence against women, employment and reconciliation of work and family life, education and stereotypes and women's health. The Commission will highlight key areas of concern in relation to each topic and where appropriate make recommendations on future action. Given our jurisdiction, the Commission makes no submissions regarding Northern Ireland.

Positive Developments

6. The Committee may wish to note a significant positive development since the last examination of the United Kingdom in 1999, which is the creation of the Equality and Human Rights Commission. The Commission heralds a major shift in the way we tackle inequality and promote human rights in GB. The Commission works across all the grounds of equality - gender, gender identity, race, disability, age, sexual orientation, and religion - and much of the important work of the predecessor commissions (the CRE, EOC and DRC) has been taken on by the EHRC and will continue to be developed in its work. In relation to gender, the EHRC inherited the EOC's Gender Agenda⁶ which raises issues of equal pay and pensions, reconciliation of work and family life, violence against women and the caring agenda, these critical areas are integrated into the Commission's first full business plan 2008-2009⁷.
7. The Commission addresses gender equality from an anti-discrimination and from a human rights perspective. The Commission has a mandate to promote good relations across all areas of equality and has already started to develop its thinking on how it might promote good relations between women and men.

⁵ Article 33 of the Convention concerns national implementation and monitoring and requires that States Parties designate one or more 'independent mechanisms' to promote, protect and monitor implementation of the Convention. That is a requirement of ratification and at present it is planned that EHRC will assume this role in Britain, in close coordination with the Scottish Human Rights Commission, the Northern Ireland Human Rights Commission and Equality Commission Northern Ireland.

⁶ The Equal Opportunity Commission's report on sex equality in Britain highlights the key issues in relation to gender where future action is still required:
http://83.137.212.42/sitearchive/eoc/pdf/Gender_Agenda_GB_web.pdf?page=20552

⁷ <http://www.equalityhumanrights.com/en/aboutus/mission/Pages/BusinessPlan0809.aspx>

8. The Commission has a dedicated Stakeholder Relations team which is committed to working in partnership with and consulting the women's voluntary sector. In relation to CEDAW, the Commission acknowledges the Women's National Commission's (WNC) comprehensive report to the committee which reflects the views of women's organisations in the UK. The Commission has consulted and commented on the WNC's report and for future UN Treaty work we envisage consulting widely with women's organisations across GB.
9. The Commission recently published its first full year annual Business Plan for 2008/9. Our overall objective is bringing people together and focusing on the need for all who live in Britain, to have a deeper sense of commitment and mutual respect based on shared values with fairness at their core.

Our four strategic priorities for 2008/09 are:

- Analyse, define and target key equality and human rights challenges.
- Change policy and organisational practice to provide better public services alongside an efficient and dynamic economy.
- Anticipate social change, develop new narratives and reach new audiences in ways that strengthen equality and human rights.
- Engage, involve and empower the public, especially people from disadvantaged communities and areas.

Human Rights in Great Britain

10. Many of the rights in CEDAW are reflected in the European Convention on Human Rights (ECHR) which was incorporated into UK domestic law through the HRA 1998. The Commission welcomes the enactment of the HRA which for the first time entrenched the ECHR domestically and prohibits public authorities from acting in breach of those rights. However, the Commission is concerned by a number of developments regarding the HRA, such as:
 - a failure by the Government to adequately promote the importance of human rights and a related public misunderstanding of human rights;
 - a general failure by public authorities to embed a human rights approach in the development and application of their functions, policies and practices;
 - numerous political statements by the Government or the opposition criticising the HRA, stating that it may be necessary to amend or repeal it.

The Optional Protocol

11. Although the UK has ratified the Optional Protocol (OP) to CEDAW on a trial basis, the Government has said that it considers the "practical value to the individual citizen" of the right of individual petition under the UN human rights treaties to be "unclear".⁸ The Commission considers the OP to be a crucial measure and urges the Government to ratify all treaties and the OP in relation to all treaties.

⁸ Department of Constitutional Affairs, International Human Rights Instruments: The UK's Position, Report on the outcome of an Inter-Departmental Review (2004), summarised in a press release of 22 July 2004: <http://www.gnn.gov.uk/content/detail.asp?ReleaseID=124322&NewsAreaID=2&NavigatedFromSearch=True>

12. The UK acceded the CEDAW OP on 17 December 2004 and it entered into force on 17 March 2005. The Communications Procedure is managed in the UK by the Ministry of Justice. To the Commission's knowledge, there is no Government guidance on the use of the OP, nor any public information on the rights contained in CEDAW. There have only been two cases⁹ against the UK since the OP was acceded.
13. Moreover, the decisions of the Committee in cases concerning the UK are available only via the UN's website. The UK may therefore be in breach of Article 13 of the OP and the absence of any publicity or guidance must be borne in mind when considering the level of (under) use of the OP in the UK.
14. The Ministry of Justice made a commitment when the Government ratified the OP to review its use over the first two years. The publication of the review has been delayed, partly in order to await the outcome of the two decisions above, but is due to be published very shortly.
15. Over the first three years since it came into force, the Communications Procedure of the OP - which provides a right of individual petition - has been underused in the UK. The Commission believes that until the Committee has developed a more substantial jurisprudence and there is more public awareness of the recourse to the remedy, the value of the UK's ratification of the OP cannot be fairly assessed.

In relation to the Optional Protocol the Commission:

- **Considers that the recognition of a right of individual petition is a necessary corollary to ratifying all treaties and an integral part of a State's commitment to human rights standards.**
- **Emphasises the worth of enforcement procedures such as the OP if the Government is to consider allowing a right of individual petition in other UN human rights treaties.**

Gender Equality Duty (Article 2)

16. The Gender Equality Duty^[1] (GED) is a legal obligation which came into force in GB in April 2007, that requires all public authorities (and private and voluntary bodies carrying out public functions) to promote gender equality and eliminate sex discrimination. Instead of depending on individuals making complaints about sex discrimination, the duty places the legal responsibility on public authorities to demonstrate that they treat men and women fairly. Since April 2007, the EOC and subsequently the Commission have been actively monitoring the progress of public bodies in Great Britain in meeting the gender equality duty.

⁹ Salgado v UK (CEDAW/C/37/D/11/2006, 22 January 2007) & NSF v UK (CEDAW/C/38/D/10/2005, 12 June 2007)

^[1] <http://83.137.212.42/sitearchive/eoc/Defaultfca0.html?page=15016>

17. In addition to the GED, the EHRC also has legal powers to enforce duties on race and disability. The Commission is currently developing its overall enforcement strategy taking account of each of the three public sector duties on race, disability and gender. We will be taking a strategic approach to the enforcement of these duties and it is likely that we will focus on key areas that can have most impact in promoting gender equality, such as health, education and the gender pay gap.
18. The Commission has been able to identify some examples of where the GED is working well, but there is still much progress to be made to ensure public sector bodies comply with the duty. The specific duties require public bodies to set clear objectives and ensure appropriate measures are in place to meet those objectives. To date, our findings from the GED suggest that public bodies are struggling with an outcome focused approach, and the majority of gender equality schemes have been heavily focused on internal processes rather than the delivery of tangible improvements for men and women.
19. The Commission welcomes the Government's recent announcement of a new Equality Bill in its draft legislative programme for 2008-2009. The Commission has seen positive indications¹⁰ that a single equality duty will be developed to cover all the grounds of equality¹¹

In relation to the Gender Equality Duty:

- **The Commission is expecting Whitehall departments, in response to their legal obligations, to take strategic action across Government to tackle some persistent areas of gender inequality, for example on the gender pay gap and the levels of violence against women.**

Violence against Women (Article 6, 15 and 16)

20. The EHRC welcomes the initiatives that the Government has taken to address Violence against Women (VAW) in the UK, with the introduction of Specialist Domestic Violence Courts and the launch of the Forced Marriage Unit. Since the last examination of the UK, however, there is still no national Government strategy on the prevention and elimination of violence against women.

The Commission urges the committee to ask the Government why it has not adopted a national strategy on the prevention and elimination of violence against women.

¹⁰ The government's announcement includes a commitment that 'A single duty will require public bodies to consider the diverse needs and requirements of their workforce, and the communities they serve, when developing employment policies and planning services'. <http://www.edf.org.uk/news/DLP%202008.pdf>

¹¹ gender, gender identity, race, disability, age, sexual orientation and religion.

21. The Commission believes any VAW strategy must address the different forms of violence against women and recognise their interconnected nature. Despite the initiatives described in the Government's sixth periodic report there is still a fundamental weakness with the provision of VAW in the UK, which is caused by the lack of a cohesive, strategic approach. There is not enough emphasis on prevention and the positive initiatives to tackle violence against women often operate in silos, failing to recognise the commonality between the different forms of violence from which women suffer.

Service Provision

22. There is insufficient provision for women who have suffered violence in the UK, and action must be taken to ensure that both voluntary and statutory services supporting women are adequately funded. The Commission and the End Violence against Women Coalition published a report, 'Map of Gaps'¹², in December 2007, which shows for the first time the arbitrary provision of support services for women subjected to domestic violence across the UK (including Northern Ireland). The findings showed:

- A third of local authorities across the UK have no specialised VAW support service.
- Almost one third of local authorities have no domestic violence services.
- Most women in the UK have no access to a Rape Crisis Centre and fewer than one third of local authorities have any sexual violence service at all.
- A very small proportion of the UK is covered by existing Sexual Assault Referral Centres.
- Fewer than 1 in 10 of local authorities have specialist services for ethnic minority women which would address forced marriage, female genital mutilation and crimes in the name of honour, as well as other forms of violence.
- Fewer than 1 in 10 local authorities have services for women in prostitution.

23. It is essential that victims of violence have access to immediate safety and justice through adequate service provision. Currently, many of the Government's initiatives addressing VAW overlook and consequently underfund voluntary sector agencies that provide support and services to women. In some cases this has led to forced closures. Statutory services tend to focus on supporting the victim through the criminal justice system in response to a recent assault, whereas voluntary sector organisations provide essential, long-term support to women who have suffered violence, including women dealing with historic experiences, such as child or early adulthood sexual abuse. The Commission believes both these service provisions are important and the Government needs to ensure these services are adequately funded.

The Commission calls on the Committee to ask the UK Government what measures it will take to ensure that voluntary sector support services are adequately funded over the longer term to avoid the current funding crisis. We believe that all funding initiatives should consider both voluntary and statutory services and ensure that both are financially supported and sustainable.

¹² http://www.endviolenceagainstwomen.org.uk/data/files/map_of_gaps.pdf

No recourse to public funds

24. There are still serious gaps in protection against domestic violence for women with insecure immigration status who have no recourse to public funds. Despite a 2004 reform of immigration rules with respect to domestic violence, there are serious problems for women whose relationships break down due to domestic violence. Those victims of violence are not permitted to access public funds, which prevents many from leaving situations of domestic violence. Although the Government has allowed refugees to use their 'Supporting People' grant to provide support to victims with no recourse, these only cover support costs such as salaries of paid support workers. It does not cover rent or living expenses which means most victims cannot enter a woman's refuge due to their ineligibility for housing and other benefits.

The Commission is extremely concerned about the vulnerability of this group of women and urges the UK Government to take action to rectify this situation.

Women in the judiciary and criminal justice system

25. The Commission welcomes the Government's commitment to implementing the recommendations in the *Corston Report*¹³. However, the Government's current approach to implementing some of the recommendations is *ad-hoc*, for example, through conducting pilot programmes such as the Together Women Programme and addressing the needs of women in prison through education programmes and Mother and Baby Units. The Commission considers a radical re-think of the women's prison system is necessary, starting with leadership from the upper levels of Government, extending to addressing the needs of women and girls who are at risk of offending, and more courageous action to address the challenges faced by women who offend and who are at risk of offending. The Commission is concerned that the Government is not doing enough to ensure that all criminal justice agencies are complying with the gender equality duty, as called for in the Corston report. The Government has yet to implement the key recommendation to develop a 10-year programme to replace women's prisons with small, local custodial units.

The Commission calls on the Committee to seek clarification on the Government's commitment to implementing the recommendations in the Corston report.

¹³ <http://www.homeoffice.gov.uk/documents/corston-report/corston-exec-summary?view=Binary>

Employment and Reconciliation of Work and Family Life (Article 11)

Women's participation in the labour market

26. The Commission welcomes the overall increase in women's participation in the labour market since the last reporting period in 1999. However, participation is still concentrated in a narrow range of occupations and many women are still confined to low-level, low-paid work despite their educational qualifications. Women are concentrated in part time jobs which also tend to be lower quality, junior jobs. The higher incidence of part - time work in the UK (in comparison with other countries in similar economic conditions) may indicate less flexibility in working practices.

The Commission believes that the Government could lead the way in the public sector by encouraging the senior jobs to comprise both part time and/or job share arrangements. The Government should encourage the private sector to do likewise.

27. Black and Ethnic Minority women are under-represented in all areas of the labour market. An investigation by the EOC (EOC, 2007a) found Bangladeshi and Pakistani women have the lowest rates of labour market participation in Britain. Women from this background born in Britain are twice as likely to be economically active as those born abroad. Rates of economic activity vary by 38 percentage points for Pakistani women and 34 percentage points for Bangladeshi women (Buckner et al., 2007). Working-age Bangladeshi and Pakistani women are around four times as likely to be unemployed as white British women and Black Caribbean women twice as likely (EOC, 2007a). Bangladeshi, Pakistani and Black Caribbean women continue to be underrepresented in senior level jobs, despite the fact that those in work are more likely to have a degree than white British women (EOC, 2006): ethnic minority women, even more than white British women, are clustered in a narrow range of workplaces, jobs, sectors and local labour markets (Platt, 2006; EOC, 2007a; Buckner et al., 2007).

Flexible Working

28. In its investigation into the transformation of work (2007), the EOC found strong evidence that people would like the 'right to request' flexible working arrangements to be extended. The results of this investigation found that most adults (69%) believed that the right to request should be extended to **all** parents; 60% of respondents (58% men, 63% women) thought that the right to request should be extended to all employees. The Commission therefore welcomes the Government's recent announcement that the Right to Request flexible working will be extended to all parents of children up to the age of 16 (as well as parents of disabled children up to the age of 18). Flexible working allows those with caring responsibilities (often women with young children, older dependants and disabled people) to balance a career with their personal commitments. The Commission believes that the Government should go further and the right to request should be extended to all employees. The extensions of the right to request to all workers would remove the stigma associated with working flexibly often seen as a 'concession' which may carry career penalties. The Commission is developing a new agenda to promote

flexible working which will culminate in a report with firm recommendations later in 2008. There is a strong business case for transforming work and extending flexibility and the Commission would like to see the Government encouraging and supporting employers, particularly small businesses.

The Commission calls on the Committee to ask the Government what it is doing to encourage employers to adopt good practice in relation to flexible working.

Equal Pay

29. Women as a whole face a substantial and persistent pay gap in their hourly earnings compared to men. A woman working full time earns 83% of the hourly earnings of a full-time man (a 17% gap); for a woman working part-time, her earnings are 63% of those of a full-time man (a 37% gap). For many ethnic minority women, the situation is worse. For example, Pakistani women working full-time earn 28% less than white British men working full-time (Platt, 2006). This is despite rising achievement in schools and having a clear ambition to succeed: in the 2006 GCSE results a higher proportion of Bangladeshi girls achieved five or more A*-C passes or equivalent, including Maths and English GCSEs, than white British boys (DfES, 2007). Despite the recommendations from the Committee's last concluding observations¹⁴ the Government has not taken any concrete action to tackle the disadvantages facing BME women. The sixth periodic report lists a large number of small scale initiatives and one off events, and black and ethnic minority women continue to be face discrimination.
30. The Commission views the gender pay gap both as an issue in its own right but also as an indicator of disadvantage in traditionally female occupations and of the poor quality of much part-time working. This ongoing earnings discrimination feeds directly into women's poverty in old age. The key causes of the gender pay gap are occupational segregation, the impact of family responsibilities both on the hours women can work and on the types of work women are able to engage in and 'pay discrimination'. The UK has one of the most highly gender-segregated labour markets in Europe and until this segregation is broken down women will find it hard to raise their earnings to the level enjoyed by men with different but equivalent skills.

The Commission believes the Government, employers, unions and educationalists all have a role to play not only in tackling occupational segregation but in ensuring that when women do move into non-traditional work they are remunerated accordingly.

¹⁴ Concluding Observations, Paragraph 306

31. The root cause of pay discrimination is to be found within the workplace, where the legacy of the 'breadwinner wage' (paid to a man to enable him to provide for his family) still influences the higher wages paid to men and the much lower wages paid to women working part-time. The remedy here is to foster good equal pay practices. We need to tackle the secrecy over pay, so women are not forced to take legal action just to find out if they are being treated fairly and we need to encourage employers to carry out equal pay audits.

Equal pay reviews

32. An equal pay audit is a tool to enable employers to identify any gender pay gaps, explore the causes and develop a plan of action to remove any barriers and obstacles to the gender pay gap. This means that what is measured is managed and the use of equal pay audits is becoming more prevalent, especially in the public sector.

Whilst the Commission believes it is for Government to determine the balance between regulation and voluntarism, whichever route is chosen, much more needs to be done to encourage corporate governance structures to take account of the risks posed by the gender pay gap and to promote equal pay audits as an integral part of business strategy.

Pregnancy Discrimination

33. In 2004/5, the EOC conducted a major investigation into pregnancy discrimination in UK workplaces. The investigation found that almost half of all pregnant women experience some form of disadvantage at work and some 30,000 are forced out of their jobs each year (Adams *et al.*, 2005). The EOC review made four key policy recommendations, two of which were addressed in the Work and Families Act 2006, introducing a number of improvements to maternity and parental rights. A third recommendation - that small employers support maternity fairly and productively – has not been met to date. A fourth recommendation - to provide greater financial recompense to micro employers - has also not been taken forward.

The EHRC recognises that absence on maternity leave has a disproportionately heavy impact on small firms and would like to see the Government providing small firms with the support that will enable them to support pregnant women and new parents.

Maternity/Paternity Leave

34. The Commission strongly supports the creation of a single system to support working parents. Current support packages focus on informing employers about their obligations to the pregnant employee but we also see a need to offer advice about how to minimise the cost to productivity and to reap any potential productivity benefits. If men are to opt to share the responsibility for childcare we need to create a culture which ensures that men as well as women are comfortable with

discussing their needs as parents with their employers and which also provides them with sufficient financial compensation for any loss of earnings incurred through taking on a more active parenting role. With regard to the impact of family responsibilities, the most pressing need is to encourage men to take up parental leave and flexible working, and to make sure that when they wish to share the day-to-day care of their children with their partners, they are not penalised for doing so – there would be little point in transferring the disadvantage from women to men.

In relation to Employment and Reconciliation of Work and Family Life, the Commission:

- **Recommends that the Government extends the ‘right to request’ flexible working to all employees**
- **Welcomes initiatives to tackle the labour market disadvantages faced by ethnic minority women.**
- **Considers that the Government should explore measures to encourage better take up of paternity leave.**
- **Considers that the Government has three roles in prompting equal pay: to provide a regulatory framework that enables women to receive equal pay and employers to deliver it; to lead by example – by eradicating the gender pay gap across all Government departments and agencies within a defined timescale; and to create an expectation of equal pay. In this respect, what Government says is as important as what it does, and leadership on matters such as ensuring equal pay within the Government supply chain, or prioritising the achievement of equal pay over the attainment of efficiency savings sends a very clear message about Government expectations**

Education and Stereotypes (Article 5 and Article 10)

35. The Commission recognises the Government’s commitment to tackling gender inequality in the education system. This includes initiatives such as the Young Apprenticeships Equality and Diversity programme, the former Department for Education and Skills (DfES) (now Department for Children, Schools and Families and Schools (DCFS) ‘*Connections in Action: Challenging Gender Barriers*’¹⁵ publication and the adult skills trials set up in response to the Women and Work Commission (WWC) final report¹⁶. However, despite these positive steps, major problems still remain and there is still much to do to achieve equality for girls and women in education and training.

36. Girls’ educational achievements are not translating into well-paid jobs. Gender stereotyping remains an endemic problem in the education system which has long and lasting effects. Occupational segregation is the result of gender stereotyping which has been identified as one of the three major causes of the national gender pay gap. Working class girls and ethnic minority women often suffer the most detriment in an education system that fails to widen choices and challenge

¹⁵ <http://www.everychildmatters.gov.uk/files/89BE5BCC2AF89A8CFDC6D77D71E721E6.pdf>

¹⁶ Women and Work Commission Report Shaping a Fairer Future, February 2006

stereotypes; their relatively fewer resources to break free of the low paid, low status work exacerbates the problem of gender stereotyping.

Apprenticeships

37. Male and female apprenticeships are segregated and an average 21% pay gap¹⁷ exists between male and female apprentices. Women dominate the low-paid, poorer quality apprenticeships that offer little in the way of career development or progression opportunities. Despite the recommendations for action outlined in the EOC investigation¹⁸ into occupational segregation and apprenticeships and the Women and Work Commission (WWC) report¹⁹ in 2006, there has been little progress in addressing the inequalities outlined above. In 2006-07, only 1.3% of construction apprentices were female and only 2.5% in engineering. During the same period, 97% and 91% of apprentices in childcare and hairdressing respectively were women, which are the two lowest paying sectors. A recent TUC report²⁰ shows there has been virtually no change in these figures since 2002-03.
38. The Commission welcomes the Government's new strategy for the future of apprenticeships. To drive the new agenda, the Commission calls for a related equality strategy and action plan with targets and time limits for the implementation of proposals, in particular addressing differential pay rates between male and female apprentices. An equality strategy and action plan for apprenticeships is particularly important for delivering the quality 16-18 apprenticeship experience that underpins the Government's 'Staying On' agenda and the Commission's support for those legislative proposals is based on an expectation of significant improvements in equality outcomes on the apprenticeship programme.

Higher Education

39. A recent study²¹ by the Joseph Rowntree Foundation examined the experiences of South Asian women in Higher Education and the continuing barriers they face getting to university and into the labour market after graduation. Whilst, women from South Asian backgrounds (Bangladesh, India and Pakistan) have increased their participation in Higher Education more rapidly than white women since the early 1990's, only 25.6% of young Pakistani women and only 15.5% of Bangladeshi women under 30 have a degree compared with 29.7% and 53.9% of white and Indian women respectively. South Asian women, especially Bangladeshi and Pakistani women, remain the most excluded and lowest paid of the labour force.

¹⁷ Apprenticeship Pay: survey of earnings by sector, Barry Fong and Andrew Phelps, BMRB Social Research, DIUS research report, 08 05

¹⁸ http://83.137.212.42/sitearchive/eoc/PDF/occseg_finalrep_england.pdf

¹⁹ Women and Work Commission Report Shaping a Fairer Future, February 2006

²⁰ Still more (better paid jobs) for the boys, TUC, 2008

²¹ The role of higher education in providing opportunities for South Asian women (Bagguley and Hussain, 2007)

The Committee should ask the Government what measures it is taking to increase the participation of women from south Asian backgrounds in Higher Education.

40. *Increasing numbers of female head teachers and senior academics in schools*
Research by the General Teaching Council (GTC) suggests that family responsibilities are turning many female teachers off applying for promotion. Women teachers are much more likely than men to say that factors in their private lives, such as childcare or caring for adult relatives, have limited their career development - 26% of women compared with 6% of men. The Commission believes action is needed to encourage more women to seek promotion and enable them to do so by widening the opportunities for flexible and part-time working. Schools and local authorities should also consider developing mentoring schemes and training for women looking to move into senior management posts.
41. Whilst the Commission recognises there have been improvements over time, a gender imbalance remains between men and women at all levels of the academic career structure, with a large gender gap in senior positions. For example, women make up only 16% of professors/heads of department and 28% of senior/principal lecturers (HESA, 2004/05). Research into gender balance in academia especially in Science, Engineering and Technology (SET) has found that women academics who take a career break to have children severely damage their academic career. Female academics in SET also experience particular difficulty returning after a career break. Research has found that maintaining contact with their department, the provision of flexible working hours, and childcare are measures that would help their transition back to work.

The Committee should ask the Government what measures it is taking to address the gender imbalance between men and women at all levels of the academic career structure.

In relation to Education and Stereotypes the Commission recommends:

- **Tackling gender stereotyping and gender segregation across the education and training system requires a strategic joined-up approach across Government and its delivery partners. In particular, the Department for Children, Schools and Families (DCSF) and Department for Innovation, Universities and Skills (DIUS) must tackle gender segregation strategically across their policy areas to address the problem in both academic and non-academic education.**
- **That the Government should implement the recommendations in the Women at Work Commission²² report in relation to reducing stereotypical choices, improving take up of vocational skills training and improving the employment outcomes for young women. This includes work experience placements for pupils in occupations not traditionally taken up by their gender.**

²² Women and Work Commission Report Shaping a Fairer Future, February 2006

Women's Health (Article 12)

42. The Commission welcomes and supports the Government's initiatives to improve women's health as outlined in the sixth periodic report. The Commission is concerned, nonetheless, that the Government's health policy and services continue to be developed in a largely 'one-size-fits-all' manner which fails to take sufficient account of the specific needs of women. The Commission believes service provision needs to consider the needs of particular groups of women who are significantly disadvantaged, such as: Gypsies and Travellers, who experience the highest maternal death rates of any ethnic group; women with learning disabilities who are significantly less likely to access screening services; lesbian and transgender women who face significant levels of discrimination and poor access to health services that fail to take account of their specific health needs.
43. The implementation of the GED should redress this situation as health bodies are required to take account of the different needs of women and men in the development of health policy and delivery of services. However, as the GED has only been in place for one year, it is difficult to assess whether public services have taken this into consideration although initial indicators suggest that a gendered approach has not yet been effectively mainstreamed within the health sector.
44. The Commission's monitoring of the GED to date reveals a lack of available data disaggregated by gender and other factors. Without relevant and accurate data it is not possible for the health sector to fully understand the impact of their policies on women, including different groups of women, and enable them to target and deliver services in a way that will have most impact in improving health outcomes for women.

In relation to women's health the Commission recommends:

- **Government policy on health should address the specific needs of different groups of women.**
- **Government needs to ensure measures are in place to address the lack of available data.**

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