Do you agree that the new gender pay gap requirements should apply to the same public bodies, with 250 or more employees, which are currently listed at schedules 1 and 2 to the Specific Duties Regulations? If no, please explain why.

Yes

Are there any other public bodies that should be included at Schedules 1 and 2 to the Specific Duties Regulations? If yes, please provide further details.

Yes. The Equality Act 2010 currently exempts from gender pay gap reporting all public bodies to which the Public Sector Equality Duty applies, and are listed in Schedule 19 of the Act. But since the Equality Act has been enacted, this Schedule has been amended so that a number of additional public bodies have been made subject to the Public Sector Equality Duty.

However, it appears that the Specific Duties Regulations have not been amended in the same way, and so the list of bodies in the Schedules to these Regulations is out of step with the list of bodies in Schedule 19 of the Equality Act.

We would propose that the gender pay gap reporting requirement should apply to all of the public bodies in Schedule 19 of the Equality Act. Either the Schedules to the Specific Duties Regulations should be amended accordingly, or these additional public bodies should be included in a separate schedule.

Is it appropriate to rely on the definition of ‘employment’ in section 83 of the Equality Act 2010 for public sector employers? If no, please explain why.

Yes

Do the proposed elements of pay raise any particular issues for the public sector? If yes, please provide further details.

No

Do you agree that the same deadline should be introduced for all reporting requirements under the amended Specific Duties Regulations? If no, please explain why.

Yes

Do these reporting requirements pose any particular issues for public sector employers?  If yes, please provide further details.

No

Do you have any other comments on these measures and/or our proposed approach?

No