

CLOSE YOUR PAY GAP



**BACK TO BUSINESS:
RECOVERY AND GROWTH THROUGH GENDER EQUALITY**

**Guidance for large companies on supporting women
in your workforce during Covid-19**

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ABOUT THIS GUIDANCE

This guidance is designed to support employers to develop gender-sensitive employment practice and return to work plans in response to Covid-19. It will help your line managers to respond to the different experiences of the women in your workforce, supporting a safe transition to a new way of working for all.

The guidance sets out the business case for gender equality during recession and recovery, explaining why a return to work that supports your female employees will help support your company's recovery. Large companies are required to publish their gender pay gap and it's important to recognise the potential for Covid-19 to widen your own company's pay gap. This guidance provides good practice actions that you can take now to help prevent this happening and close your pay gap.

THE IMPACT OF COVID-19 ON WOMEN'S EMPLOYMENT

Covid-19 has exposed many of the gendered differences in men's and women's lives. The closure of schools and nurseries has resulted in women doing more childcare and home learning, often making it difficult for them to do their job at the same time. The second period of home learning has brought back these additional pressures.



Women are the majority of key workers responding to the pandemic, highlighting how women are concentrated in jobs which are often low paid despite being essential to our economy. Women are more likely to work in sectors that have been shut down, and are most sensitive to necessary public health measures in reopening.

There is a high risk that that you could lose female talent if you don't act to support the women in your company. This could drive up your costs, including recruitment, training and the loss of experienced staff. The business benefits of gender equality are well-evidenced, driving improved business performance and economic growth. New ways of working can deliver improved working conditions for the women in your workforce alongside benefits for your organisation.

As we adjust to the new normal, it is important as an employer to recognise the impact of the Covid-19 crisis on women's employment and take action to mitigate this in your own company and workplaces. Your working practices have likely already changed dramatically during lockdown, showing just how possible it is to do things differently. This is an opportunity to transform your employment policy and practice and make sure it works for all of your workforce, regardless of gender.

WHAT YOU CAN DO

This section sets out guidance and practical actions for supporting women to return to work and to stay in work as your company moves towards recovery. This will enable you to ensure your workplaces are resilient and ready for the new normal.

CARING RESPONSIBILITIES

The Covid-19 crisis has highlighted a long-standing issue: women still do the vast majority of unpaid childcare and care for older or disabled people. This creates real barriers for women when it comes to work.



Women are four times more likely to give up employment because of multiple caring responsibilities.¹ This is because a lack of adequate flexible working option pushes many women out of the workplace.

The closure of schools and nurseries, and the interruption to social care services, have created a huge burden of increased childcare, home learning, and other care work. Even where both partners in a mixed-sex household are homeworking the vast majority of this increase has fallen largely to women. This has created particular challenges for women who have been required to work from home, sometimes with little flexibility in working hours.

Schools and nurseries have now closed down for the second time during the pandemic, creating severe difficulties for employees with caring roles. There is also the potential for a move to blended learning as part of a phased return. This means women are likely to need ongoing flexibility to enable them to stay in work, and do their job well.

Providing this flexibility and support will enable you to retain key people and avoid costly recruitment and training processes. When your employees are supported they are more productive, more motivated and more loyal, all of which are important to organisational resilience and recovery.

¹ <https://www.carersuk.org/for-professionals/policy/policy-library/sandwich-caring>

ACTIONS: CARING RESPONSIBILITIES

1. Be flexible in providing support to employees with caring responsibilities. This could include flexible working hours, reducing workloads, reallocating work and/or using the UK Government's Coronavirus Job Retention Scheme.
2. Let your employees know that they can be furloughed to help them manage their caring responsibilities. Take a positive approach to any furlough requests for this reason.
3. Ensure line managers understand how best to manage employees with caring responsibilities.
4. Use all-staff communications, alongside individual conversations with line managers, to make staff aware of support available to employees with caring responsibilities.
5. Check in with employees to see how they're managing balancing caring responsibilities and work.
6. Conduct an all-staff survey to understand experiences of balancing work with caring and identify any gaps to facilitate better solutions.
7. Get in touch with your furloughed employees in advance of their return to work to find out what their needs are and how you can support them. This will help both you and them to prepare.

FLEXIBLE WORKING



While flexible working has been around for some time, many women still find it difficult to find the flexibility which enables them to balance their job with their caring responsibilities. Women with caring roles often find their only option is part-time work, which is concentrated in low-paid, stereotypically ‘female’ jobs. This means many women are working below their skill- and qualification-level, simply because of a lack of adequate flexible working.



Your company is likely to have used at least one form of flexible working in the past, but changes to working practice during lockdown have demonstrated that there are many different ways of working. Jobs are now being done from home, on flexible hours, and managed remotely on a large scale. Line managers and staff have had to quickly adapt to these new ways of working, which has created opportunities to examine how and where work is done.

Different groups of women will face additional barriers and needs around flexible working. Migrant Black and minority ethnic women are less likely to have informal networks of family and friends to rely on for childcare support and therefore would benefit from ongoing flexible working support from employers. Disabled women may require a different flexible approach to help them best manage their condition. It is important for line managers to work with their employees to understand and respond to their individual needs.

There is clear and mounting evidence that flexible working is good for your employees and good for your business. It enables you to recruit from a wider talent pool, retain key people, and benefit from increased employee wellbeing and productivity. It will also help you to close your gender pay gap. Flexible working isn’t just for a crisis. Most working parents and carers want their workplace to retain flexible working post-Covid -19.² To build long-term flexibility you should make flexible working the default approach in your company. This will help you to unlock the skills and talents of the women in your workplace.

Flexible working works best when it isn't one-size-fits-all. Employees have different needs and preferences around working, especially when they have caring responsibilities. It makes sense to take an individualised approach to flexibility, wherever possible. Extending flexible working to all employees, including new recruits, will deliver benefits to you and your workforce, increasing your company's resilience on the road to recovery.

ACTIONS: FLEXIBLE WORKING

8. Make flexible working the default position in your company, and think creatively about how flexible and part-time options can be offered for all teams and departments, and at all levels.
9. Ensure line managers are trained and supported to manage all types of flexible working.
10. Work with staff to identify the flexible options which are right for them.
11. Have regular check-ins with staff who are working flexibly – be open to adjusting support if their situation changes.
12. Offer temporary changes to working hours or patterns to support those with shorter-term needs.
13. Work with employees to identify how to create long-term and sustainable approaches to flexible working after lockdown.
14. Showcase examples of good practice to share the learning among managers.

You can find out more on how to embed good flexible working practice in our [Close Your Pay Gap guidance on Flexible and Part-Time Working](#).

WORKING FROM HOME

Health and safety

Many companies moved rapidly to mass homeworking at the beginning of the lockdown period. It's important to remember that you have a legal responsibility for the health, safety and welfare of your employees - regardless of where they are doing their work.

Employers have a duty to ensure their employees' homeworking environments are safe and to provide adequate equipment to do their job. You should work with employees to identify how to improve their working from home arrangements. It may be difficult to conduct a risk assessment at an employee's home however you can still check that employees feel the work they're asked to do can be done safely and that employees have what they need to work safely, for example:

- A keyboard, mouse, or larger screen
- Support cushions for chairs or footrests to prevent any physical pain
- Technical training to use new online tools or equipment



ACTIONS: WORKING FROM HOME - HEALTH AND SAFETY

15. Provide ongoing support to homeworking employees including regular catch-ups to discuss wellbeing and workload.
16. Work with employees to conduct a risk assessment of their homeworking setup, including equipment, workspace, workload and wellbeing.
17. Ensure all homeworking employees have access to training in using any remote working technology.
18. Support disabled female employees by conducting risk assessments to identify any barriers to working from home and make reasonable adjustments.

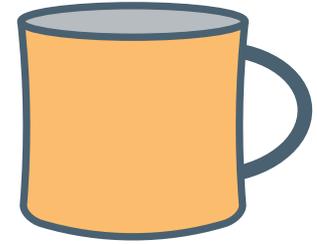
Wellbeing

The pandemic has led to increased anxiety and stress and evidence shows that women are disproportionately impacted by this. Women are more likely to be juggling full-time childcare and home schooling alongside homeworking, which has a detrimental impact on their mental health and wellbeing. Self-isolating and social distancing may also lead to increased feelings of isolation, anxiety, or depression.

Homeworking itself isn't a catch-all solution for employees with caring roles. You should offer additional flexibility to homeworking employees who are also managing caring responsibilities, including reduced or flexible hours, reduced workloads or work reallocation. Women who are shielding or self-isolating, or live in households that are, should be supported to work from home if they are well enough to be working. It is important to encourage your employees to talk about their caring responsibilities and their wellbeing, as some may be reluctant to disclose they need adjustments in case it may impact their job security. Small adjustments like a phased return to work as your workplaces reopen can make a big difference.

You should make sure your employees are aware that while working from home they have access to the same level of support that would be available if they were in the workplace. Small changes like extra check-ins to assess wellbeing or offering access to your employee assistance programme (if you have one) can make a big difference to your employees.

Communication is also important in tackling the feelings of isolation that can come with working from home. Staff who are working from home miss out on the impromptu chats that happen naturally in the workplace, which is an important part of life at work. Online tea breaks are a great way to help your people to catch up with their colleagues and stay connected to their team.



ACTIONS: WORKING FROM HOME - WELLBEING

19. Encourage and support employees to talk about their caring responsibilities and the adjustments they might need.
20. Where possible use a phased return to work to support employees to make the transition.
21. Offer additional support to homeworking employees who are also managing caring responsibilities, including reduced or flexible hours, reduced workloads or work reallocation.
22. Schedule regular informal online team tea breaks to enable your people to catch up and stay connected while working from home.

Digital presenteeism

Digital presenteeism happens when employees feel they are ‘always on’ and cannot disconnect from work during leisure hours. This could include implicit or explicit pressure to check and respond to emails even after finishing work for the day. For women who are also balancing work with caring responsibilities, this could result in working longer to make up hours. You should communicate the importance of clear and established boundaries to limit a long-hours culture to reduce the effects of digital presenteeism.

Presenteeism and discrimination

Presenteeism can unfairly influence redundancy selection. Employees who work longer hours or are seen as always available may have an unfair advantage in the selection process due to assumptions that they are more committed or productive. This could lead to direct or indirect discrimination of women who are more likely to be juggling work with caring responsibilities.

ACTIONS: WORKING FROM HOME - PRESENTEEISM

- 23. Issue an all-staff communication on good boundaries when working from home and the importance of only working your required hours.
- 24. Line managers should regularly check in with employees to make sure they aren't working excessive hours.

You can find information on tackling presenteeism in our [Close Your Pay Gap Workplace Culture guidance](#).

Sustaining a flexible working culture

Homeworking is one form of flexible working, however homeworking during the pandemic has primarily been a response to the crisis, rather than action to extend flexible working for employees. Any longer-term moves to homeworking will require a full assessment of the impact on employees and their own circumstances and working pattern preferences. Homeworking has many benefits and can offer increased flexibility for employees. Evidence shows that 87% of people would prefer to work flexibly if they could and 92% of millennials identify flexibility as a top priority³.



The business benefits of flexible working are clear – increased employee productivity, morale and loyalty, and reduced recruitment and retraining costs as a result. There’s also the reduction in office costs when more people are working from home, more of the time. The changes you’ve already made to working practice during the crisis provide the ideal opportunity to embed the infrastructure you need to make flexible working, including homeworking, work for you and your people long-term.

However, it’s important to remember homeworking itself isn’t a solution for everyone. Not all employees will have the right environment at home to enable long-term homeworking. Permanent homeworkers can miss out on the positive aspects of the workplace, including chats with colleagues and the informal sharing of expertise and assistance. A flexible approach may be optimal enabling employees to use a combination of working from home and from their workplace. Companies should seek employees’ input on any longer-term shift to homeworking to help plan for the future of their workforce.

ACTIONS: WORKING FROM HOME - SUSTAINING A FLEXIBLE WORKING CULTURE

25. Develop a long-term homeworking strategy which supports a flexible approach including adjustments for employees with caring roles, and options such as reduced or flexible hours.

You can find out more on how to embed good flexible working practice in our [Close Your Pay Gap guidance on Flexible and Part-Time Working](#).

Sexual harassment

Despite many women not going into the workplace at the moment, there is evidence that women are still subject to sexual harassment at work. Sexual harassment doesn't just happen face to face, but also through email, text and online platforms, and perpetrators are manipulating new communication channels to sexually harass women. Victim-survivors might not report this as they may feel it's not a priority or they won't receive support during this period.

Your company should have a clear IT and communications policy covering all online work platforms, which makes clear the standard of conduct expected of employees and makes clear that sexual harassment will not be tolerated. There should be a clear process for the reporting of online sexual harassment and staff should be encouraged to come forward with any concerns.

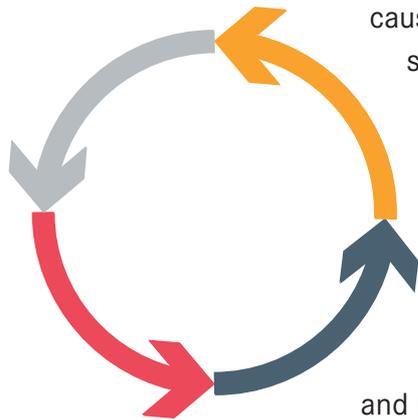
ACTIONS: WORKING FROM HOME - SEXUAL HARASSMENT

26. Review your IT and communications policy to ensure that it includes the use of online work platforms. This should set out a code of conduct for employees, including zero tolerance of online sexual harassment, and describe the reporting process for employees affected.
27. Ensure line managers are trained in the use of online work platforms and associated code of conduct for employees.
28. Ensure line managers are trained in handling employee complaints of sexual harassment online.

RETURNING TO WORK

Risk assessments

In order to ensure that staff feel safe to return to work it's essential that companies complete a full risk assessment of return to work plans, including consideration of employees' health and wellbeing⁴. Companies also have a duty to undertake individual risk assessments for at-risk employees⁵. These should be used to consider what might cause harm to your employees and identify the measures you can take prevent that harm. Risk assessments should be kept under review and updated as lockdown measures or public health guidance changes. These reviews should be frequent, and any risks or gaps identified should be dealt with immediately.



Employees with caring responsibilities, the majority of whom will be women, may face additional risks in returning to work. Women are more likely to be dependent on public transport to get to work meaning they are more at risk of exposure to the virus. They're also more likely to take multiple short trips in order to deal with school and childcare drop-offs. This means women will face greater challenges in getting to work in the face of the staggered start and finish times of workplaces, schools and nurseries, and restrictions on public transport scheduling and capacity.

The pressure of such a complex situation is likely to have a significant negative impact on the mental health of the women in your company. Risk assessments should therefore include these impacts and consider whether impacted employees should be asked to return to the workplace with suitable adjustments or continue working from home.

⁴ <https://www.hse.gov.uk/coronavirus/working-safely/risk-assessment.htm>

⁵ <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-individual-risk-assessment-for-the-workplace/>

INDIVIDUAL RISK ASSESSMENTS

PREGNANT WOMEN

It is important to conduct individual assessments for pregnant employees returning to the workplace to identify any new or increased risks resulting from Covid-19. This will identify whether any specific measures need to be taken to create a safe working environment for pregnant staff, or if the risk is too high for pregnant staff to return to the workplace. *More information on best practice for pregnant employees, and employees returning to work from maternity leave can be found on page 19.*

BLACK AND MINORITY ETHNIC WOMEN

A recent survey found that many workplaces are failing to conduct effective risk assessments with BME employees. In the survey BME workers not only highlighted a failure to conduct risk assessments, but also shared that when they were carried out, employers did not acknowledge the increased risk and disproportionate impact of Covid-19 on BME people. You should ensure all risk assessments conducted with BME women consider the increased risk they face.

DISABLED WOMEN

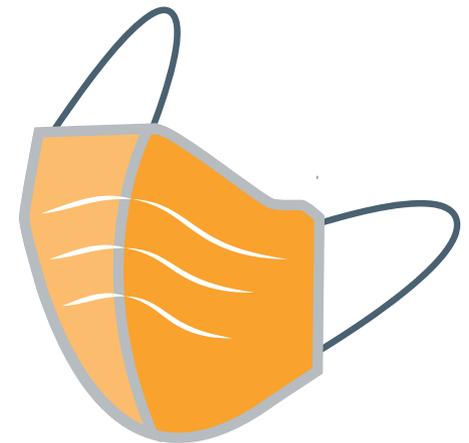
Some groups of disabled women face a much greater risk from the virus than non-disabled women. Disabled women with limiting disabilities aged under 65 are 11.3 times more likely to die than non-disabled women⁶. Your company should take a tailored approach with each employee that considers their individual circumstances and conditions and minimises their risk.

ACTIONS: RETURNING TO WORK - RISK ASSESSMENTS

29. You have a legal duty to complete a full risk assessment of return to work plans, including consideration of employees' health and wellbeing.
30. Keep risk assessments under review and update as lockdown measures or medical guidance changes. These reviews should be frequent, and any risks or gaps identified should be dealt with immediately.
31. Conduct individual risk assessments for:
 - Pregnant women and women returning to work from maternity leave.
 - BME women.
 - Disabled women.
32. Make sure your risk assessments include consideration of employees' caring responsibilities.

Personal protective equipment

Companies have a duty of care to manage the risk of Covid-19 and ensure that the workplace is safe to return to. This means ensuring access to personal protective equipment (PPE). It's important that staff are provided with the necessary PPE and also with training to ensure they are familiar and comfortable with the new health and safety arrangements being put in place. Research shows that PPE equipment is routinely ill-fitting for women and therefore unsafe, which risks women's safety and hampers their ability to do their job.

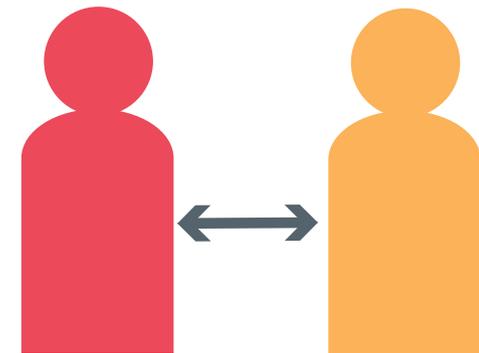


ACTIONS: RETURNING TO WORK - PPE

33. You should ensure that employees who require it have access to PPE and that PPE is appropriate and well-fitting for women.

Training

Your employees who are returning to work will require comprehensive training on new practices and processes put in place to meet public health guidance. This should include information on social distancing, hygiene, any new policies and any risk mitigation steps that have been implemented. This training should be delivered to all staff, including those who work part-time or non-standard hours or shifts, and employees with caring responsibilities who may be working reduced or flexible hours.



ACTIONS: RETURNING TO WORK - TRAINING

34. Make sure employees receive training on the new working environment and processes before they return to work.
35. Check that the return to work training is accessible to all employees, and that it's delivered during working hours.

PREGNANCY AND MATERNITY

Pregnant women, women on maternity leave, and women returning to work after maternity leave have been acutely affected by the crisis. There is evidence that some women have experienced discrimination or less favourable treatment at work such as being singled out for redundancy or furlough or having their commitment has been questioned by their manager or employer. Women returning to work after maternity leave are facing increased difficulty accessing childcare as a result of the crisis.

Some companies are breaching pregnant women's health and safety rights. A large proportion of pregnant women have reported that they have not had a health and safety risk assessment. Where a risk assessment has been completed, many have failed to include the additional risks posed to pregnant women by Covid-19.

If women in your company feel they are unsafe or have been treated unfairly, there's a risk that you'll lose skilled and experienced staff, and this will have a negative impact on business resilience.

You should therefore take steps to protect pregnant women in the workplace, and ensure that your company meets its legal obligations around health and safety.



ACTIONS: PREGNANCY AND MATERNITY

36. Ensure your workplace risk assessment assesses risks faced by employees who are pregnant, returning to work from maternity leave and/or are breastfeeding.
37. Provide a suitable place that is compliant with social distancing measures for women who are breastfeeding to express.
38. Provide employees with training on the new working environment and processes before they return to work. This training should be delivered during a Keeping in Touch (KiT) day.
39. Support women who are pregnant or returning to work after maternity leave by discussing any changes to their working pattern, hours or workload which could enable them to work safely and balance childcare needs.
40. Share information on training and development opportunities with staff on maternity leave.

You can find information on best practice in our [Close Your Pay Gap Workplace Culture guidance](#).

REDUNDANCIES



Research shows that women are at greater risk of job disruption from the pandemic, including reduced hours and redundancy⁷. One in four pregnant women and women on maternity leave experienced discrimination or less favourable treatment at work including being singled out for redundancy or furlough. A survey of 20,000 pregnant women found that 11% reported having been made redundant, or expected to be made redundant over the course of the crisis. More than half said they believed their pregnancy was a factor in the decision to make them redundant.

You should ensure your decision-making process is equality-proofed and does not discriminate against certain employees or groups of employees because of their sex. Redundancy selection criteria should be objective and free from bias. Decisions on who to select for redundancy should not be influenced by factors relating to their sex or any other protected characteristic.

EXAMPLE

A woman is selected for redundancy over a man because of an assumption that she is more likely to need adjustments to working hours during ongoing lockdown changes due to having caring responsibilities. The woman would be able to raise an indirect discrimination case against the employer for unfair selection, presenting an organisational risk.

ACTIONS: REDUNDANCIES

41. Ensure managers with responsibility for making decisions on redundancies receive training on gender inequality in employment, including ensuring decision making is free from sex bias.
42. Review your redundancy selection criteria to check they are objective and free from bias.

DATA

It's good practice to collect data on working practice to identify any differences between the experiences of male and female staff. This will help you identify if any policy or practice is having an unintentionally negative impact on groups of staff such as women.

Your data should be gender-disaggregated and intersectional.

Gender-disaggregated

The data you gather should be able to be broken down by gender, enabling you to identify differences in the experiences of women and men.

Intersectional

It's important that the data you gather allows you to identify and understand the ways that gender inequality is inflected by race, disability, sexual orientation, religion and belief, and gender identity. This 'intersectional' data will enable you to identify not only disparities between women and men, but between different groups of women and men. For example, comparing the experiences of disabled and non-disabled women, or between disabled men and disabled women.

EMPLOYEES WITH CHILDCARE NEEDS

	WOMEN	MEN	TOTAL
Furloughed	80	10	90
Flexible working	80	20	100
Home working	120	70	190
Unpaid leave	120	0	120
TOTAL	400	100	500

EXAMPLE

You identify that more women than men have been moved to unpaid leave because they have used up their annual leave entitlement. This is likely to be because those women have been using annual leave for caring responsibilities. You could support those women who would prefer to return to work by accommodating their caring responsibilities through reduced or flexible hours.

ACTIONS: DATA

- 43.** Collect intersectional gender-disaggregated data on the impact of Covid-19 on employees. This could include data on:
- Who has been furloughed and why;
 - Employees' access to childcare;
 - The impact of working from home, and whether this was affected by childcare or home-schooling;
 - Who has been asked to return to work;
 - The impact and experience of being in the workplace during the pandemic;
 - Who has gone on unpaid leave;
 - Changes to working patterns or hours; and,
 - Who has been made redundant.
- 44.** Use your data to identify and analyse the different experiences of women and men in your organisation, and any gendered impacts of decisions and/or actions you have taken in response to Covid-19.
- 45.** Use this analysis to mitigate any negative impact on women, and improve your current practice and future plans.

SUMMARY OF ACTIONS

CARING RESPONSIBILITIES

1. Be flexible in providing support to employees with caring responsibilities. This could include flexible working hours, reducing workloads, reallocating work and/or using the UK Government's Coronavirus Job Retention Scheme.
2. Let your employees know that they can be furloughed to help them manage their caring responsibilities. Take a positive approach to any furlough requests for this reason.
3. Ensure line managers understand how best to manage employees with caring responsibilities.
4. Use all-staff communications, alongside individual conversations with line managers, to make staff aware of support available to employees with caring responsibilities.
5. Check in with employees to see how they're managing balancing caring responsibilities and work.
6. Conduct an all-staff survey to understand experiences of balancing work with caring and identify any gaps to facilitate better solutions.
7. Get in touch with your furloughed employees in advance of their return to work to find out what their needs are and how you can support them. This will help both you and them to prepare.

FLEXIBLE WORKING

8. Make flexible working the default position in your company, and think creatively about how flexible and part-time options can be offered for all teams and departments, and at all levels.
9. Ensure line managers are trained and supported to manage all types of flexible working.
10. Work with staff to identify the flexible options which are right for them.
11. Have regular check-ins with staff who are working flexibly – be open to adjusting support if their situation changes.
12. Offer temporary changes to working hours or patterns to support those with shorter-term needs.
13. Work with employees to identify how to create long-term and sustainable approaches to flexible working after lockdown.
14. Showcase examples of good practice to share the learning among managers.

WORKING FROM HOME – HEALTH AND SAFETY

15. Provide ongoing support to homeworking employees including regular catch-ups to discuss wellbeing and workload.
16. Work with employees to conduct a risk assessment of their homeworking setup, including equipment, workspace, workload and wellbeing.
17. Ensure all homeworking employees have access to training in using any remote working technology.
18. Support disabled female employees by conducting risk assessments to identify any barriers to working from home and make reasonable adjustments.

WORKING FROM HOME - WELLBEING

19. Encourage and support employees to talk about their caring responsibilities and the adjustments they might need.
20. Where possible use a phased return to work to support employees to make the transition.
21. Offer additional support to homeworking employees who are also managing caring responsibilities, including reduced or flexible hours, reduced workloads or work reallocation.
22. Schedule regular informal online team tea breaks to enable your people to catch up and stay connected while working from home.

WORKING FROM HOME - PRESENTEEISM

23. Issue an all-staff communication on good boundaries when working from home and the importance of only working your required hours.
24. Line managers should regularly check in with employees to make sure they aren't working excessive hours.

WORKING FROM HOME - SUSTAINING A FLEXIBLE WORKING CULTURE

25. Develop a long-term homeworking strategy which supports a flexible approach including adjustments for employees with caring roles, and options such as reduced or flexible hours.

WORKING FROM HOME - SEXUAL HARASSMENT

26. Review your IT and communications policy to ensure that it includes the use of online work platforms. This should set out a code of conduct for employees, including zero tolerance of online sexual harassment, and describe the reporting process for employees affected.
27. Ensure line managers are trained in the use of online work platforms and associated code of conduct for employees.
28. Ensure line managers are trained in handling employee complaints of sexual harassment online.

RETURNING TO WORK - RISK ASSESSMENTS

29. You have a legal duty to complete a full risk assessment of return to work plans, including consideration of employees' health and wellbeing.
30. Keep risk assessments under review and update as lockdown measures or medical guidance changes. These reviews should be frequent, and any risks or gaps identified should be dealt with immediately.
31. Conduct individual risk assessments for:
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 - BME women.
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32. Make sure your risk assessments include consideration of employees' caring responsibilities.

RETURNING TO WORK - PPE

- 33. You should ensure that employees who require it have access to PPE and that PPE is appropriate and well-fitting for women.

RETURNING TO WORK - TRAINING

- 34. Make sure employees receive training on the new working environment and processes before they return to work.
- 35. Check that the return to work training is accessible to all employees, and that it's delivered during working hours.

PREGNANCY AND MATERNITY

- 36. Ensure your workplace risk assessment assesses risks faced by employees who are pregnant, returning to work from maternity leave and/or are breastfeeding.
- 37. Provide a suitable place that is compliant with social distancing measures for women who are breastfeeding to express.
- 38. Provide employees with training on the new working environment and processes before they return to work. This training should be delivered during a Keeping in Touch (KiT) day.
- 39. Support women who are pregnant or returning to work after maternity leave by discussing any changes to their working pattern, hours or workload which could enable them to work safely and balance childcare needs.
- 40. Share information on training and development opportunities with staff on maternity leave.

REDUNDANCIES

41. Ensure managers with responsibility for making decisions on redundancies receive training on gender inequality in employment, including ensuring decision making is free from sex bias.
42. Review your redundancy selection criteria to check they are objective and free from bias.

DATA

43. Collect intersectional gender-disaggregated data on the impact of Covid-19 on employees. This could include data on:
 - Who has been furloughed and why;
 - Employees' access to childcare;
 - The impact of working from home, and whether this was affected by childcare or home-schooling;
 - Who has been asked to return to work;
 - The impact and experience of being in the workplace during the pandemic;
 - Who has gone on unpaid leave;
 - Changes to working patterns or hours; and,
 - Who has been made redundant.
44. Use your data to identify and analyse the different experiences of women and men in your organisation, and any gendered impacts of decisions and/or actions you have taken in response to Covid-19.
45. Use this analysis to mitigate any negative impact on women, and improve your current practice and future plans.

GLOSSARY

DIRECT DISCRIMINATION

This occurs when an employee is treated unfairly because of a protected characteristic, such as sex. For example, a manager may select a female employee over a male employee for redundancy because of an assumption that the woman is likely to have caring responsibilities and that these may mean she will be more likely to need adjustments to working hours during ongoing lockdown changes. The woman would be able to raise a direct discrimination case against the employer for unfair selection, presenting a business risk.

EQUALITY

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

GENDER

A socially constructed set of norms, roles and relationships that is constituted in our social mores, laws, processes, and policies. It is time and culture-specific and functions as a hierarchy.

INDIRECT DISCRIMINATION

This occurs when a policy is applied equally to a group of employees, but in practice is unfair to employees with a certain protected characteristic, such as sex, unless it is objectively justified or you have a real need to apply the policy and do so in a way that is necessary and appropriate. For example, using whether an employee was furloughed or not to decide on selection for redundancies is likely to mean women are more likely to be made redundant, as they are more likely to have been furloughed. This could put the business at risk of an indirect discrimination claim for unfair selection.

INTERSECTIONALITY

An intersectional approach recognises that women are not a homogenous group, but their experiences will vary according to their multiple identities. For example, disabled and Black and minority ethnic women's experiences will be inflected by not only sexism but also ableism and racism.

SEX

Whether a person is a man or a woman. For data gathering, this would include an "other" option in which individuals may describe themselves, for example, as non-binary

SEXUAL HARASSMENT

Sexual harassment is unwanted conduct of a sexual nature, which is intended to, or has the effect of, violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.



CLOSE YOUR PAY GAP

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

Close Your Pay Gap is developed by Close the Gap, Scotland's expert on the gender pay gap. We work with employers and policymakers to influence and enable action to address the causes of women's inequality at work.

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