

**A Response to Equality Commission for Northern Ireland  
consultation document -**

**'Draft Code of Practice on Equal Pay'**

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## **Introduction**

### **Women's Support Network**

The Women's Support Network (WSN), established in 1989, is an infrastructural umbrella organisation, which provides support services to, and represents over 40 groups (see Appendix 1 for full member and associate member listing) including; community-based women's centres, women's projects and women's infrastructure groups.

WSN aims to achieve social, political and economic justice through the promotion of the autonomous organisation of women. The Network aims to strengthen the collective voice of women's groups and to promote and develop networking opportunities, to enable collective action and to impact upon policy and decision making processes. The WSN provides an accessible, feminist, relevant and high quality support service and resource for its member groups. The Network is also an important information resource on issues relevant to community-based women's organisations and for other infrastructure groups, nationally and internationally.

We welcome this opportunity to respond to the Equality Commission's Draft Code of Practice on Equal Pay, which provides guidance to key stakeholders on Equal Pay legislation and good practice relating to equal pay. The persistence of a gender pay gap is one of the key factors in perpetuating the disadvantaged position of women in our society. WSN regards it as essential to tackle this problem and welcomes this new guidance from the Equality Commission.

## **General Comments**

WSN welcomes the publication of this draft Code of Practice on Equal Pay. This Draft Code of Practice is well structured, comprehensive and accessible, however there are some specific comments which WSN would like to make with a view to improving the Draft Code of Practice.

## **Specific Comments**

### **1. Section One-Equal Pay legislation**

WSN notes the raft of anti-discrimination legislation set out in section one and Appendix B in the Draft Code. The complexities of such legislation has been recently highlighted by a report by the House of Commons Business, Enterprise and Regulatory Reform Committee which states “our witnesses were of the view that the current division of the legislation between the sex discrimination and Equal Pay Acts was confusing and complicated...”<sup>1</sup> Anti-discrimination measures can be found in many different pieces of disparate legislation in Northern Ireland and WSN would contend that this supports the need for a Single Equality Bill.

**WSN would therefore urge the Equality Commission to continue to promote the harmonisation of anti-discrimination legislation in a Single Equality Bill for Northern Ireland.**

### **2. Pregnant Women and women on Maternity leave**

Paragraphs 33-35 contain guidance relating to the rights of pregnant workers and women on maternity leave as set out in the *Work and Families (NI) Order 2006*. The relationship between this Order and the Equal Pay Act is not clear in the Draft Code.

**WSN would therefore recommend the Equality Commission should clarify the relationship between the different pieces of legislation**

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<sup>1</sup> House of Commons Business, Enterprise and Regulatory Reform Committee “Jobs for the Girls: Two Years On” Second Report of Session 2007-2008, Vol 1. HC291-1.

**regulating the rights of pregnant workers and women on maternity leave.**

### **3. The Equal Pay Questionnaire**

WSN notes in paragraphs 37-38 of the draft Code, guidance relating to the equal pay questionnaire. This section provides information on what the equal pay questionnaire is and where copies of the questionnaire can be obtained. However there appears to be no guidance in the draft Code as to what support a woman can obtain from the Equality Commission when going through this process nor is there any reference to guidance offered to employers.

**WSN therefore recommends that the Draft Code also details what support the Equality Commission offers women who are trying to establish if they have been treated less favourably than others.**

**WSN also recommends that if the Equality Commission provides guidance for completing the Equal Pay questionnaire that the Draft Code refers to this guidance.**

### **4. Section Two- Voluntary Equal Pay Reviews**

WSN notes that the Equality Commission have made a statement in paragraph 67 about the well documented nature of the gender pay gap. Whilst paragraph 4 of the document briefly offer some statistics on the gender pay gap, **WSN recommends that it may be useful to offer some of the more striking statistics in this section to emphasise its seriousness.**

Paragraph 71 states *"While employers are not required, by law, to carry out an equal pay review, this code recommends equal pay reviews as the most appropriate method of ensuring that a pay system delivers equal pay free*

*from sex bias*". WSN would again like to draw the Equality Commission's attention to the House of Commons Business, Enterprise and Regulatory Reform Committee report "Jobs for Girls: Two years on," which recommends that the Government should consider mandatory equal pay audits if the pay gap declines slowly.<sup>2</sup>

**WSN urges that the Equality Commission uses the strongest language compatible with the legislative framework to encourage Equal Pay reviews.**

### **5. Annex A- Model Policy on Equal Pay**

WSN welcomes the Commission's model policy on equal pay. The model policy is comprehensive and accessible. However WSN notes the use of the phrase "equality of opportunity" in Annex A. WSN would contend that equality of opportunity would not necessarily result in equal outcomes for example equal pay and **would recommend that in the context of addressing the gender pay gap that stronger language such as 'equality of outcomes' would be more appropriate.**

### **Conclusion**

**WSN reiterates its welcome for this Draft Code of Practice. WSN believes that tackling the persistent gender pay gap is crucial in our society. Whilst welcoming this Draft Code, WSN has offered some constructive suggestions as to how it can be improved. We hope the Equality Commission will take these into consideration.**

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<sup>2</sup> Ibid at Pg 4.

## Appendix 1

### **WSN Member groups**

Ardoyne Women's Group  
ATLAS  
Al Nisa Women's Group  
Ballybeen Women's Centre  
Ballymurphy Women's Group  
Belfast Travelers' Support Group  
Carrickfergus Women's Forum  
Carew II Newtownards Road Women's Group  
Causeway Women's Aid  
Clan Mor Women's Group  
Derry Women's Centre  
Falls Women's Centre  
First Steps Women's Group  
Footprints Women's Centre  
Foyle Women's Information Network  
Greenway Women's Centre  
Lesbian Advocacy Services Initiative  
Lesbian Line  
Lenadoon Women's Group  
Ligoneil Family Centre  
Markets Women's Group  
Northern Ireland Women's Aid Federation  
NIWEP (NI Women's European Platform)  
Newry & Mourne Women  
Older Women's Network  
Shankill Women's Centre  
Strabane & Lifford Women's Centre  
Windsor Women's Centre  
Women's Aid  
Women's Aid Federation  
Women into Politics  
Women's Information Group  
Women's News  
Women's TEC  
WRDA

### ASSOCIATE MEMBERS

Ballymena Community Forum  
EBCEC  
Newtownabbey Community Voice

Parents Advice Centre  
WEA  
Rasharkin Women's Group