

## **Work it Out: Parenting and Employment in Wales – ELGC Committee Report Welsh Government Response**

The Welsh Government is grateful for the Committee's carefully considered report and recommendations, as well as the time and effort given by those working in public services and organisations to provide good quality evidence to the Committee.

We are committed to trying to improve conditions for individuals and reduce gender inequality in work and childcare, within the scope of its devolved responsibilities. The First Minister has also set a bold and ambitious target for the Welsh Government to become a world leader in women's rights and gender equality. We have commissioned a review to support this ambition. Phase 1 of the Gender Equality Review was supported by Chwarae Teg who, along with the Wales Centre for Public Policy produced a report which has gathered evidence from Wales, the UK and other countries. These reports have posed challenging questions and presented recommendations to be considered further in Phase 2 of the review.

The Welsh Government welcomes the report and is actively considering the recommendations, several of which relate directly or indirectly to the need to review the Welsh Public Sector Equality Duty (PSED) regulations and reporting arrangements in Wales. The Leader of the House and Chief Whip, Julie James AM, in her capacity as Minister with responsibility for equalities has oversight of the review and has indicated that she expects early action to improve reporting of gender pay gaps in Wales and that this will be done in the context of strengthening the PSED regulations generally. Officials will continue working closely with the Equality and Human Rights Commission (EHRC), the regulator of the PSED, to consider the outcomes and monitoring arrangements of the review. This will ensure that future reporting arrangements are robust and ensure that the way listed bodies publish their data is transparent, user-friendly and accessible. This will be in line with our desire to promote the principles of open data across Welsh public bodies.

Our Welsh specific equality duties are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and came into force in April 2011. The legislation applies to all public authorities listed in Schedule 19 to the Equality Act 2010. This includes local authorities, education bodies, health bodies and the Welsh Government itself.

The requirements under the Welsh specific duties are different to the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 which apply to private and voluntary sector employers across Great Britain; and the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 which apply to public bodies in England and relevant non-devolved public bodies operating in Wales and Scotland.

We were the first government to bring in specific equality duties in order for public bodies to better perform and demonstrate their compliance with the PSED. Our Regulations cover equality impact assessments, publishing and reviewing Equality Objectives and Strategic Equality Plans, engagement, pay differences, procurement, reporting arrangements and equality and employment information. The EHRC is the regulator of the PSED.

The Commission in Wales is currently undertaking a monitoring exercise which aims to clarify potential areas of non-compliance and examine work undertaken in specific areas, by each sector, to meet the requirements of the general duty to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

The EHRC monitoring will establish which listed bodies have also chosen to publish pay data in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. Listed bodies subject to the Wales-specific PSED are not currently required to publish their gender pay data on the UK Government website but are free to do so if they wish. A number of the listed bodies have voluntarily chosen to do so, including a number of local authorities, universities and Fire and Rescue services.

The EHRC monitoring exercise will cover 79 public bodies in Wales and will be conducted between June and the end of September. In addition to specific areas of focus for different sectors, all listed bodies will be monitored on their work in relation to the recruitment and employment of disabled people, and work undertaken to comply with the duty to narrow pay gaps.

The system of reporting should be clear, transparent and afford an opportunity for comparisons to be made. Listed public bodies in Wales already have the information – they are required to collect and publish more information, and more detailed information, than the UK Government requires of public bodies in England.

This work aligns fully with *Prosperity for All – the national strategy* which embodies the Welsh Government's commitment to create equal opportunity for all. This includes tackling pregnancy and maternity discrimination and disadvantage as part of a wider programme of work addressing gender inequality in our society.

It contains the commitment to provide 30 hours of government-funded early education and childcare to working parents of three and four year olds for up to 48 weeks a year by the end of this Assembly term. Our Childcare Offer (the Offer) is aimed at working parents, and is intended to support the Welsh economy by helping parents, particularly mothers, return to work or increase their hours of employment.

Childcare is often cited as one of the reasons why some parents work where they do, work the hours they do, or don't work at all. There is also a growing recognition that in Wales, the majority of children in relative income poverty live in a household where at least one person is working. The evidence is clear that well-paid work is the best route out of poverty, and the greatest protection against poverty. The intention of the Offer is to acknowledge the pressure on working parents who meet the criteria, and to provide financial support to help them with their childcare costs enabling them to access more employment choices.

The Offer will be available across the whole of Wales from September 2020. Ahead of that we are running a programme of early implementation, testing the Offer in different parts of Wales to help understand the needs of children, parents and providers. Early implementation began in Blaenau Gwent, Caerphilly, Flintshire, Rhondda Cynon Taff, Swansea, Anglesey and Gwynedd in September 2017, with additional areas rolling out the offer from September 2018. These are Ceredigion, Wrexham, Conwy, Newport, Cardiff, Neath Port Talbot and Torfaen. This is part of a programme of rolling expansion that will see the early Offer available in at least part of every local authority by September 2019.

The Offer is part of a suite of programmes aimed at tackling in-work poverty by supporting parents into full-time employment and making it easier for parents to retain employment. Our Parents, Childcare and Employment (PaCE) programme is a £13.5m project jointly funded by the European Social Fund and Welsh Government, working in partnership with DWP. PaCE is specifically aimed at parents who are out of work and cite childcare as their main barrier to accessing training or work opportunities. Up to the end of March 2018, the project had engaged 2,883 participants and supported 896 into work. Over 90% of participants are women.

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
| 1   | We recommend that the Welsh Government commits to advertising all of its jobs as “flexible by default” by 2019-20, or to justify advertising a role non-flexibly. The Welsh Government should also actively encourage all Welsh public authorities to do the same. | <p><b>Accept</b></p> <p>The Welsh Government already operates these arrangements for its own staff. We will write to Welsh public authorities to encourage them to adopt similar practices where they don’t already have them in place.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 2   | We recommend that the Welsh Government “leads from the top”, by encouraging senior leadership roles in the Welsh Government to be job-shared.  | <p><b>Accept</b></p> <p>As an employer striving to be an exemplar in equality, diversity and inclusion, the Welsh Government accept that more needs to be done to enable and encourage job sharing (and part time working) at senior leadership levels within the organisation. Our Diversity &amp; Inclusion Action Plan 2016 – 2020 commits to “Consider how part-time workers can be encouraged to apply for Executive Band and Senior Civil Service, maximising job share opportunities”. Part time Senior Civil Servants were surveyed for their views on part time working in the Senior Civil Service and this informed a paper that went to the Diversity &amp; Inclusion Steering Group. The Group agreed the paper that made 12 recommendations on job sharing and part time working in the Senior Civil Service. These recommendations include making job sharing processes simpler; gauging interest in job sharing in the Senior Civil Service; ensuring all senior posts are considered for job sharing at the planning stage prior to advertisement and ensuring commitment from senior leaders. A training seminar for the senior civil service was held in May 2017 to enable people to hear from deputy directors who were job-sharing in the Cabinet Office and ask any questions.</p> <p><b><u>Financial Implications</u></b><br/>None.</p> |

| No. | Recommendation   | Welsh Government response  |
|-----|--|--|
| 3   | <p>We recommend that the Welsh Government considers the case for changing legislation so roles such as Ministers, public appointees and councillors may be job-shared.</p> | <p><b>Accept</b></p> <p>Ministers and Councillors roles are elected and have different responsibilities and accountabilities to people who are appointed either into a job or as a public appointment.</p> <p>The Welsh Government will consider the case for changing the legislation in relation to Welsh Government Ministers alongside any consideration which the NAW may give to the introduction of job sharing for Assembly Members. .</p> <p>The Welsh Government is bringing forward proposals which would facilitate job sharing of cabinet roles in local government. This is at the request of local government and we aim to review how this progresses before considering any future proposals for job sharing such as council leaders, committee chairs or councillors being elected on the basis of a job sharing mandate.</p> <p>The Welsh Government already welcomes applications from job-share partnerships for public appointments. We have recently appointed a job-share partnership to the role of National Adviser for Violence against Women, Gender-based Violence, Domestic Abuse and Sexual Violence.</p> <p><b><u>Financial implications</u></b><br/>None.</p> |
| 4   | <p>We recommend that the Welsh Government provides specialist advice to employers through Business Wales about how to deal with flexible working requests effectively.</p> | <p><b>Accept</b></p> <p>Business Wales provides advice on flexible working through the HR and responsible business advice streams. Advice will be reviewed and refreshed if required, and advisors will be provided with an update on the importance of providing this advice through the support offered.</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p>   |

| No. | Recommendation  | Welsh Government response   |
|-----|---|---|
| 5   | We recommend that the Welsh Government updates recruitment guidance for school governing bodies to include issues such as flexible working, shared parental leave and pregnancy and maternity issues. Guidance should also be provided to senior leadership teams on handling pregnancy and maternity issues. | <p><b>Accept</b></p> <p>Chapter 9 of the Governor’s Guide to the Law was updated in 2012 and makes clear the obligations of governing bodies with regards to employment and the Equality Act 2010. This includes advice on pregnancy and maternity issues. It also signposts to further advice to ensure schools and governing bodies are kept updated on equality rights. Chapter 10 refers to staffing, which includes appointing teachers, head teachers and deputy head teachers and advice that all teachers and head teachers should enjoy a reasonable work-life balance.</p> <p>As such, there is a duty on governors, contained within the Staffing Regulations (Part 8) to have regard for the work-life balance of head teachers. Ultimately, local authorities, as employers, need to ensure that the terms and conditions of contract are in line with legislation and that governing bodies are advised appropriately.</p> <p>However, the Welsh Government accepts that this guidance is used as a reference and should reflect the most up-to-date information. We will be reviewing and updating the whole of this guidance in due course.</p> <p><b><u>Financial Implications</u></b><br/>None.</p> |
| 6   | We recommend that the Welsh Government explores the potential for all teaching posts (including senior roles) to be advertised as “flexible by default” as part of the review of teachers’ pay and conditions.  | <p><b>Accept</b></p> <p>Responsibility for staffing in schools, including advertising teaching jobs, is delegated to Governing bodies under the Staffing Regulations (Part 8). It would not be appropriate for the review of teachers’ pay and conditions to include this matter which is about employment’ and how schools resource themselves, therefore the review of the Governors Guide, as committed in Recommendation 5 above, will include the exploration that all teaching posts be advertised as flexible by default.</p> <p>It will be imperative that the review of teachers’ pay and conditions takes full account of</p>   |

| No. | Recommendation  | Welsh Government response  |
|-----|---|--|
|     |   | <p>the flexibilities required to support the range of working patterns that schools require.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 7   | <p>We recommend that the Welsh Government reforms Teaching and Learning Responsibility (TLR) payments to allow responsibilities to be shared between two members of staff.</p>  | <p><b>Reject</b></p> <p>Whilst it is reasonable for more than one individual to share responsibilities for undertaking a role in a specified area of work, the nature of pay and conditions requires that all aspects of remuneration are individually based. It would therefore not be appropriate for matters, such as allowances, to be shared. However, the review of teachers' pay and conditions will look at enabling schools to have sufficient flexibilities to appropriately remunerate teachers for any additional responsibilities they undertake in their roles, irrespective of their working pattern.</p> <p><b><u>Financial implications</u></b><br/>None.</p> |
| 8   | <p>We recommend that the Welsh Government commits to eradicating pregnancy and maternity discrimination in the foundation and thematic sectors as a priority. To monitor this, employees of businesses in receipt of Government support should be surveyed on issues such as discrimination and unfair treatment.</p> | <p><b>Accept</b></p> <p>Following the implementation of the Economic Contract, all businesses seeking direct financial support from the Welsh Government must demonstrate how they satisfy all of the conditions in the Economic Contract, including Fair Work. This means that businesses who indulge in discriminatory practices or unfair treatment will not be able to qualify for direct financial support. We will continue to work with the Social Partners (Wales TUC, FSB, CBI and Commerce Cymru) to understand the impact of the Economic Contract on employees and businesses.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>                           |

| No. | Recommendation  | Welsh Government response  |
|-----|---|--|
| 9   | We recommend that the Welsh Government requires businesses accessing financial support to offer flexible working, demonstrate action to reduce gender pay gaps and to report on maternity retention rates, by including these as key criteria of the Economic Contract.             | <p><b>Accept in Principle</b></p> <p>The Welsh Government will periodically review the Economic Contract with social partners to ensure it remains fit for purpose in targeting our policy objective of helping to promote responsible business and employment practices to deliver public investment with a social purpose. In addition, we have committed to revisiting the Economic Contract’s Fair Work commitment once the Fair Work Commission has reported.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 10  | We recommend that the Welsh Government requires third sector organisations accessing financial support to offer flexible working, demonstrate action to reduce gender pay gaps and to report on maternity retention rates, by including these as key criteria in funding contracts. | <p><b>Accept</b></p> <p>Phase 1 of the Gender Equality Review, announced by the First Minister on International Women’s Day, has been completed, with reports by Chwarae Teg and Wales Centre for Public Policy published on 10 July. The Welsh Government has welcomed the report and is actively considering the recommendations, several of which relate directly or indirectly to the need to review the Welsh PSED regulations and reporting arrangements in Wales. The Leader of the House and Chief Whip, Julie James AM, in her capacity as ‘Equalities Minister’ with oversight of the Review, has indicated that she expects early action to improve reporting of gender pay gaps in Wales.</p> <p>Third sector organisations access financial support from the Welsh Government in many ways. The Welsh Government’s Code of Practice for Funding the Third Sector sets out the key principles that will underpin Welsh Government funding for the Third Sector and what the Government expects from the Third Sector in return (through grants and procurement). All Welsh Government funding for the Third Sector will reflect the priorities of Government and Ministerial priorities. All Welsh Government Departments must comply with this Code when funding the Third Sector.</p> <p>Our Code of practice: Ethical employment in supply chains help ensure that workers in our supply chains are employed fairly. This code commits public, private and third sector organisations to a set of actions that tackle illegal and unfair employment</p> |

| No. | Recommendation  | Welsh Government response  |
|-----|---|--|
|     |   | <p>practices. Organisations that receive funding from Welsh Government, either directly or via grants or contracts, will be expected to sign up to the code.</p> <p>We will consider how our support for the Third Sector through Third Sector Support Wales can be used to respond positively to this important agenda, and help third sector organisations to promote ethical employment practices.</p> <p><b><u>Financial implications</u></b><br/>None.</p>  |
| 11  | <p>We recommend that the Welsh Government requires businesses to provide flexible working, demonstrate action to reduce gender pay gaps, and report on maternity retention rates as part of procurement arrangements.</p>   | <p><b>Accept</b></p> <p>The Welsh Government accepts this recommendation where such a requirement would be relevant to the contract in question. Further work will be required to identify the most effective ways in which the procurement process can be used to achieve the objectives set out in this recommendation.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>  |
| 12  | <p>We recommend that the Welsh Government includes a distinct gender element in the definition of “fair work”. The definition used by the Economic Contract should ensure that public funding is only provided to organisations that adhere to equal opportunities and workplace structures that allow women and men to progress in their</p> | <p><b>Accept in Principle</b></p> <p>The Economic Contract is clear in identifying that its definition of Fair Work is an interim one pending the recommendations that the Fair Work Commission will provide to Welsh Ministers. The Welsh Government has made a commitment to amend the Economic Contract following the work of the Fair Work Commission which will consider gender equality in their consideration of Fair Work. It would not be appropriate for us to pre-empt the work of the Fair Work Commission by making changes to the Fair Work element of the Economic Contract, particularly given that the interim position has been informed by and has the agreement of Social Partners</p> |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     | careers.   | <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 13  | <p>We recommend that the Welsh Government collects data on maternal employment and retention rates as part of the new Childcare Offer pilots to inform the independent evaluation of those pilots.</p> | <p><b>Accept in Principle</b></p> <p>The evaluation of the early implementation programme in relation to the Welsh Government’s Childcare Offer is limited in scope at this stage, with a focus on the application process, communications, and access to suitable childcare, alignment of the education and childcare aspects and the sustainability of the charging arrangements.</p> <p>The nature of the Offer is such that all parents have to be in work to be considered eligible, unless entitled to one of the exceptions available to two parent households. Parents have to reconfirm eligibility at set points throughout the year, allowing some limited insight as to whether or not they remain in employment. The evaluation also includes a survey of parents accessing the Offer, asking questions about attitudes to work and any impacts on their employment status or employment choices. However, data is not currently collected on whether or not parents remain in the same job throughout, or switch jobs.</p> <p>Planning for the evaluation of the Offer post-2020 is at an early stage. The longer term evaluation will consider how the Offer is supporting parental employment and employment choices, by both analysing management information and undertaking primary research with parents.</p> <p>In addition, the Welsh Government is in the process of negotiating access to UK Government records on employment. We have put in place arrangements with the Secure Anonymised Information Linkage (SAIL) databank to access a secure infrastructure for linking personal data for research purposes in an anonymous and ethical manner. It is our intention to use this infrastructure to analyse parents’ pathways into work, and career progression over time. Accessing DWP/HMRC records has proved challenging in the past, however, we still believe this is the best approach as it will provide highly reliable data, is the most efficient way to collect data, and places no</p> |

| No. | Recommendation   | Welsh Government response  |
|-----|--|--|
|     |  | <p>additional burden on parents.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 14  | <p>We recommend that the Welsh Government sets out the further steps it will take to address the need for childcare of one to three year olds.</p>   | <p><b>Reject</b></p> <p>The Welsh Government’s focus in this Assembly term is on delivering 30 hours a week of government-funded early education and childcare for working parents of three and four year olds, for up to 48 weeks of the year.</p> <p>Our Childcare Offer is one of a suite of policies – including Flying Start, Families First and the introduction of Children First – which we are currently pursuing to support communities and to build resilience. There are also other forms of support available to help parents with the cost of childcare, such as Tax Credits and Universal Credit for childcare, and the new Tax-Free Childcare Scheme which provides support to working parents with the cost of childcare.</p> <p><b><u>Financial Implications</u></b><br/>None.</p> |
| 15  | <p>We recommend that the Welsh Government reassesses the Offer. This reassessment should take account of the evaluation, Welsh Government-commissioned research, international research and the evidence provided to this inquiry.</p> | <p><b>Reject</b></p> <p>The Childcare Offer for Wales was a core manifesto commitment for Welsh Labour and is an integral aspect of our Programme for Government, <i>Taking Wales Forward</i>. We are committed to delivering the Offer during this Assembly term.</p> <p>While we understand the debate around the parameters of the Offer, particularly those who argue that it should be targeted at parents with younger children, it is important not to underestimate the significant step forward that this Offer signals and how well it has been received.</p>  |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     |  | <p>We should always be open to ideas and what the evidence tells us as to where we might want to go next. Rather than reviewing the parameters of this Offer at this time, we will be looking carefully at what the research and evidence tells us about additional actions we could take to support other groups of parents with their childcare costs in the future. This includes learning from the evaluation of our early implementation programme, lessons from the delivery of Flying Start and the findings of this review, as well as separately commissioned research.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>  |
| 16  | <p>We recommend that the Welsh Government reviews the current availability and cost of wraparound care (i.e. before and after school care) to establish where there are geographical gaps, high costs and other barriers. The review should include an exploration of the potential for such care to be provided in schools.</p> | <p><b>Accept</b></p> <p>Every three years Local Authorities are required to undertake a Childcare Sufficiency Assessment to identify gaps in childcare. This informs planning at a local level. The most recent assessments were published in 2017. Alongside these, an initial high-level assessment of capacity within the childcare sector was undertaken by WISERD and published in October 2017. Further work is now required to build on the capacity modelling undertaken by WISERD and the information contained in the Childcare Sufficiency Assessments.</p> <p>In January 2018 the Welsh Government also published an economic assessment of the childcare sector undertaken by Alma Economics. We are currently considering further research into the capacity and sustainability of the childcare sector based on the recommendations of Alma Economics. This sits alongside the work to review qualifications and career pathways within our <i>Childcare, Play and Early Years Workforce Plan</i>, published in December 2017.</p> <p>Capital funding of £60m over three years (2018-21) is being made available to Local Authorities and other childcare providers to refurbish and/or develop settings in order to deliver the childcare element of the 30 hour Offer. This will include the development of wrap around care in order to provide a seamless provision for working parents. All</p> |

| No. | Recommendation  | Welsh Government response   |
|-----|---|---|
|     |   | <p>applications must be submitted via the Local Authority and bids must be submitted by 30 September 2018.</p> <p>We will also be reviewing the terms of the Child Minding and Day Care Exceptions (Order) 2010, as amended in 2016. This will include looking again at the role of schools in providing childcare.</p> <p><b><u>Financial Implications</u></b><br/>£60m of capital has already been made available to develop the infrastructure associated with the Childcare Offer and there may be some further financial implications associated with the development of wrap around care. It is not possible to determine the full cost implications of these until all of the options have been explored and presented to Ministers.</p> |
| 17  | We recommend that the Welsh Government improves awareness of the PaCE project.  | <p><b>Accept</b></p> <p>PaCE promotional material is distributed across a wide range of organisations. However, it is recognised that PaCE could be promoted more widely, for example through the use of social media. A communications plan will be developed which will set out how we intend to increase the awareness of the PaCE project through national and local publicity. This will be completed by 30 September 2018.</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p>  |
| 18  | We recommend that the Welsh Government clarifies the exact eligibility for the childcare element of the PaCE project in promotional materials, and how it links to the Childcare Offer. | <p><b>Accept</b></p> <p>A joint approach will be adopted between PaCE and the Childcare offer policy teams to design and distribute promotional materials which clearly set out the links between both programmes. This will be completed by 30 December 2018.</p>  |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     |  | <p><b><u>Financial Implications</u></b><br/>Any additional costs will be jointly met from existing programme budgets.</p>   |
| 19  | <p>We recommend that the Welsh Government conducts an evaluation of the PaCE project's effectiveness in helping parents access childcare while searching for a job, and how the recommendations following the 2016 evaluation have been addressed.</p> | <p><b>Accept</b></p> <p>An evaluation to consider the impact of PaCE has been commissioned and the first report is due to be published in Autumn 2018, which will include feedback from parents on how PaCE supported them into work, and how childcare was addressed to meet their needs.</p> <p>The 13 recommendations made in the PaCE process evaluation report in 2016 were accepted by Welsh Government, a summary of the recommendations and actions are below:</p> <ol style="list-style-type: none"> <li>1. To produce a formal agreement, such as a memorandum of understanding, which sets out the roles and responsibilities of key partners (particularly local authorities) involved in the delivery of PaCE. Action: A memorandum of understanding was developed and offered to local authorities</li> <li>2. Deliver a project-specific induction process to all PaCE Advisers. Action: all advisers follow an induction process specifically designed for PaCE</li> <li>3. Develop a frequently asked questions sheet to be used as a working document throughout the remainder of the project. Action: Completed and is an ongoing document</li> <li>4. Consider introducing a buddying/mentoring system to enable PaCE Advisers to share learning with each other and to raise awareness of the training offer available locally to staff. Action: All PaCE advisers are allocated another adviser to help with the induction, plus there is an adviser network to share best practice across wales</li> <li>5. Undertake marketing and promotion using clear and succinct materials, targeting potential partner service providers and participants, to reflect the fact that PaCE is now fully operational. Action: PaCE has a full suite of marketing materials including, leaflets, flyers, business cards, lanyards, name badges, wing banners and posters.</li> <li>6. Undertake close monitoring of referral routes to identify trends and patterns in</li> </ol> |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     |  | <p>referrals. Action: monitoring process in place.</p> <p>7. Building on the success of the ESICC pilot, explore (and where successful, share) additional mechanisms to engage Flying Start centres and other family-based settings to increase the diversity of referral/engagement routes for the PaCE project. Action: PaCE advisers work closely with community based services including Families First and Flying Start.</p> <p>8. Where there is evidence that service delivery is more challenging in rural areas, explore through discussion with key rural groups, including the Local Action Groups delivering the Rural Development Programme. Action: PaCE continues to liaise with other providers across Wales</p> <p>9. Maintain the flexibility of operation afforded to the PaCE Advisers in delivering their services. Action: Flexibility maintained</p> <p>10. Introduce robust monitoring of customers' journeys and employment outcomes to identify any locational patterns in service delivery and achievement of outcomes. Action: PaCE advisers maintain records of the customer journey and employment outcomes are monitored to identify trends and best practice.</p> <p>11. Commission the summative evaluation as soon as it is feasible to capture participant journeys and distance travelled and to provide timely recommendations for PaCE. Action: Evaluation commissioned</p> <p>12. Incorporate examples of eligible/ineligible evidence in internal guidance/frequently asked questions documentation. Action: Operational guidance has been updated</p> <p>13. Project profiling should be reviewed in six months' time (after the project has been fully operational) to identify whether a re-profiling of targets is necessary. Action: completed</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p> |
| 20  | We recommend that the Welsh Government commits to continuing the PaCE project beyond 2020 if the new | <p><b>Accept</b></p> <p>Discussions are ongoing with the Wales European Funding Office regarding extending the PaCE project beyond 2020 and the evaluation findings will form part of that</p>  |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     | evaluation demonstrates that the project is effective in helping parents into work, or if it does not continue, set out what childcare support will be available to parents in education and training. | <p>consideration. Advice will be provided to the Minister for Welsh Language and Lifelong Learning in the autumn.</p> <p><b><u>Financial Implications</u></b><br/>Match funding would be required if the PaCE project were to be extended beyond 2020. Indicative budgets are in place for 2019-20 but any funding beyond 2020 would need to form part of the spending review and future budget discussions.</p>  |
| 21  | We recommend that the Welsh Government publishes take-up of Shared Parental Leave in the public sector (as part of the Welsh specific public sector equality duties).                                  | <p><b>Accept</b></p> <p>Ministers will receive advice regarding changes to Welsh PSED regulations and reporting arrangements, and detailed consideration of the same will be needed in order to determine next steps. This will include a review of the employment data which public bodies are required to collect and publish. In line with Recommendation 27, the Welsh Government recognises the importance of minimising the burden of reporting arrangements for public bodies. However, this must be balanced against the need to ensure the employment data requirements of the Welsh PSED best meet the aims of this legislation.</p> <p><b><u>Financial Implications</u></b><br/>It is not possible to determine the cost implications for this until further discussions have taken place. It is anticipated that any additional costs will be met from existing budgets and within existing resource. Any additional costs or resource will be highlighted as soon as possible to the relevant Welsh Minister(s) once the scope of the work has been confirmed.</p> |
| 22  | We recommend that the Welsh Government includes gender roles and parenting in the new sex and relationships education.   | <p><b>Accept</b></p> <p><i>Successful Futures</i> envisages a new approach to the way the curriculum is developed. The design of the new curriculum is being taken forward by a network of Pioneer Schools, working in partnership with the Welsh Government, regional consortia, Estyn, Qualifications Wales, Higher Education, business and other key partners. As such, any</p>  |

| No. | Recommendation | Welsh Government response   |
|-----|----------------|---|
|     |                | <p>decisions regarding the development of the content of the curriculum are made in partnership with pioneer schools. All Areas of Learning and Experience (AoLE groups have been supported by Professor Emma Renold, chair of the Sex and Relationships Education expert panel, to inform how they can contribute to Relationships and Sexuality Education.</p> <p>Relationships and Sexuality Education will provide learners with a holistic, rounded and age appropriate understanding of healthy relationships (such as family, friends and eventually, romantic partners) and the social and cultural influences that can affect how they form and maintain positive relationships.</p> <p>Within the Health and Well-being AoLE of the new curriculum, Professor Graham Donaldson stated that the AoLE will draw on subjects and themes such as parenting and work-related learning. The pioneers are therefore working to ensure that parenting is embedded within the AoLE. The AoLE will also support learners to acknowledge the differences in others and to recognise and respond critically to a range of presented norms and values which influence their identity, health and well-being and this would include gender roles.</p> <p>In specifying curriculum content, <i>Successful Futures</i> makes it clear that a high degree of prescription and detail at a national level inhibits “the flow and progression in children and young people’s learning and progression”. As such, we need to ensure that the new curriculum does not provide a comprehensive list of detailed content which would quickly become complicated and overcrowded. The curriculum must allow professionals the flexibility to choose the specific content which meets the needs of their learners in their specific context. Likewise, this flexibility should allow professionals the autonomy to consider issues as the needs of their learners demand.</p> <p>The AoLE will support learning around both parenting and gender roles supporting this recommendation.</p> |

| No. | Recommendation  | Welsh Government response   |
|-----|---|---|
|     |   | <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 23  | <p>We recommend that the Welsh Government includes gender-neutral recruitment training (dealing with issues like unconscious bias) as part of Business Wales support, including good practice examples such as Go Compare's blind recruitment procedure, and Ford's vetting of job advert language.</p> | <p><b>Accept</b></p> <p>Business Wales provides advice on recruitment best practices through the HR and responsible business advice streams. Advice will be reviewed and refreshed if required, and advisors will be provided with guidance on gender-neutral recruitment, including unconscious bias.</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p>  |
| 24  | <p>We recommend that the Welsh Government amends the Welsh public sector equality duties to include maternity retention rates as part of the employment data collected under regulation 9 of the <i>Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011</i>.</p>                              | <p><b>Accept</b></p> <p>Ministers will receive advice regarding changes to Welsh PSED regulations and reporting arrangements and detailed consideration of the same will be needed in respect of this proposal. This will include a review of the employment data which public bodies are required to collect and publish. In line with Recommendation 27, the Welsh Government recognises the importance of minimising the burden of reporting arrangements for public bodies. However, this must be balanced against the need to ensure the employment data requirements of the Welsh PSED best meet the aims of this legislation.</p> <p><b><u>Financial Implications</u></b><br/>It is not possible to determine the cost implications for this until further discussions have taken place. It is anticipated that any additional costs will be met from existing budgets and within existing resource. Any additional costs or resource will be highlighted as soon as possible to the relevant Welsh Minister(s) once the scope of the work has been confirmed.</p> |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
| 25  | We recommend that the Welsh Government publishes employment data required by the Welsh public sector equality duties to a single location on the Welsh Government's website, in a format that allows the data to be analysed easily. | <p><b>Accept</b></p> <p>The PSED is a requirement of public bodies as employers in their own right and therefore it is important they continue to have responsibility for publishing their own data on the duty.</p> <p>The Welsh Government agrees it is important this information is published in a manner that is open, transparent and easily accessible. We also agree it would be helpful for the citizen and other interested parties to be able to access this information from a single location.</p> <p>In line with the ambition to encourage greater use of open data across the public sector (as agreed in the National Assembly for Wales debate on Open Data in September 2017), we would want to encourage public bodies to publish this data in openly accessible formats that Welsh Government can then collate and present in a single location. To do otherwise would add additional burdens on public bodies and the requirement for an expensive centralised data collection process.</p> <p>This is an approach we have already begun to adopt through the work on public sector employment data in partnership with Data Cymru on behalf of local authorities, and wish to expand to cover the public sector equality duty information.</p> <p><b><u>Financial Implications</u></b></p> <p>There would be no additional costs to the Welsh Government as a result of this recommendation if the approach above were adopted. There will be additional costs to public bodies in publishing their data in a standard and open format, although this is in lieu of the potential cost of providing the information to the Welsh Government in an agreed format.</p> |
| 26  | We recommend that the Welsh Government collects and publishes gender pay gap data  | <p><b>Accept</b></p> <p>The Leader of the House and Chief Whip has made it clear; in relation to the Gender</p>   |

| No. | Recommendation  | Welsh Government response   |
|-----|---|---|
|     | for Welsh public authorities to the UK Government portal.   | <p>Equality Review that early action will be taken in line with this recommendation.</p> <p>As well as the duty to have an equality objective to address employment or pay differences, all public sector employers in Wales are required to report annually on gender pay gaps, and also on the different distribution of men and women between grades, occupations, working patterns (full and part time) and contract types (permanent, temporary/fixed, casual) which sustain pay gaps. Public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly why they have not done so.</p> <p>With regard to reporting arrangements, and with reference to the response to Recommendation 25 above, the Welsh Government will continue to encourage public bodies to publish this data openly and in accessible formats. We will also consider further whether the best way to publish Welsh Gender Public Gap data is on the UK Government portal.</p> <p><b><u>Financial Implications</u></b></p> <p>It is not possible to determine the cost implications for this until further discussions have taken place. It is anticipated that any additional costs will be met from existing budgets and within existing resource. Any additional costs or resource will be highlighted as soon as possible to the relevant Welsh Minister(s) once the scope of the work has been confirmed.</p> |
| 27  | We recommend that the Welsh Government refines the employment data required by the Welsh public sector equality duties, with the aim of reducing the administrative burden on [Welsh public] authorities. | <p><b>Accept</b></p> <p>The Welsh Government recognises the importance of minimising the burden of reporting arrangements for public bodies, both to avoid waste of public money and to maximise the likelihood of full compliance with regulations. Ministers will receive advice regarding changes to the regulations and related reporting arrangements. This will, in particular include consideration of the relationship between the PSED and the duties established under the Well-being of Future Generations (Wales) Act 2015.</p>   |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     |  | <p><b><u>Financial Implications</u></b><br/> It is not possible to determine the cost implications for this until further discussions have taken place. It is anticipated that any additional costs will be met from existing budgets and within existing resource. Any additional costs or resource will be highlighted as soon as possible to the relevant Welsh Minister(s) once the scope of the work has been confirmed.</p>   |
| 28  | <p>We recommend that the Welsh Government takes action to increase the provision of specialist advice on pregnancy, maternity and employment issues, either by enhancing existing advice services or by establishing a new advice service for Wales if existing services cannot provide the necessary specialist advice.</p> | <p><b>Accept</b></p> <p>Business Wales provides advice on pregnancy, maternity and employment issues through the HR and responsible business advice streams. Advice will be reviewed and refreshed if required, and advisors will be provided with an update of the importance of providing this advice through the support offered.</p> <p>Our Fair Work Commission will be considering how the Welsh Government should best use the levers available to us to drive forward fair work in Wales. We will consider the provision of employment related advice services in Wales after the Commission has reported and dependent on its findings.</p> <p><b><u>Financial Implications</u></b><br/> Any additional costs will be drawn from existing programme budgets.</p> |
| 29  | <p>We recommend that the Welsh Government identifies ways to provide information about employment rights to women at an early stage in their pregnancy, such as referrals to specialist advice services during health appointments.</p>  | <p><b>Accept</b></p> <p>Currently pregnant women are provided with basic employment information through <i>Bump, Baby and Beyond</i> which is a book given to all women in early pregnancy, advising on issues they may require information on. In addition to this, they are also given the contact details of the 'money advice service', which provides additional information. All employers would also be expected to provide information on employment rights and assessments of well-being and fitness to work in pregnancy.</p>   |

| No. | Recommendation   | Welsh Government response  |
|-----|--|--|
|     |  | <p><b><u>Financial Implications</u></b><br/>None.</p>  |
| 30  | <p>We recommend that the Welsh Government consolidates information, sources of advice, training, and good practice relating to pregnancy and maternity issues for employers into a single location, with tailored information and advice for SMEs.</p> | <p><b>Accept</b></p> <p>Advice, information, training and good practice relating to pregnancy and maternity issues for employers is provided by Business Wales and can be found on the Business Wales website. Advice will be reviewed and refreshed if required, and advisors will be provided with an update on the importance of providing this advice through the support offered.</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p>   |
| 31  | <p>We recommend that the Welsh Government reviews and improves the advice and information available through Careers Wales for parents returning to work, and provides training for careers advisers on pregnancy and maternity issues.</p>             | <p><b>Accept in Principle</b></p> <p>Careers Wales deliver independent and impartial careers information, advice and guidance (CIAG), to people returning to work, through a blended service of digital and face to face. Therefore, Welsh Government will write to Careers Wales to ask them to take account of parents returning to work; as part of their development of the Employment Advice Gateway (EAG). During 2018-19, Careers Wales will continue to work with the Welsh Government on the development of the Advice and Guidance process for all individuals aged 16 and over.</p> <p><b><u>Financial Implications</u></b><br/>Any additional costs will be drawn from existing programme budgets.</p> |
| 32  | <p>We recommend that the Welsh Government builds specialist support for mothers returning to work into the Employment Advice Gateway and Working Wales programmes.</p>   | <p><b>Accept</b></p> <p>The EAG will provide detailed expert guidance for people seeking employment, including those wishing to return from parental leave. As part of the assessment and guidance process, advisors will help customers in identifying potential issues that might make it harder for people to return to employment. Advisors will offer guidance on how to</p>  |

| No. | Recommendation | Welsh Government response  |
|-----|----------------|--|
|     |                | <p>access support, and refer to interventions that can provide such support. Where customers returning from parental leave find it difficult to access childcare, the EAG will identify the appropriate support and refer the customer to the right intervention. Advisors will draw on their own knowledge of what is available, as well as a detailed directory of interventions. This will help ensure that the individual is able to access the right type and level of support.</p> <p>The first phase of the Welsh Government’s Gender Equality Review reported in July 2018. Phase Two will build on the work of Phase One which highlighted key challenges in the way in which policy decisions are made and looked at practical actions to establish a roadmap for advancing gender equality in Wales in the medium and long term, with clear objectives and measurable targets across all parts of the Welsh Government. It is anticipated that a final roadmap for advancing gender equality will be published in July 2019. As part of phase two a Steering Group has been set up to provide direction and advice and will meet on 8 October 2018 for the first time. The Leader of the House and Chief Whip will chair this group.</p> <p>Working Wales is a new programme designed to support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment. Working Wales will focus on supporting people into work by addressing their barriers to employment. Working Wales’s contractors will need to devise and deliver flexible and creative individualised support through a network of delivery partners. This will entail a wide range of activity - beyond training and skills development.</p> <p>The Working Wales programme is not overly prescriptive, to ensure innovative delivery models are introduced that are flexible and designed to meet the diverse needs of individuals. The programme is underpinned by a set of key delivery indicators to aid consistency and to ensure equality. Working Wales’ contractors are required to co-ordinate support for the participant as well as provide specialised support to meet the participant’s needs. For women returning to work this could include help with establishing the correct work / life balance, confidence building, help with childcare,</p> |

| No. | Recommendation   | Welsh Government response   |
|-----|--|---|
|     |  | <p>learning new skills, exploring alternative routes to employment (such as freelancing, job-sharing flexible working or self-employment), CV preparation and interview training.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 33  | <p>We recommend that the Welsh Government assesses the Scottish Government’s “Returners” project and explore the feasibility of running a similar scheme in Wales.</p> | <p><b>Reject</b></p> <p>Working Wales is a new approach to delivering employability and skills support, designed to meet what individuals need to gain employment rather than fitting them into narrow programme eligibility criteria. Working Wales will support delivery of the <i>Prosperity for All: the national strategy</i> commitment to reshape employability support for all individuals, and forms an important part of the government’s Employability Plan published in March 2018.</p> <p>The Welsh Government recognises the distinct needs of women returners to the workplace. Our new Employment Advice Gateway will provide a single entry point to employability support. It will enable individuals to talk to trained advisers about employment and skills, their aims and aspirations, and any issues they face in obtaining work including regaining the confidence and skills they may have lost during career breaks when they have had time away from the workplace. Advice and guidance will be provided face to face, over the telephone and online. Advisers will help by identifying barriers to employment, the best route to employment, and by referring people to the most appropriate intervention/s available.</p> <p>We would welcome the opportunity to assess the evaluation of the Scottish Government’s “Returners” project in order to integrate lessons learned and best practice into our Employment Advice Gateway and Working Wales programme from 2019, rather than proposing a separate scheme in Wales. The Working Wales programme has been designed to be flexible and responsive to an individual’s need. We will monitor how well Working Wales is meeting the needs of individuals and ensure that changes are made to the programme design where necessary. Working Wales is currently in live</p> |

| No. | Recommendation   | Welsh Government response  |
|-----|--|--|
|     |  | <p>procurement, and will begin delivery from April 2019.</p> <p>The first phase of the Welsh Government’s Gender Equality Review reported in July 2018. Phase Two will build on the work of Phase One which highlighted key challenges in the way in which policy decisions are made and looked at practical actions to establish a roadmap for advancing gender equality in Wales in the medium and long term, with clear objectives and measurable targets across all parts of the Welsh Government.</p> <p><b><u>Financial Implications</u></b><br/>None.</p>   |
| 34  | <p>We recommend that the Welsh Government should make representations to the UK Government to:</p> <ul style="list-style-type: none"> <li>• increase the time limit for bringing a claim in maternity and pregnancy discrimination cases from 3 to 6 months;</li> <li>• provide the right to request flexible working from day 1 of a job;</li> <li>• enhance the level of Maternity Allowance provided to the self-employed in the first 6 weeks to bring it in line with Statutory Maternity Pay for employed people, and extend shared parental leave to self-employed</li> </ul> | <p><b>Accept</b></p> <p>The Welsh Government would need to consider the most appropriate timing in order to enable us to take account, as far as possible, of the Fair Work Commission which reports in Spring 2019 and the outcomes of the Gender Equality Review to ensure our views are heard on non-devolved issues.</p> <p>The terms of reference for the Fair Work Commission state that it will consider whether measures to promote fair work currently available to the Welsh Government could be taken further and that it will identify what new or additional steps might be taken including new legislation, and make recommendations. As part of this, we have asked the Commission to consider how changes to support fair work can help to promote a more equal Wales. Alongside this, Phase Two of the Gender Equality Review will be looking at the practical actions to establish a roadmap for advancing gender equality in Wales in the medium and long term.</p> <p><b><u>Financial Implications</u></b><br/>None.</p> |

| No. | Recommendation  | Welsh Government response |
|-----|---|---------------------------|
|     | fathers;<br><ul style="list-style-type: none"> <li>• extend redundancy protection for women returning to work after maternity leave, similar to the German model;</li> <li>• increase the level of Shared Parental Leave and reduce the complexity of the system; and</li> <li>• lower the gender pay gap reporting threshold.</li> </ul> |                           |