



Submission to Scottish Parliament Equal Opportunities Committee Inquiry into Race, Ethnicity and Employment

July 2015

1.0 Introduction

1.1 About Close the Gap

Close the Gap is a partnership initiative working in Scotland on women's participation in the labour market. Partners include Scottish Government, Equality and Human Rights Commission, Scottish Enterprise, Highlands and Islands Enterprise, and Scottish Trades Union Congress. Close the Gap works with policymakers, employers and unions to promote positive activity to address women's inequality at work.

1.2 BME women and the labour market

Women experience a range of gendered barriers to labour market participation including being clustered into female-dominated occupations which are also associated with low pay; inflexible working practices that do not accommodate women's disproportionate caring responsibilities; and discrimination in pay systems.¹ For black and minority ethnic (BME) women, the issues are complex and vary by ethnic group, which means BME women are disadvantaged in a range of ways.

Close the Gap welcomes the opportunity to submit evidence to the inquiry, and strongly advocates taking an intersectional approach to ensure that BME women's experiences of employment are specifically explored. It is critical to understand the disadvantage that BME women face not just because of their ethnicity but also because of their gender.

2.0 Employment support and advice

2.1 A lack of tailored employability support

¹ Close the Gap (2013) *Submission to Scottish Parliament Equal Opportunities Committee inquiry into women and work*

Women experience a range of gendered barriers in accessing the labour market, and this is compounded for BME women. Generic employability programmes will not address the barriers that BME women face in accessing the labour market, and will instead compound existing inequalities. Gender specific and culturally sensitive programmes are required to deliver employability services that recognise the complexities of BME women's lives. Employability programmes must take account of the patterns of gendered occupational segregation which characterise the Scottish labour market, as well as the barriers that BME women face because of their ethnicity. Employability programmes that do not consider the gendered barriers will further entrench occupational segregation, and exacerbate BME women's inequality in employment.

2.2 Employability support for refugee and asylum seeking women

Refugee and asylum seeking women face specific barriers to accessing employment because they are denied the right to work when they are in the asylum process. These include a lack of employability preparation while in the asylum process; challenges in transferring skills and qualifications; a lack of understanding of the Scottish labour market; gaps in employment history; challenges accessing computers and IT skills; and difficulties accessing ESOL provision.²

3.0 **Recruitment, retention and promotion**

3.1 Lack of data

There is lack of up to date, Scotland specific research that accurately evidences BME women's experience of participating and progressing in the Scottish labour market. Available research on BME women's employment experiences is either out of date, or is predominately focused at a UK level³. Better labour market intelligence and research on the specific barriers that BME women in Scotland experience is required to begin to address their inequality in the workplace.

From the available research, the following barriers to BME women's equality in the workplace have been identified.

3.2 Employment status

² Refugee Women's Strategy Group (2014) *One Step Closer: Confidence building and employability skills for refugee and asylum seeking women*

³ See Equal Opportunities Commission (XXXX) *Moving on up?* and

BME women are less likely to be in employment than white women, 47 per cent with 68 per cent of white women. BME women are also more likely to be economically inactive than white women, 47 per cent compared with 27 per cent. There are variations between different ethnic minority groups of women; the employment rates for Pakistani and Bangladeshi women is 40 per cent, while for Black African and Caribbean women is 53 per cent. The employment rate for Indian women is higher again at 57 per cent.⁴ In 2013, the employment rate for the white population was 71.3 per cent compared with 56.4 per cent for BME people⁵.

3.3 Pay inequality

The gender pay gap in Scotland is 12 per cent for full-time workers, and 32 per cent for part-time workers.⁶ The pay gap varies considerably by ethnic group. Some female ethnic minority groups receive similar earnings to white women. Black Africans and Bangladeshis are at the greatest disadvantage, and the extent to which Pakistani women are disadvantaged is unclear. The evidence suggests that the pay for BME women is largely caused by pay discrimination, rather than the pattern of employment and skills alone.⁷

3.4 Occupational segregation

BME women experience occupational segregation, but the extent varies depending on ethnic group.

3.4.1 *Horizontal segregation*

Like women overall, BME women are concentrated in low-paid, female dominated occupations such as caring, leisure and other service occupations, and administrative and secretarial occupations. BME women are also significantly under-represented in skilled trades occupations, ranging from 1 per cent participation for African black women to 4 per cent for Asian women. BME women are, however, better represented than white women in professional

⁴ Annual Population Survey (2012) cited at www.employabilityinscotland.com/key-clients/ethnic-minorities accessed June 2015

⁵ Employability in Scotland (2014) *Working with Minority Ethnic Clients to Promote and Progress Racial Equalities: A toolkit for employability partnerships and projects* Scottish Government http://www.employabilityinscotland.com/media/315700/working_with_minority_ethnic_clients_to_promote_and_progress_racial_equalities_-_a_toolkit_for_employability_partnerships_and_projects_-_march_2014.pdf

⁶ Close the Gap (2015) *Gender pay gap statistics*

⁷ Metcalf, Hilary (2009) *Pay Gaps Across the Equality Strands: A review* Equality and Human Rights Commission, Manchester

occupations. 29 per cent of mixed or multiple ethnic group women, 26 per cent of Asian women, 26 per cent of Caribbean black women, and 31 per cent of other ethnic groups are in professional occupations, compared with 19 per cent of white women.⁸

3.4.2 Vertical segregation

Women are significantly under-represented at senior levels, and experience of range of barriers to progression including a lack of flexible working, particularly at senior level; a lack of access to informal networking which often leads to development and progression; and attitudes and assumptions about women's capabilities and preferences.⁹ Only 3 per cent of African Black women are managers, directors or senior officials, compared with 3 per cent of white women.

Job refusal rates and promotion blocking disproportionately affects BME women. Job refusal rates for white British women are 17.6 per cent and 10 per cent for promotion blocking, while for black African women it is 36.4 per cent and 25.8 per cent, respectively.¹⁰

3.5 Childcare

A lack of affordable, accessible quality childcare profoundly affects women's ability to work in the types of jobs that match their skills, experience and interest.¹¹ Although women as a group are disadvantaged by a lack of flexible working, BME women are more likely than white women to say that their need for childcare has not been met. Research suggests that concerns about cultural sensitivity are also a major barrier to accessing childcare for some BME women.¹² For example, research has found that some Asian women, particularly Muslim women, prefer to use family members and informal networks for childcare.¹³

⁸ Scotland's Census 2011 <http://scotlandscensus.gov.uk/census-results> accessed June 2015

⁹ Close the Gap (2013) *Submission to the Scottish Parliament Equal Opportunities Inquiry into Women and Work*

¹⁰ Devine and Heath (2008) *Equality group inequalities in education, employment and earnings: A research review and analysis of trends over time* Equality and Human Rights Commission Research Report No. 4, Manchester

¹¹ Close the Gap (2013) *Submission to the Scottish Parliament Equal Opportunities Commission inquiry into Women and Work*

¹² See CRER (2013) *Submission to the Equal Opportunities Inquiry into Women and Work*

¹³ Dale, Angela (2008) *Pakistani and Bangladeshi Women's Labour Market Participation* University of Manchester

3.6 Education, qualifications and skills

The transferring of qualifications and skills is a barrier for BME women who were not born in the UK, particularly refugee women. Asylum seeking women do not have the right to work and while they are in the asylum process which can take several years, their skills are not being utilised. This comes as a cost to refugee and asylum seeking women as their skills deplete through lack of use, and to employers who are missing out on the benefits that these women can bring to their business.

There is also a lack of understanding from employers about the complexities of refugee women's lives, and a reluctance to employ refugee women when their leave to remain status only lasts five years.

3.6.1 *Modern Apprenticeships*

There is acute occupational segregation in Scotland's Modern Apprenticeship programme. This is characterised by the concentration of women in stereotypically female frameworks such as early years and care, health and social care, and hairdressing which are associated with low pay and poorer labour market outcomes. Men are concentrated in frameworks such as construction, engineering and plumbing which attract higher pay and have better labour market outcomes. BME people are vastly under-represented, comprising just 1.4 per cent of all Modern Apprentices.¹⁴ There is no data on the number of BME women undertaking apprenticeships, nor the frameworks in which they are participating, but the number is likely to be extremely low, and they are very likely to be concentrated in female-dominated frameworks.

3.7 Language

Challenges accessing ESOL training is an issue for some BME women, particularly because provision in Scotland is patchy. Generic ESOL programmes do not consider the specific barriers that BME women face in accessing the provision including caring responsibilities, a lack of transport, location, and shift working.¹⁵

¹⁴ Skills Development Scotland *Modern Apprenticeship statistics*
www.skillsdevelopmentscotland.co.uk/statistics/Modern-apprenticeships accessed June 2015

¹⁵ CRER (2013) *Submission to the Equal Opportunities Inquiry into Women and Work*

The mismatch between employer perceptions of BME women's English skills and women's actual proficiency in English is also a significant barrier to gaining employment.¹⁶

3.8 Institutional discrimination and racial prejudice

It is critical that any analysis of the barriers to employment recognises the institutional discrimination and racial prejudice that underpins much of the inequality faced by BME women.

The UK Government All Party Parliamentary Group on Race and Community inquiry into ethnic minority female unemployment found significant evidence of direct discrimination by employers at every stage of the recruitment process, as well as in the workplace; discrimination relating to women's religious dress; and discriminatory assumptions about cultural norms with regard to caring responsibilities.¹⁷ It estimated that 25 per cent of the BME unemployment rate for women and men can be explained by prejudice and racial discrimination.¹⁸

Close the Gap's experience of working with employers indicates that while they acknowledge that direct discrimination can occur, employers are less persuaded that structural gender inequalities, discrimination in pay systems, and institutional sexism exists within their own organisations.

3.9 Specific issues for refugee and asylum seeking women

Asylum seeking women do not have the right to work, while employment levels of refugee women are low, and they are less likely to be employed than refugee men.¹⁹ Talented and skilled women are prevented from contributing to the economy, and due to the prolonged length of time asylum applications generally take, women's skills are depleting through lack of use. This comes at a loss not just to asylum seeking women, but also to employers who are missing out on the benefits of employing highly qualified women.

4.0 **Promoting positive action**

4.1 Public sector equality duty

¹⁶ Ibid.

¹⁷ Runnymede Trust (2012) *UK Government Group on Race and Community report on ethnic minority female unemployment* London

¹⁸ Ibid.

¹⁹ Refugee Women's Strategy Group (2013) *Submission to the Scottish Parliament Equal Opportunities Committee Inquiry into Women and Work*

Compliance work by Equality and Human Rights Commission²⁰, and research by Scottish Government, Close the Gap and other equality organisations²¹ has found that the overall performance of public authorities in relation to the public sector equality duty (PSED) is poor. Particular areas of concern in relation to reporting in 2013 were around the gathering and reporting of employee data, including race and ethnicity; and using employee data to inform the development of equality outcomes. Initial findings of Close the Gap's current assessment work of 2015 reporting is that overall there has been no improvement, and in some cases performance in worse than in 2013.

There is widespread concern about the lack of change in the public sector in relation to race and gender equality, and in some cases, action on individual protected characteristics such as gender has in fact regressed since public authorities were required to report on the previous gender and race equality duties introduced in 2007.

From 2017, public authorities will be required to publish equal pay statements on race including information on occupational segregation. A minority of public authorities that Close the Gap has worked with have taken steps to plan how this will be delivered. However, our assessment work suggests that the majority of public authorities are ill-prepared for this new legal obligation. Many do not have appropriate systems in place to gather data on race and ethnicity, nor have the equalities competence to analyse the data and develop equality outcomes to address the inequalities that BME women face in the workplace.

4.2 Positive action

Positive action measures are an effective way of addressing workplace inequalities. There is, however, a paucity of any successful examples to advance women or BME people's equality in the labour market, and Close the Gap is not aware of any measures which specifically target BME women.

²⁰ Equality and Human Rights Commission (2013) *Measuring Up? Monitoring public authorities performance of the employment duties*

²¹ Scottish Government (2013) *Public Sector Equality Duty Implementation of the Scottish Specific Duties: Views from public authorities*; Close the Gap (2014) *Monitoring Scottish public bodies compliance with the public sector equality duty*; CRER (2013) *Equality in Glasgow Public Sector Bodies and the Equality Duties*