Office for Equality and Opportunity

Equality Law Call for Evidence

Executive Summary

Introduction

We welcome the large amount of evidence and insight provided by the individuals and organisations who responded to the call for evidence. These recommendations will be considered alongside other evidence and ongoing engagement, all of which will help to shape our mission to break down the barriers to opportunity.

We believe that Great Britain (England, Scotland and Wales) must be a place where every contribution is respected and everyone, regardless of background, has a fair chance to succeed. Building on our Plan to Make Work Pay and landmark Employment Rights Act 2025, this government is committed to an equality legislative framework that removes barriers, enables opportunities and promotes growth. We welcome the input of all partners in achieving that.

Next steps

Making the right to equal pay effective, addressing pay discrimination and improving pay transparency

The government is committed to strengthening equal pay and ending pay discrimination. In our manifesto and Plan to Make Work Pay we committed to:

- making the right to equal pay effective for ethnic minority people and disabled people
- establishing an equal pay regulation and enforcement unit with the involvement of trade unions
- ensuring that outsourcing of services can no longer be used by employers to avoid paying equal pay

Having reviewed responses to the call for evidence, the government launched a consultation on equal pay and pay discrimination in July seeking views on specific proposals to move forward with these commitments, and improve pay transparency. This was an opportunity to continue our collaboration with businesses, civil society, and trade unions to get these changes right.

The call for evidence has demonstrated the need for more comprehensive reform of the equal pay framework. The consultation therefore sought input on a 2-part approach:

1. First, improving the current equal pay system by simplifying procedures and strengthening transparency and enforcement.
2. Second, once the system is strengthened, broadening protections to close gaps in the law.

We will consider the responses to the consultation, which closed on 27th October, and confirm next steps in due course.

Creating and maintaining workplaces and working conditions free from harassment

The Employment Rights Act 2025 is introducing a power to enable regulations to specify steps that are to be regarded as “reasonable”. These would help to determine whether an employer has taken all reasonable steps to prevent sexual harassment. This is in addition to the Act’s requirements that employers take all reasonable steps to prevent sexual harassment and that they do not permit harassment of their employees by third parties.

The enabling power will come into effect on 30th October 2026. The government will bring forward regulations under this power where it is found that these would be effective and proportionate. This is in line with previous commitments. The evidence provided to the call for evidence on equality law will be used to inform decisions about any steps specified in regulations. We also intend for guidance to be developed on employer best practice in protecting volunteers, interns and freelancers from sexual harassment.

Commencing the Socio-Economic Duty

The Government has established a new Class Unit to focus on improving the lives of low-income families, disadvantaged communities and rooting out child poverty. One of the unit's early priorities will be the commencement of the socio-economic duty (SED) – a new power in the Equality Act that will legally require public bodies to consider how to improve the lives of lower-income families as part of decisions around issues like transport, services and budgets.

The SED will be a valuable tool to help put ending socio-economic disadvantage at the heart of our decision making, breaking down the barriers to opportunity and reducing poverty. It will require specified public authorities to consider how decisions that they make might help to reduce inequalities associated with socio-economic disadvantage.

As we take forward commencement plans, we are fully taking into account evidence and insights from the call for evidence, as well as research OEO has commissioned to understand people's lived experience of socio-economic disadvantage. OEO is committed to ensuring commencement of the duty in England is as effective as possible, driving efforts across the country to break down barriers to opportunity. To do so, we are developing statutory guidance and working with public authorities that will be in scope of the duty to ensure it supports them.

Strengthening protection against combined discrimination

Combined discrimination – discrimination based on a combination of protected characteristics – is unlawful under the Equality Act 2010. The government is committed to strengthening protections against combined discrimination, as set out in our manifesto. We intend to do this by producing guidance to help people and organisations to fully understand how the law protects against combined discrimination. This recognises the need from all parties for greater clarity and awareness about this area of law. We will also continue to monitor the case law in this area.

We have concluded that commencing section 14 would not materially increase equality law protection and could create legal uncertainty and disbenefits, ultimately risking weaker and less effective protection. This follows extensive consideration of how best to strengthen protections, including having reviewed section 14 of the Equality Act 2010 and how case law relating to discrimination has developed to date.

Ensuring the Public Sector Equality Duty is met by everyone exercising public functions

The Public Sector Equality Duty (PSED) is vital for ensuring that the state and public services work well for everyone. This government is committed to upholding this duty, ensuring full compliance across all bodies that exercise public functions.

The Office for Equality and Opportunity (OEO) has published guidance about the Public Sector Equality Duty. This explains:

- who is bound by the duty
- the role of all duty bearers, including organisations exercising public functions

It is essential that public authorities engage with the PSED in the most effective, proportionate and consistent way. Further work is ongoing to ensure this and OEO will update in due course.

Further research

Alongside publishing the analysis of the equality law call for evidence, we have published further evidence from research that also supports and informs our next steps and future policy development.

Understanding pay discrimination in the UK

Research which aims to understand the problem of pay discrimination from the perspective of those being discriminated against, and explore potential solutions. This was published in July.

The lived experience of pay discrimination on the basis of race and disability

Research which aims to understand the perspectives of people who have experienced pay discrimination, groups who support them, and potential respondents to pay discrimination claims. This was published in July.

Understanding the gender pay gap in the UK

A report which examines the gender pay gap in the UK between 2009 and 2023 using data from the Understanding Society: the UK Household Longitudinal Study (UKHLS). This was published in July.

Combined discrimination report

This lived experience research provides a deeper understanding of instances and experiences of combined discrimination, and of seeking redress in the current context. It also highlights challenges and opportunities around commencing section 14 of the Equality Act 2010, and consideration of the practicalities.