I am writing to address some issues that came up during my appearance before your committee on 10 February, and to clarify two points in my evidence.

I was asked by Mims Davies MP whether childcare vouchers distort the gender pay gap figures, or whether they are taken into account. I agreed to come back to you on this issue. I can confirm that the answer I gave, that they are taken into account (and therefore don’t distort the gender pay gap figures), is correct.

You said you would share the committee’s evidence that men will only take up paternity leave if it is made non-transferable. I look forward to receiving this.

I have looked into the issue that Jess Phillips MP raised with me, regarding specific changes to the terms and conditions of staff at academies. I am reassured that this is the first case of these particular changes that my officials have come across. We have given academies the freedom to set their own pay and terms and conditions and we know that the majority of schools take an extremely responsible approach to providing appropriate absence pay arrangements for their teachers. Needless to say, all schools should also comply with the aspects of employment law that relate to absence pay.

At the request of Ruth Cadbury MP, I agreed to look again at the draft staffing and employment advice for schools, and consider if it should make reference to part-time and flexible working. The consultation period ended on 10 February, and we are currently analysing the responses. It does, in fact, include reference to flexible working in the draft document, which in legal terms includes part-time working—but I will definitely consider going further including specific references to part-time working.

Finally, I should clarify two points. I indicated that the first consultation on gender pay gap reporting had closed in December, and not September, as Gavin Shuker MP had suggested. Although the consultation formally closed in September we continued to receive representations and discuss proposals with individuals and organisations until December.

I also said that the new gender pay gap regulations would affect 40% of the workforce. I was inaccurately briefed on the data, and therefore gave the wrong figure to the Committee, for which I apologise. Technically, the regulations will affect 40% of private and voluntary sector employees in Great Britain but only 34% of the private and voluntary sector workforce,
as the workforce is larger (it includes around 4m people who are not employees—they are self-employed or own businesses).

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