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Official Report

EQUAL OPPORTUNITIES COMMITTEE

Thursday 18 April 2013

Session 4

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EQUAL OPPORTUNITIES COMMITTEE
12th Meeting 2013, Session 4

CONVENER

*Mary Fee (West Scotland) (Lab)

DEPUTY CONVENER

*Marco Biagi (Edinburgh Central) (SNP)

COMMITTEE MEMBERS

*John Finnie (Highlands and Islands) (Ind)
*Alex Johnstone (North East Scotland) (Con)
*John Mason (Glasgow Shettleston) (SNP)
*Siobhan McMahon (Central Scotland) (Lab)
*Dennis Robertson (Aberdeenshire West) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Joyce Cullen (Law Society of Scotland)
Mary Matheson (Educational Institute of Scotland)
Hazel Mathieson (Skills Development Scotland)
Chief Superintendent Angela Wilson (Police Scotland)

CLERK TO THE COMMITTEE

Douglas Thornton

LOCATION

Committee Room 4

Scottish Parliament

Equal Opportunities Committee

Thursday 18 April 2013

[The Convener *opened the meeting at 09:31*]

Women and Work

The Convener (Mary Fee): Good morning, everyone, and welcome to the Equal Opportunities Committee's 12th meeting in 2013. I remind everyone to set electronic devices to flight mode or switch them off.

Before I start with introductions, I apologise for my voice—I will not be doing too much talking this morning and will be relying heavily on committee members. At the table we have our clerking and research team, together with official reporters, and around the room we are supported by broadcasting services and the security office. I welcome the observers in the public gallery.

My name is Mary Fee and I am the committee's convener. I ask committee members and witnesses to introduce themselves in turn, and I ask our witnesses to briefly introduce their role.

Marco Biagi (Edinburgh Central) (SNP): I am the member of the Scottish Parliament for Edinburgh Central and the committee's deputy convener.

Dennis Robertson (Aberdeenshire West) (SNP): Good morning. I am the MSP for Aberdeenshire West.

John Finnie (Highlands and Islands) (Ind): Good morning. I am an MSP for Highlands and Islands.

John Mason (Glasgow Shettleston) (SNP): I am the MSP for Glasgow Shettleston.

Alex Johnstone (North East Scotland) (Con): I am an MSP for North East Scotland.

Siobhan McMahon (Central Scotland) (Lab): I am an MSP for Central Scotland.

Chief Superintendent Angela Wilson (Police Scotland): I am an operational chief superintendent and current chair of the Scottish women's development forum, which was set up 10 years ago to help people to develop their full potential and enable them to give the best possible service to our communities. We work on five areas in particular: recruitment and retention; training; career development; work-life balance; and communication.

Mary Matheson (Educational Institute of Scotland): I have been a primary teacher for several years—too many to mention—and am from Aberdeen city. I am the vice-convener of the Educational Institute of Scotland's equalities committee, and as part of that remit I convene the gender issues subgroup.

Hazel Mathieson (Skills Development Scotland): I am head of national operations in Skills Development Scotland, and I have responsibility for the delivery of national training programmes, including modern apprenticeships, and national skills initiatives. Skills Development Scotland's remit includes all-age careers information, advice and guidance, and it has a role in assisting industry and employers with their workforce development. We do a lot of relationship and partnership working.

Joyce Cullen (Law Society of Scotland): I am the convener of the Law Society of Scotland's employment law committee. I am also a solicitor in private practice, and a partner in the firm of Brodies LLP, of which I am also chairman.

The Convener: Thank you. The only agenda item today is an evidence session on women and work, with a focus on occupational segregation. Committee members have a number of questions for our witnesses. We will start with Dennis Robertson and then move on to John Mason.

Dennis Robertson: Thank you, convener.

It is striking that, although we are living in 2013, the evidence that we have received—certainly in your own submissions—suggests that gender stereotyped roles are still very prominent. What are your views on that, and why do you think that we still have that gender stereotyped route into work? Perhaps SDS would like to start—I was quite taken with some of the comments in its submission.

Hazel Mathieson: Young people make their minds up about career choices at a young age. They are influenced by parents, other relations, their peers and their teachers at primary and high school. By the time they reach school-leaving age and are looking at choices and careers, often their choice is very well defined. I am generalising, but young ladies quite often come forward with career aspirations in care, retail and administration whereas young boys come forward with career aspirations in construction and engineering. Our organisation tries to ensure that as much information as possible is imparted to those young people at as early a stage as possible, so that they can look at all the available options and make good decisions about career aspirations not only in terms of their own strengths and weaknesses, but with the full information. However, quite often young people make choices based on societal views of norms for their gender. By the time they reach the stage of entering a modern apprentice

programme, they have very definite views about the career that they have in mind.

Dennis Robertson: Do you think that they also base their choice according to the work that is available within certain regions of Scotland? For example, the energy sector is a very high-profile industry in the north-east. Do you think that availability of work within different regions is a factor?

Hazel Mathieson: I am sure that it is a factor. We try to ensure that young people at school have full information about careers in Scotland and beyond. Some people do not look for their future career beyond the village that they live in—the boundaries of where young people are willing to travel to work is another issue. I am sure that availability of work plays a role. However, we are trying to ensure that youngsters have all the information about the career opportunities that are available to them.

Mary Matheson: There is a clear issue in terms of life experiences and school experiences. Very narrow role models are available for some children, particularly in times of austerity when many families experience unemployment or insecure employment. When they get to primary school, very many of our pupils will not have experience of a male role model. The experience of the gender balance in primary school is different in many respects from the experience of my colleagues on the panel, as primary schools are very much female dominated. When youngsters see males in a primary school, they are often in the headteacher role. Many youngsters do not have the experience of the breadth of male role models that they should have.

Working with close the gap, last year we did a Glow TV videoconference that was aimed at primary schools. We looked at gender stereotypical employment opportunities—male jobs and female jobs—and tried to expose the myth that only women can be nurses or primary teachers and that only men can be chefs, while women can be cooks.

We are also exploring materials from equalities and human rights organisations to see what information we can put into schools to try to break down the belief that certain people carry out certain roles. There is a great opportunity within curriculum for excellence to take forward equalities issues. Many of the outcomes relate to recognising gender and the uniqueness of individuals. However, there is a big feeling out there that primary education in particular is about the soft and nurturing end of education and that the real meat and drink only exists in the secondary sector, when youngsters begin to work for qualifications. If we are going to break down the barriers of stereotypical attitudes to gender, we need to get in there at an early stage. We need to get more men involved in primary school education but at the same time ensure that promotion opportunities are not skewed.

We also need to give primary schools time to take forward the scope for interdisciplinary learning, contextualised learning and work experience. Our school has had a link with an oil company. Children from the primary 6 classes filled in CVs, visited the company, went round the workshops and the accounts department and did the reception. The more and the earlier we expose children to options, the more chance we have of giving them realistic options for diverting themselves into job opportunities that they would not otherwise consider.

Alex Johnstone: I am sorry to leap in, but I want to ask about something that Hazel Mathieson said. I think that she talked about young people and accessing training. I often raise in debates and in the committee my concern about workforce mobility in Scotland, with which we have a problem. Is there a difference between the mobility of male and female workers when they are young or in training, or at any point in their careers? Is there a difference between the sexes?

Hazel Mathieson: I have no information on that. I do not have any evidence at all.

Siobhan McMahon: I want to ask about something that Hazel Mathieson said about the apprenticeship programme. We have heard in evidence and seen in briefings that have been provided to us that the gender balance is still not 50:50 when a programme starts and that females are less likely to be at levels 3, 4 and 5 of the apprenticeship programme. In your submission, which has helpful information about women in business, you reinforce the point that women are more likely to go into hairdressing and beauty and to start businesses in those areas. If we are trying to get to 50:50, we would rather see those females in other sectors and males taking part in the beauty sector. What specific programmes does SDS engage with to break down that situation?

Hazel Mathieson: I reinforce the fact that youngsters make choices at quite a young age, so that by the time that they present themselves for modern apprenticeship opportunities, they have made up their mind about what they want to do. In the main, we do not have significant evidence of youngsters coming forward and looking for opportunities in atypical gender jobs that they cannot get, although we have some instances of young girls who have looked for construction apprenticeships and found that a bit difficult. We work with our training provider network, through which we deliver our apprenticeships, to help to secure those opportunities, and there is an onus on all the providers with which we contract to

deliver our apprenticeship scheme to use open and transparent recruitment practices. We do training with our own staff and providers, and they must pass that on to employers, as we are looking for open, transparent and non-discriminatory recruitment practices. Generally, we manage to secure atypical opportunities for girls going into boys' jobs and boys going into girls' jobs, if that is how members want to see it.

Our predecessor organisations ring fenced opportunities. For example, we ring fenced construction opportunities for girls, but girls did not come forward and present themselves. Simply trying to identify opportunities and saying that they are for girls will not solve the problem, because the problem does not surface when a youngster leaves school and wants to apply for a job opportunity. They will have firmed up their career aspirations at a younger age. Therefore, it is a matter of getting in when people are younger and providing career role models for young people so that, by the time they have left school and got the qualifications that are required to go into the sector that they want to move into, they will have the necessary skills and opportunities, they will have made their career choice, and they will have gone on to the right path at an earlier stage. They do not make their decision at the age of 16 or 17; they make it at a younger age. Simply putting on programmes that are specifically for women who have left school will not solve the problem, as they will have made their decisions at a younger age.

We work with partner organisations to do taster sessions with young people at school to show them careers in construction and information technology so that, when they make subject choices, they can see the whole spectrum of careers that are available to them. The aim is for young people to look at their career aspirations and make the right choices in school. That does not happen at 16. Therefore, we try to ensure that information is imparted at a younger age so that youngsters make the right subject choices.

09:45

There is also work to be done with employers. A team in our organisation works specifically with employers that are looking for modern apprenticeship opportunities. We need to ensure that those employers use non-discriminatory recruitment practices and consider a workforce that is as diverse as possible, with males, females and the whole spectrum of individuals coming forward. We need to work on both angles and ensure that workplaces are accommodating of everyone who wants to work in them, while recognising that youngsters make choices about careers at a young age.

Siobhan McMahon: I agree with you that more has to be done. Given the Scottish Government's preventative spending agenda, I would have hoped that more programmes would begin at an earlier age. That is probably one of the reasons why I asked my question.

You mentioned that SDS works with partners, but I would have thought that it would want to be involved with primary schools and other organisations a bit more than it is at the moment. You suggested that when young people have made their choices there is very little that can be done. However, when someone who is already in the workplace then receives an apprenticeship for the work that they do, that can reinforce the sense of a lack of options at that stage. Do you agree with that?

Hazel Mathieson: We have the my world of work web offer, which we use with individuals—both young people and adults. We are also training and capacity building with all our partners in schools, colleges and so on. Teachers in primary schools can use the huge information resource in my world of work with youngsters to show them all the different careers, take them through diagnostic testing and identify their strengths, so that they can decide, "I like this and I am good at it, so it might be a good career opportunity". Our face-to-face work in primary schools is limited, but our resources are available in primary schools and we are training our partners in primary schools to use those so that all the options can be explored with young people at a young age.

Siobhan McMahon: I am not a fan of my world of work, to be honest. There is a barrier in place, particularly in Lanarkshire, given that only 17 per cent of young people use that facility. The onus is on teachers to give careers advice, rather than the groups that should be giving it.

The SDS submission states that single mothers can face significant barriers when entering education or employment. How can we tackle all the existing barriers faced by females who go for training programmes? They may have made up their minds that they want to get back into the workforce, having been away from it for a time, but how do they get involved? We heard in evidence a few weeks ago—just before recess—that those who have left the working environment find it very difficult to get back in. It is right that we are looking at youth employment, but there are also barriers facing older people. How do you engage in that area?

Hazel Mathieson: We have a variety of employability programmes. We have just launched a new initiative—the employability fund—to help both young people and adults who are out of the workplace to move back into it. There is now

provision across Scotland that will be geared to individual need. If an older single mum wants to go back into the workplace, provision is available. If that single mum has issues with confidence or core skills, those will be tackled; if her greater need is to try to identify an appropriate career choice, that will be tackled. We also do pre-apprenticeship delivery. There is a whole stream of provision to help people move into work. With the help of our training provider network, we need to identify appropriate employers who will consider the flexible working opportunities that individuals are looking for, whether part time or whatever.

Certain barriers to employment are not our responsibility—for instance, those faced by a young working mum who needs childcare. Our responsibility is to ensure that our training providers are working with employers to look at flexible working arrangements.

Like opportunities for people returning to the labour market, modern apprenticeships can be delivered on a part-time basis. We are trying to do as much as we possibly can to help individuals progress back into work.

You are right to say that our funding and our contribution rates are skewed towards young people. All that we are doing is contributing towards the cost of modern apprenticeship training, with the bulk of the cost picked up by the employer. In the main, young people have limited vocational skills, whereas adults generally have some vocational skills that they take with them, so they do not require as much learning. Hence, as I say, our funding and our contribution rates are skewed towards young people.

Chief Superintendent Wilson: I totally agree with what has been said. Generally, people make their choices, or those choices become skewed, very early on.

There has been a rapid rise in the number of women joining the police service, particularly over the past 10 years. One of the things that has made a big difference is the portrayal of the police in the media. As more female police officers appear on television in fly-on-the-wall programmes, dramas or documentaries, people are starting to see them as role models, and they are starting to see the role as something that they could do.

Some recruitment is almost at 50:50 at the moment—a lot of young women are joining. The challenge for us, having attracted women into the service in such numbers, is to retain them. They need to realise that, once they have got into the service, we can address many of the barriers that they face.

One of the big issues for us has been around media portrayal and young people seeing women who are able to do the job. We are working with a drama producer to celebrate the 10th year of the women's development forum—and I think it is the 100th anniversary of women in policing. We aim to show the jobs that women do in a factual way—without turning it into a fly-on-the-wall series. I hope that that will improve recruitment further. I am sure we will come on to questions that will be directed more towards how we retain women and how we avoid segregation within the organisation.

I will mention a point around choices and people moving location. The issue is fundamentally one of childcare support. One fundamental thing in Scottish society in particular is that childcare support is provided by family members. I do not know many nurseries that will take children after 6 o'clock in the evening, but many professions require people to work beyond then, whether as overtime or as part of the general shift pattern. People cannot move to a location where they do not have a family member close by and would therefore be reliant on nursery services or other childcare providers. I do not know many childcare providers who will work beyond 6 o'clock in the evening, except at a massive premium. We might wish to examine how we support men and women with childcare issues beyond that 5 or 6 o'clock cut-off so that childcare becomes affordable and allows them to go through apprenticeships at a point when they will not be on the highest wage or to get into the workplace.

Joyce Cullen: In recent years, the legal profession has not had any difficulty recruiting women. The statistics show a women to men ratio of about 60:40 for those who are studying law and coming into the legal profession. Overall, about 48 per cent of solicitors are women now. The stats over the past few years show an incredible increase in numbers. I was surprised to note that there are now two and a half times more women than men in the 25 to 30 age group in the legal profession. There is no difficulty at all in persuading girls to join the profession from an early age. Perhaps they watch the right TV programmes—I do not know—but they are certainly coming into the legal profession in great numbers and they are being encouraged to do so through schools.

Quite a long time ago now, in 2005, the Law Society did some research that showed that, once women are in the profession, they tend to go into particular types of jobs, which has had an impact on pay. It will be interesting to see the new research that is being commissioned. My view is that, six or seven years on from the previous research, we could find that those jobs have changed. It has now become such a normal thing for women to work in the legal profession. In my experience, they are working across all the different jobs, and they are managing very well.

Marco Biagi: Could you venture any more theories about why there has been such a marked shift? Looking at the evidence, I was impressed by the change in intake, which a lot of professions would consider a success, or at least the start of it. Why has the shift happened?

Joyce Cullen: I do not think that we can be complacent. Part of the reason is that, as more women come into the profession, being a woman lawyer becomes more normal and desirable. A lot of women are role models and are seen as getting on in the profession. We are just seeing more and more come in. Women do very well in the jobs that lawyers do in practice today.

Of course, there is a huge variety of jobs within the legal profession. I am partner in a law firm in private practice, but about a quarter of the jobs in the profession are in-house jobs, so as well as working in private practice, people can work with banks, businesses or Government bodies or whatever. The legal profession is seen as a very attractive option for women and for men. There is such an enormous variety of interesting jobs to do.

Marco Biagi: Why is that the case now when it was not 10, 15 or 20 years ago?

Joyce Cullen: The situation has been changing for a very long time. I qualified 30 years ago and women made up 40 to 60 per cent of my year at university, so even then women were beginning to study law. However, once we came into the profession, we were very much in a minority and it was much harder for a woman to push through and become a partner. Things have changed. We have role models and women see that it is perfectly possible to do well in the legal profession and they are coming in in ever-increasing numbers.

I do not remember there being any barrier to women coming in; it was just not seen as the norm. I do remember that at a very early stage in my career many clients would assume that I was my boss's secretary rather than another lawyer. That would never happen now. Clients are completely used to their lawyer being a woman; it is just not an issue.

Marco Biagi: Has any deliberate work been done with schools, or has the shift just happened organically?

Joyce Cullen: It is difficult to say. I have three children who are all studying law and I would say that if someone is good at the arts subjects and relatively clever, school pushes them into doing subjects such as law. Girls often do arts subjects rather than science subjects—I do not know the reason for that—and if they are clever, they are encouraged to study law. That might be part of the reason, but it is only my perception.

Dennis Robertson: Is the current legislation adequate to address the gender balance or do we need more?

Joyce Cullen: The legislation is sufficient; the problem is the difference between policy and practice. If the legislation was followed to the letter, there would not be a problem, but it depends on how it is interpreted, and there is not enough monitoring and checking of whether the law is being adhered to. Some changes might be needed around the edges, but it is the practice that needs to change as opposed to the policy.

Mary Matheson: Legislation could be improved in some respects to help women to return to work or to find flexible routes back into work. I am thinking particularly of women who might have taken career breaks for maternity leave or whatever and are trying to come back into work. They might not particularly want to come back full time, but might want to build up their hours.

The teaching profession is quite restrictive. We used to have job-share arrangements in which the control of the partnership was in the hands of the practitioners and if one job-share partner decided that they wanted to move on or retire, or was lucky enough to get full-time employment, it was up to the partner who retained the post to decide whether to seek another partner, or to increase their hours or to go to full-time working. Such arrangements have changed and we are now all talking about flexible working, but what that means in the education sector is very limited.

It is not a given that teachers can have flexible working; it is set within the school, and the education authority decides whether it is an appropriate arrangement for a particular school. The control rests with the employer, so when a woman who has young children comes back into work, part-time initially, and seeks to build up her hours later, when her children become older and more independent, there is very little scope for them to step up their contracts, because those contracts tend to be permanent.

10:00

That goes back to what Alex Johnstone said about movement, because very often in a school you find that for a person to move to full-time from part-time employment, they may have to resign their post and relocate to another school, perhaps even in a different neighbouring authority.

We need legislation to enable employers to take a more a flexible approach to getting women back into work after they have taken career breaks or maternity leave. In other employment areas, we see men taking up part-time working opportunities, but that is not mirrored in education. Women take on the caring roles and are taking on part-time

employment in education; men who are in education are there full-time. That kind of legislation would be helpful.

Dennis Robertson: Is part of the barrier the role of the carer? You say that women, and not men, tend to take the lead role of the carer at home. Does not that reinforce a gender stereotype?

Mary Matheson: There is no doubt that society sees women as having the caring role, whether for elderly parents or children. The decision is often made in the family: the family decides who will take the role based on simply who earns the biggest salary—that person will stay in full-time employment. Very often, the woman is on the lesser salary and takes the carer role.

We should recognise that that is what society perceives and what many people respond to. You cannot say that we are trying to restrict people; we are trying to find a way to help the people who come back to work to up their contribution and to up their working arrangements.

We also have to recognise that when women—or whoever—take career breaks, there is an immediate impact. There is an impact on their access to professional development, on their pensions for the future and on the choices that they will make. Women who are not working full time or gaining all those things are impeded. Career breaks are a barrier to promotion because the woman does not have the same experiences and opportunities as other people. We need to ensure that we gather the talent—men or women—that we want back to the places where it needs to be. Opportunities for flexible working should be available irrespective of gender.

Joyce Cullen: Dennis Robertson asked whether the law could be changed to improve things further. The law gives a lot of protection to women now. In recruitment, promotion and so on it is unlawful to discriminate against women on the ground of gender, or because they are mothers, married or whatever.

The bigger changes need to be in attitudes, although I do see attitudes changing. In my experience of the legal profession, even since the Law Society's 2005 research, attitudes have changed among men and women lawyers. We have been talking about women who work as carers. In the legal profession we have seen changes in that the young men who have young children are now very keen to take responsibility for them. There are certainly fewer men than women who work flexibly, but that is changing slowly. In the legal profession, quite a substantial proportion of men and women work flexibly: they perhaps work four days or leave early.

We are very lucky in that we are able to control quite a lot of what we do and when we work—we can work from home in the evenings, if we want to—which makes things much easier, as far as childcare is concerned. Whether it is easier or harder for women with childcare responsibilities to keep going through their careers and to gain promotion is perhaps a function of how the work is done.

John Mason: We have spent a bit of time on schools already, so I will start off with a supplementary. I am impressed, Ms Cullen, with the Law Society's submission, which is a very good and quite frank analysis. Is the message from the legal profession that over time, it will sort itself out and we do not need to do an awful lot? Are you optimistic that although at the moment some of the best-paid jobs are still in the hands of men, and in certain sectors—maybe in commercial law, among others—there is still a predominance of men, that is just a factor that will in time work its way through?

Joyce Cullen: We cannot be complacent. There is an element of change over time—I have certainly seen it in my career. However, we still need to explain why, although we have a large number of women coming in at the bottom of the profession, as we move up the scale to senior solicitor, to associate and to partner—within private practice—the numbers go down.

It is partly to do with demographics. Obviously there are more women in the younger age range and therefore they have not got to the stage of being promoted, but that does not entirely account for the numbers. There are certainly fewer women who have been promoted to the top of the profession than one would expect. However, things are changing, particularly as regards the range of careers. The Law Society submission suggests that women tend to go into employment law, family law and litigation, which perhaps even in 2005 were regarded as lower-status areas of law. That is changing; because of how the profession has changed over the past few years, such jobs are now regarded as being equally desirable by women and men who are coming into the profession. Certainly in my firm, I do not see any great preponderance of women going into particular areas of work.

I am optimistic that things are changing. I think that if we look at the survey that comes out at the end of this year, we will see changes. We are certainly not going to see 50 per cent of partners being women because that is simply not the case—in the best firms about 30 per cent of partners are women—but in another five years that will change, partly because of demographics.

John Mason: I have the same question for the police. I do not detect quite the same optimism

either from your submission or from you, Ms Wilson. Although there has been progress, it has certainly not been quite as dramatic as it has in the legal profession. There is even a hint that centralisation and a lot of relocation will make it more difficult in the future. Do we need to do a lot more than just wait for things to change over time?

Chief Superintendent Wilson: Absolutely. I work closely with the British Association for Women in Policing, which covers the whole United Kingdom. We have said that maybe over 15 to 25 years there will be a bit of a drift and we will start to see more women at the more senior levels, and permeating throughout all the roles in the police service.

From the submissions—three of them in particular—what stands out is that a lot of women are entering the professions at the lower levels. That should be seen as a success, but there is far too big a difference between the number of women who enter the professions and the number of women who reach the very top of the professions. The women who reach the top are the role models of the future.

The bottom line is that it is about giving the best possible service to the public through the private sector, the public sector or whatever. If we are not able to choose the best candidates because we have a reduced pool, clearly we cannot give the best service. There is a bigger picture to look at.

We are very focused on the fact that now almost 30 per cent of our police officers are women. The vast majority of those women are at the lower levels—they are younger and have shorter service. It is inevitable that a great number of them will go on to have children. If we do not pay attention to flexible working in a much more creative and demand-led way, we will run into difficulties, because women will stagnate at a particular point in their career. They will find it difficult to pick up the experience and development opportunities that allow them to get promoted and they will find it difficult to move into specialisms that require that particular hours be worked. Many of them just leave the organisation and go off and do something else; we do not retain them.

I am positive about the fact that we are working closely with the police service. We are pushing at an open door—it is keen for us to come up with solutions and to suggest possible schemes that will assist us to do that.

We will spend a bit of time on particular work on middle managers over the next 12 months. We often find that the most senior people in the organisation get it; they get the business case and they get the point about compliance with the law. The blockage comes at middle-manager level. They will say, “It wasn’t done that way in my time” and they see working flexibly or creatively as being a bit of a problem. We need to educate them and show them that such an approach can work in their favour.

As the committee will be very much aware, there is not a flat 24/7 demand for policing; there are peaks and troughs in demand and resource needs, so working cleverly with people who want flexible working, whether that be part-time or compressed hours, means that times of peak demand can be covered far more efficiently than we are doing at the moment.

The fact is that we are optimistic, because we are not pushing against a closed door or fighting anyone. People are willing to listen to and work with us, but if we do nothing but simply wait for things to take care of themselves, we will just wait. The fear is that things will atrophy because all the women who have come into the service will be disillusioned, leave and pass a negative message to those who have not yet joined. We have to keep on working with those who are currently in the service, try to retain them and ensure that they get promotions and get into specialisms.

Other services are the same; I would challenge the legal profession on this. It might have women at the more junior levels, but the number of female partners has not increased hugely over the past 10 years. Without the same interventions, there will be no huge change in the future.

John Mason: I will switch to schools. I have a question that is not specifically for Ms Matheson and to which other witnesses can respond. We have talked about two professions where the number of women is increasing, although there are still a number of issues to deal with. However, there are other professions and careers where that is certainly not the case. Do schools needs to take a more proactive approach? Actually, my point applies not just to women but to all professional jobs. There seems to be lack of knowledge of science, technology, engineering and mathematics—the so-called STEM subjects—in schools. At our previous meeting, someone told the committee:

> “Schools have an influence but ... they do not know too much about the world of work. We need to tackle that.”—[*Official Report*, *Equal Opportunities Committee*, 28 March 2013; c 1137.]

It has also been mentioned that some teachers spend their whole lives at school, at university and then back at school again. How can we expect them to know that there are lots of engineering jobs out there?

I see youngsters with politics degrees and such like, and they do not seem to realise that there are no jobs for them. No one told them that had they

done an engineering degree they would have got a job. Do schools need to be more proactive?

Mary Matheson: It is not just down to schools. Schools and education can certainly play a role; indeed, we recently carried out work with the Scottish Qualifications Authority on underrepresentation of women in STEM subjects and in teaching of physics, chemistry and so on. The balance is getting better, but physics stands out as having more male than female teachers. The role models, if you like, are not there.

We and the SQA have also been examining pupil choices, which are still following the traditional pattern of girls opting majorly for arts subjects and the boys going down the technical and career routes. Interestingly, in computing, the balance is 50:50 until the national 4 qualification; when you come to national 5, things swing round and more boys do the subject. Those are the areas where, say, the business partnership that we have—as I have mentioned—in our school, and which brings the outside world into the school, is very useful.

John Mason: How widespread are such initiatives?

Mary Matheson: They are not as widespread as they should be. It was part of an initiative that we had in Aberdeen quite a while ago in which every school sought to have a business partner; however, businesses are required to commit and such approaches take time.

Our young enterprise programme involved people coming into schools and working with children on, for example, the K'Nex classroom challenge. I certainly think that more could be done in that respect. Of course, businesses are finding things tight and do not necessarily have the capacity to send people into schools; equally, in taking children into businesses, it is necessary to address health and safety issues, and so on.

However, the programmes that I have mentioned are extremely useful, especially given that, as was mentioned earlier, children make decisions based on their experiences. Children in some families have very limited experience of job opportunities or of people telling them, "You could do this or that." It is sad to say, but some parents are not terribly ambitious for their children. They may not have had positive experiences and therefore do not value education as a way forward. Schools have a lot to do—

10:15

John Mason: I am sorry to interrupt you, but do teachers see it as being part of their role to challenge such views?

Mary Matheson: Yes. From a primary schools perspective, a lot of the planned play activities and outside experiences encourage children not to follow the norms. For example, it is not a case of getting the boys to move the desks and the girls to put the pencils away. We are trying to change, in a little way, how children think. As I have said, we have done work through Glow TV to challenge job stereotyping.

However, there is a job to be done, but that cannot rest only with schools. The implications of the choices that people make are far more complex than a pupil going to school and their teacher saying to them that they would make a good lawyer or asking them whether they have thought about doing something else. Of course there is a role for schools; guidance staff in secondary schools are particularly skilled at working with young people, finding out what their interests are and arranging work experience for them so that they can make up their minds about whether that is the area for them. However, that work needs to start at an earlier age. Schools and businesses have roles to play, but we need to do a lot more to widen that out into society and to make everyone aware of the opportunities that are available.

John Mason: Does anyone else have comments on whether schools should be doing more?

Joyce Cullen: We are keen to encourage people from all backgrounds to come into the legal profession, and we have been successful in encouraging women to do so. We are very aware of how broad the range of people is and that it is good for business to have a completely diverse workforce. There is a project which is, I think, mostly run by big law firms in England and Scotland, through which we go into schools that traditionally would not have sent many of their pupils to study law in university to encourage them to think about doing so. We find that it has not even occurred to many of the children to consider studying law. Therefore, there is a role for professions and businesses to go into the schools and open people's eyes.

Siobhan McMahon: There has been a lot of talk about flexible working. The EIS submission mentions that local authorities are having to make budget savings and that the cuts agenda is having a disproportionate impact on women. How does it impact on the flexible working programme?

Mary Matheson: Obviously, the cuts agenda means that there is less scope for contractual changes. Therefore, when women return to work, the contracts become permanent and it is far more difficult to break out of them and to expand the time that they can work in schools. The cuts to parent support adviser numbers have impacted

greatly on schools, too. It is difficult for schools working with finite budgets to be flexible or to create opportunities.

It is very difficult to say what the impacts are. In an ideal world I would say that the answer is not to cut the education budget. We are talking about gender stereotypes and that barrier is broken through education. We need to have the resources, the staff and more male role models in schools. We need to play clever and to bring in other people, as we do: for example, we bring the police and all sorts of other people into schools.

The cuts tie the hands of the schools and, in many ways, the education authorities in relation to how we can change things. I am sorry that I do not have an answer to the question.

Siobhan McMahon: That is okay. Are the cuts having an impact now or will that happen in the longer term?

Mary Matheson: The cuts are having an impact now. The majority of people who work in schools are women. The cuts have led to less flexible routes to working, contracts have been cut and there is more part-time and short-term part-time work.

The proportion of probationers who find permanent contracts has dropped from 63.3 per cent to 35 per cent, and not all those contracts are for full-time jobs—they might involve working for two or three days a week. That leads us to wonder where the teachers of the future will come from. We are an ageing profession, but despite the fact that the pension age is going up, there will come a time when we have to leave. By then, many of the young people who have not been able to find full-time jobs in teaching will have set up homes and moved on to something else, and we will be back in the cycle of having to promote teaching as a career in order to make it extremely attractive for people to come into.

In our area, difficulties are already being experienced in recruiting headteachers. Even though the workforce is female dominated, the work demands of being a headteacher are such that we have schools that do not have headteachers because people do not want to take on such a huge role. That is to do with the work-life balance, which involves balancing family and caring responsibilities. People are saying, "I just can't do that." All those factors impact on women and their choices.

Because it is a female-dominated environment, it is definitely the case that the women are taking the cuts. We are also finding that absence management and returning-to-work policies, which are designed to be supportive, are causing a lot of problems. As women take time to deal with caring issues, they find themselves hitting absence management targets. That means that they get on to stage 1 of the process, which it is extremely difficult to get off. At the end of a year, if it is necessary to transfer staff or if there is a possible redundancy situation, absence management policies are often part of the marking matrix for who will be at risk of going. That is another way in which women are being hit.

Siobhan McMahon: That was helpful.

I have a final question for Ms Cullen, which is slightly off on a different topic. You said that the number of female partners in law firms is lower than the number of male partners, but you think that that will change in the future. I was interested to note the statistics that you gave on partners with dependants. While 74 per cent of male equity partners have dependants, the figure for female equity partners is much lower. Have any studies been done to find out why that is the case? To the untrained person, it would seem that women in that area are still making a choice between family and work. Have there been any studies that suggest a different explanation?

Joyce Cullen: We hope to get a bit more information on that. As I said, the Law Society is having more research done this year. I think that there will be information by the end of the year that we would be happy to share with the committee.

It is a complex issue. Men and women make choices about their careers. There is no doubt that many women take responsibility for their families and make decisions on that basis about how they will work. There is certainly a perception that, at the level of partner, it is necessary to work very long hours, but that is not necessarily the case in many firms. The situation varies depending on the firm, but in many firms it is possible to be highly flexible about hours of work and to work reduced hours in return for reduced pay, for example. There are many choices, but we are not there yet—there is still a long way to go before we can say that people in the most senior positions have the same sort of caring responsibilities as those at the lower levels, and before we can say that men and women are equal in that regard.

Marco Biagi: On the issue of promotion, you gave a sense that the influx of women was working its way through, although Angela Wilson was perhaps slightly more sceptical about that. When we got to teaching, the issue was not looked at in detail, because the statistics that the EIS gave in its submission suggested that the workforce at secondary teacher level is already 2:1 in favour of women—I assume that that has been the case for some time—whereas the position as regards headteachers at secondary level is 2:1 in favour of men. If there is a critical mass of female secondary teachers, why has that

not been translated to the number of women in promoted posts, particularly at headteacher level?

Mary Matheson: I have referred to the issue of women taking career breaks and therefore not having the same opportunities. There is no doubt that, in many cases, being a headteacher means taking on a huge workload, and for some people it will be a simple matter of work-life balance. Other people may be quite happy to be a depute. There is often no significant salary gap between a depute head and a headteacher, and, as the buck stops with the headteacher, people say that depute is as far as they want to go. They may already be working long hours and cannot give any more because they have a family and are the designated carer, meaning that they cannot take on that role.

Beyond that, people obviously cannot be appointed if they do not apply for jobs. As you say, what is behind it all is probably the attractiveness of the post and women are often not leeted on to the post—an all-male leet might come forward. The number of women teachers has increased over the years. At one point, secondary education was male dominated but there is now a concern that the drift is towards having more women teachers. However, as you say, they tend to be stuck in the role of principal faculty head or depute head.

It is a personal decision for people whether to apply for a post, and I do not have any idea why people would not apply. I know that, at the interview stage, boards are not allowed to say that a school could do with a good male headteacher or female headteacher. Clear criteria are used to assess the performance at interview, and that is how they judge who gets the post.

Marco Biagi: But your intuition is that the flaw is in the position itself, as it is currently conceived, and that is putting off potential female applicants.

Mary Matheson: It could well be that. The position is different for primary schools, but there is a huge workload attached to the role as well as a huge amount of responsibility. That may well be a background factor in why people—particularly women—say, “Not for me, thank you.”

Dennis Robertson: In the Economy, Enterprise and Tourism Committee, we have been taking evidence on underemployment. Part of that evidence has involved looking at the alignment between education and careers advice. We have touched on some of that here. Should we continue to advise more people, through careers advice in schools and further education, that they should go into law, for instance? Will the jobs exist for them when they graduate? At the moment, there are opportunities in engineering and construction, which are underrepresented. Are we doing enough to align people with those opportunities?

Hazel Mathieson: We ensure that our careers staff who work with individuals, whether in schools or out of school, are armed with labour market information about what jobs exist and where they are geographically. We also train them to challenge choices. They do not just fully accept the choices that individuals have made; they question whether those are the right choices. If someone has done X, Y and Z at school, they tell them that they could consider X, Y and Z as a career. We ensure that our staff are as fully armed as possible when they give careers advice and information to individuals. At the end of the day, we want to ensure that there is a good match between the individuals going through education and the job opportunities that are available.

Dennis Robertson: That does not appear to be the case at the moment. A lot of graduates are leaving college or university with skills for a particular profession but it is not happening. We also have a huge area of underutilisation where there are vast opportunities for those with skills in science and engineering. We seem to be continuing to produce graduates in the arts and sciences, but the jobs market does not seem to be taking them up.

10:30

Hazel Mathieson: As I said earlier, often people make career choices prior to us having an engagement with them but we do all that we can to challenge them and suggest further areas of interest to consider. At the end of the day, it is the individual who makes the choice and those choices are determined by many factors, not just the information that a person gets from their careers adviser at school.

Dennis Robertson: That is part of the stereotype.

Hazel Mathieson: Yes.

Dennis Robertson: Okay. Thank you very much.

The Convener: Ms Wilson, do you want to comment?

Chief Superintendent Wilson: In my experience, we must also educate parents because sometimes young people get that information and start to think about a career in a different area, but a parent has a very old stereotype in their head. I would put myself in that category. Earlier I was laughing and saying that, although I was very good at physics at school, I did not even consider doing engineering because I thought that it was a dirty, oily type of subject and I did not really fancy it much. If one of my children—

both of whom are very good at science—came home and said that they were thinking of doing engineering, or that somebody had suggested that they might do engineering, I might still have that old stereotype in my head and say, "Oh no, you don't really want to do that, you want to do something else instead." We must educate young people, but also the parents who reinforce that stereotype.

John Finnie: I refer to my entry in the register of interests, as a former police officer and elected representative of the Scottish Police Federation. I do so to acknowledge that my knowledge is time limited and because I have some questions for Chief Superintendent Wilson.

I thank all the witnesses for the evidence that they have submitted, which I have found very interesting. Unsurprisingly, the statistics can be illuminating. Is it still the case that to be eligible for promotion in the police service in Scotland a person must pass an exam?

Chief Superintendent Wilson: There is no longer an exam; it is now a diploma. There are arguments for and against diplomas. The difficulty is that a diploma is a long-term commitment. I am showing my age and I am a bit old fashioned, but at least a person could manage their life around the timing of an exam and cram for it if they needed to, if work and life commitments got in the way. A diploma is done over a period of time, so we find that people with caring responsibilities—men and women equally—struggle to do it because of work-life balance demands. If we are not careful, that will start to get in the way.

When women take the diploma and apply for promotion they do extremely well. The statistics show that they do better than men but often the reason is that they must be absolutely committed to it, whereas many of their male colleagues will just give it a go. To answer your question, it is not an exam any more, it is a diploma and some difficulties are starting to show with that.

John Finnie: That is interesting and perhaps I will follow that up. Are statistics prepared on those who are eligible for promotion, by virtue of exams or passing the diploma, and who are in promoted posts? I imagine that that would be an illuminating figure.

Chief Superintendent Wilson: We did that in Tayside, my previous force, because we were extremely interested in that. We were able to show the lag between those who are eligible for promotion and those who apply, and then go back to those individuals and ask them their reasons for not applying. We had a rich subjective and objective understanding of the issue. That was not the case across Scotland, but we are now in a position in which we will be able to do that over the next year or so.

The information showed that far more women are qualified for promotion than apply, and a number of things are holding them back. The problem is partly work-life balance, for example women with caring responsibilities or who are considering that; partly the perception that a woman has to be 10 times as good as her male colleagues; and partly the lack of role models. A whole load of issues was in the way, so over the past 10 years we have tried to chip away those barriers, some of which are self-imposed. For example, we have a very well-developed personal development programme, part of which is aimed at men and women and part of which is aimed specifically at women. At its roots, that is about building women's confidence and undoing the stereotype that they must be better than their male colleagues in order to be good enough.

We quote a well-known figure that if there are 10 essential criteria for a job, a woman will wait until she has 11 and then apply and hope that she might be good enough, whereas a man—without being biased against men—will have maybe six and give it a go. That is anecdotal, but we have seen that type of thing happen over a number of years and as a result the pool from which we can choose is reduced. As a senior manager, I want to choose from as big a pool of people as possible so that I get the best person for the job at the time. We cannot make people apply for jobs. We might get the best person of those who applied, but they might not necessarily be the person best qualified to do the job.

John Finnie: I think that that throws up a number of other issues. Can I push you on the statistic for eligibility for promotion in relation to gender?

Chief Superintendent Wilson: I cannot give you the figures today, because I do not have them before me. I can provide you with the figures for Tayside Police—as it was—and for a couple of other forces, which might have prepared those figures.

John Finnie: Can you give us any indication of the figures?

Chief Superintendent Wilson: I cannot. Perhaps my colleague, Sarah, who is in the public gallery, might be able to. No—I do not think she can.

I cannot give you those figures, but there is quite a disparity between those who are qualified and those who actually apply.

John Finnie: Things might have moved on since my time, but are there any specialist posts for which time in service is a factor?

Chief Superintendent Wilson: Each of the previous eight forces was different from the others. I hope that one of the positives that we will see now is consistency across Scotland. It is my understanding that, for some of the posts—in roads policing, the criminal investigation department and so on—there would be a barrier of four years' service before someone could apply. That is based on two years of probation, when someone is really learning, and two years of consolidation.

A four-year period might perhaps be arbitrary, but I do not think that it is a barrier. Given the number of women who have been joining over the past 10 years, it should not be such a big factor at this point. However, the figures that you have been provided with show that, even in the past 10 years—allowing for the 10-year period that it takes for people to get to the point at which they are seen as being sufficiently qualified—the numbers are still not catching up with each other.

The situation is far more stark in the specialist areas. For instance, we are not attracting women in large numbers to roads policing. There are now a lot of women with more than four years of service, but we are not seeing women in firearms positions or in public order positions. In the past, you might have said that those were the parts of the police service that required people to be big and strong, but that is no longer the case. Given the equipment that is available to us and the fact that we are now more of a service than a force, those considerations should not be a reason for women not applying. When we ask women what the reasons might be, we find that it is to do with being a minority within a minority.

John Finnie: Is that arbitrary figure indirect discrimination?

Chief Superintendent Wilson: Women are just not applying to go into roads policing.

John Finnie: But that condition—

Chief Superintendent Wilson: The four years?

John Finnie: Yes.

Chief Superintendent Wilson: Yes, I think that it could be challenged. Exceptions can be made to the four-year requirement, but only in cases in which the person can prove that they are exceptional. Personally, I think that anyone with the competencies to apply for the job should be allowed to do so, and that the four-year period is arbitrary. I think that, with the creation of Police Scotland, that will go.

John Finnie: Do you envisage your organisation challenging the requirement?

Chief Superintendent Wilson: We would challenge it if someone felt that it had been a barrier for them. We would not be afraid to do that. We would do it in a gentle way, however. We would point out where we think that there are difficulties—

John Finnie: Does the gentle approach work with the police?

Alex Johnstone: Things have changed, John.

Chief Superintendent Wilson: The women's development forum is fortunate in that it has always worked in partnership with the service. We have not seen ourselves as being in an adversarial position. Up to now, we have not been a staff association; we were a working group of the Association of Chief Police Officers in Scotland. It is much easier to do business with the service instead of going up against it. Usually, we point out a pitfall and, very often, policy or practice is changed.

John Finnie: To an extent, the issue is compounded by issues such as maternity leave, as well.

Chief Superintendent Wilson: We have pointed out that more women are joining the service—the intake is close to 50:50 now—and that many of them will go on to have children, which means that they will take maternity leave, career breaks and so on, so we must get clever about predicting the future and finding some workable solutions. If we do not, the issue will develop into a problem over the next five years instead of an opportunity.

John Finnie: Another example might concern someone's ability to be an expert witness, which presupposes a period in post. Is that something that you could consider?

Chief Superintendent Wilson: I am sorry, could you repeat the question?

John Finnie: It used to be the case that certain drugs officers, for example, would act as expert witnesses—

Chief Superintendent Wilson: Yes. That issue is about the length of time for which someone has done a particular job. Interestingly, a lot of women are moving into our drugs units or branches. In my early years, CID was very much a male bastion—when I went to CID, I was the only female among 60 officers—but more women are going there, too. However, when they have children, they leave.

You will remember from your days that, in criminal investigation, you do not know when you are next going to be asked to work overtime at short notice, because of the nature of responding to serious crime. Women are often made to feel as though they would not be up to the mark because they will say, "Sorry, my childcare cuts off at 6 and I have to go home." We just have to undo some of

those stereotypes and encourage women to go into CID and remain there, so that they can go on to become experts in the various specialisms.

John Finnie: You are very frank in your submission about flexible working and the work that remains to be done on that with middle managers. I was party to the negotiations that introduced flexible working in 1995, so it is disappointing that progress has not been made, given that most middle managers will have served throughout the period in which that legislation has applied. How do you deal with that challenge?

Chief Superintendent Wilson: We are about to go back to the service and say, "Here is what we think is the solution to the issue over the next five years." We will propose that we should provide input to middle managers either by using up one or two hours of another course or, preferably, by providing seminars to which we can bring middle managers along. We can educate them as to the law and as to case studies, which show how flexible working has worked very successfully. We can then get them to put into practice some of the policy and the legislation that is already in place. We will also show them ways in which they can get round the problems.

We also need to work with those who want flexible working, who need to understand that it cannot simply be a one-way street. Flexible working is not just about saying, "I want to work Monday, Tuesday and Wednesday and I don't want to work after 4 o'clock." People need to work with the service to say, "This is the time of peak demand, and this is when I can assist the service." In my many years of experience as a manager, most people who return to work flexibly want to take that approach. They will actually offer to do bizarre things such as work every Friday evening—which most of us would not fancy doing—or offer to work almost permanent night shift. For some reason, our response is shock horror. We say, "No, you can't do that," even though that would suit the service and suit the individual. The issue is about getting those two things to come together.

John Finnie: I am glad to have heard that example, because certainly in my experience that completely compounded the stereotype.

Can Hazel Mathieson perhaps say something about the advice that she gives to employers on that? The written submission from SDS states:

> "We also assist employers in developing equal opportunity policies for their workforce, encouraging them to be flexible in relation to the working patterns of women, where the business can allow for it."

What is out there for an employer who wants to be assisted?

Hazel Mathieson: We have recently expanded our activities in that area. We have taken on new staff because we recognise that a big part of our role is to work with employers. We are quite a new organisation so we are still developing the appropriate staffing structures, but we now have a team that works out there with employers on human resources and workforce development needs. We look at how those needs might be addressed not just by ourselves but by working with partner organisations in the public sector and in the private sector.

One issue that we tackle is that any organisations that receive public sector support must sign up to equalities legislation. For example, they must ensure that their recruitment practices are not discriminatory. We are also training our staff to enable them to go in and show the advantages of having a diverse workplace. The workplace can benefit from having people from all parts of society because, whether the organisation is delivering a product or a service, it will have more expertise in different parts of the organisation. We are trying to get those messages over to employers. However, that is a fairly new area of our activity. We will be developing good practice and best practice to share with employers as we progress that area of activity.

John Finnie: I have a final question for Chief Superintendent Wilson about the mentoring scheme. Is there any backlash from people who are not given the support of a mentoring scheme? How is that addressed? That could be an issue in the workplace. I would also be interested to hear of any other mentoring schemes from the other witnesses.

Chief Superintendent Wilson: The coaching and mentoring scheme was started off in four of the previous forces—they piloted it, in a sense—and it was then rolled out across most of the country and will now be rolled out across Scotland. The scheme is open to anybody; it is not just for women or men, and it is not just for people in promoted posts. Anybody is eligible to apply. The only restriction is the number of people who apply to the scheme and the need to find sufficient mentors for them—we have not struggled to do that so far. The issue is much more about communicating that to people.

John Finnie: Is there any evidence on whether women are reluctant to seek mentoring support?

10:45

Chief Superintendent Wilson: Women are not reluctant to seek mentoring; in fact, my experience is that women are far more open to seeking such opportunities. Some men still think that it is a sign of weakness to say that they need a shadow

experience, or that they need to ask for somebody's advice. However, when we did a survey, we found that a number of men said, "It's not fair. I want to be mentored." We had to write back to them to say that the scheme was open to them.

We have found that having the word "women's" in the Scottish women's development forum has been a barrier, although we put in big, bold red writing that courses are open to everybody, including males, females, members of the support staff and police officers, regardless of their age, role or whatever. Very few men will apply, but those who have applied for mentoring or one of our professional development courses have always spoken very highly of it, and after they have gone into the workplace, the next time we get more men applying.

Perhaps we have not been quite good enough at marketing ourselves and communicating. I take personal responsibility for that, as I have been the head of the organisation for quite a time. We wanted to start off gently without ruffling too many feathers, but now is the time to say, "Look, this is a proven product. We're doing the right things. We're enhancing the development of the workplace, and we want to take that out into the workplace now."

I go back to a previous point; perhaps I was a bit slow on the uptake. The one thing that I would like to see change is the selection processes, for which legislative change might be needed. I still have a concern that those processes are very subjective and that, although they are competency based, because they usually involve somebody who is very senior in the organisation, they tend to—I say "tend to", as it is difficult to evidence this—select in their own likeness. I do not necessarily mean in their physical likeness; I mean that there can be the attitude, "I did it that way. I came up through that route. That's what I had to do, and unless they can present the evidence to me in that particular way, I don't recognise it."

We are therefore finding that people who choose to do things that are not quite so operationally focused in the police service are struggling to show that their evidence in another field is transferable. Perhaps they have had a more specialist role. Women used to talk about being able to show that skills relating to sexual offences, for instance, are transferable. I would like us to be much more transparent in our selection processes for promotion and specialisms, and I would like there to be more independence around them, rather than people wanting more people who are like them. If people keep having more people who are like them, there will not be the well-rounded team that there should be.

John Finnie: Do any of the other panel members have comments on the benefits or otherwise of mentoring schemes?

Joyce Cullen: In the legal profession, we are certainly very much encouraged to have mentoring schemes. The Law Society of Scotland has recommended that we use them, and as a matter of good business, we all recognise—in private practice at least—that we get the best out of our people if we ensure that they are developing, have the appropriate training, and are encouraged to put themselves forward for promotion or specialist areas of training.

We have mentoring schemes in my firm right from the beginning, from when trainees are coming through. We encourage them to get to the next stage and be taken on as a qualified solicitor, then to be an associate and then to be a partner. Over the past 10 years at least, when we have had quite a well-developed appraisal system, we have found that the way to do that is to ensure that, in appraisals, people do not just look back at how they did in the past year, but very much look forward to what they need to get to the next stage and what is being looked for, so that they do not say, "Oh, if only I had known that I needed to do this to get to the next stage." That applies to men and women, but particularly perhaps to women, to give them the confidence that they can get to the next stage by doing what is required. That need not necessarily mean that lawyers must work very long hours and work every night to do business development activities, for example—that is the perception of lawyers that many people have. There are many other ways for people to ensure that they can progress. However, it is very much a matter of mentoring and seeing how other people do things in the firm.

Mary Matheson: Members will be aware that, in schools, the probationer teachers receive mentoring. Time is allocated specifically for them when they are out of class, and the teacher who supports them will also be out of class so that they can discuss any issues that they need to discuss to support them in making their way to their standard for full registration.

In my local authority area, any new headteacher who takes up a post is allocated another headteacher as a mentor or supporter whom they can contact specifically, and there is no time allocation for that. There are not necessarily face-to-face meetings; there is just a point of contact.

We also have a headteachers network for new headteachers. They are given some time to meet together as a group, and a more experienced headteacher guides them through policy and protocol ideas that they might need to use in their schools. The EIS invites headteacher representatives across Scotland to meetings of its

own headteachers network. Obviously not every headteacher can attend, but at least some will be able to discuss certain issues.

For individual teachers, we have annual professional review and development meetings in which we meet our headteachers or managers to discuss the professional development that we have undertaken throughout the year, what we might need as a pathway with regard to classroom development or, for those seeking a promotion, the skills that they might need to acquire or the professional development that they might need to undertake to prepare for that avenue, should they decide to opt for it.

Hazel Mathieson: The provision of support forms part of the role that we expect our training providers to play in developing and training those who are on modern apprenticeships. Apprentices are not left to sink or swim in an organisation—they are employed by the employer, but our training providers give them that support.

Moreover, we ask training providers to give additional support to young people who are moving into certain workplaces where they might be of atypical race or gender. For example, a young woman who moves into an all-male engineering environment might require additional support and we are asking our training provider network to ensure that that support is available. Although the young female is often able to cope with the situation, an intervention is quite often required to ensure that the employer follows appropriate practices and that other engineers whom she is working alongside display appropriate behaviours. In any case, we ask for that additional support from our training provider network for individuals going into such roles.

Dennis Robertson: Although we are looking at the underrepresentation of women and the issue of gender, I point out that there are also women who are disabled or who come from ethnic minority backgrounds. Do those women face any additional workplace barriers? I have to say that I think that there are barriers in SDS's apprenticeship programmes, and I wonder how you are overcoming them.

Hazel Mathieson: We work with Close the Gap on gender issues, and we also work with organisations such as BEMIS and the Council of Ethnic Minority Voluntary Sector Organisations on race matters.

Dennis Robertson: I was specifically asking about women with disabilities or who come from an ethnic minority background.

Hazel Mathieson: We work closely with organisations that support disabled young people. You are right to suggest that those young people require additional support, and we partner the organisations that work with them with mainstream training providers to ensure that those organisations give them additional support and access opportunities for them.

Dennis Robertson: Do you believe that that support is actually there?

Hazel Mathieson: We are doing as much as we can. We are always open to hearing what other people think we should do to help young disabled women, but we are working with the representative organisations that deal with disabled young people and try to give them the widest possible range of support. If, say, interpreting or IT support is required, we will help young people to access the equipment that is required to do the job through other organisations or, if we cannot find the equipment or the support for someone to purchase it, we will purchase it on an individual's behalf.

We are trying to do as much as we possibly can, but we know that we can learn more and that there is more to do. If we can learn anything from other organisations, we will be more than happy to speak to them, take what they say on board and move forward with providing even more help.

Mary Matheson: The legislative requirement for reasonable adjustments is often a barrier to bringing in people with disabilities; after all, the employer can make a case for not making a certain adjustment because they do not have the financial wherewithal. Indeed, many of our old Victorian school buildings are not disability compliant.

At our last annual general meeting, we passed a motion on that, because some people are hiding or trying to hide their disabilities. They do not feel confident about sharing information with their employers or confident that their employers will react positively or be able to give them support. I am talking particularly about people who have, for example, dyslexia, and who feel that sharing that will not help them in securing employment. There is a great deal to do to ensure that we are welcoming and doing whatever we can to make every possible reasonable adjustment to support and get as many people who can be positive role models into as diverse a workforce as possible in our schools and every experience of employment.

Joyce Cullen: In the legal profession, the Law Society has certainly advised firms and organisations that employ lawyers about creating opportunities for disabled people. Of course, the law protects disabled people, whether they be employees or clients who come into a firm and need accessibility.

That said, the Law Society's 2005 survey showed that less than 3 per cent of responding solicitors said that they had a disability. That

seems to be a small percentage. I am sorry that I have no statistics that cover whether disability is a barrier to people entering the profession, but the Law Society and law firms certainly very much encourage compliance with the law. We certainly aspire to there being no barriers to those who want to come into the profession.

Chief Superintendent Wilson: From the police perspective, the number of people who come from minority ethnic backgrounds to be police officers and support staff is not representative. The women's development forum works closely with Supporting Ethnic Minority Police staff for Equality in Race Scotland, which represents officers who come from a black background, and with the Scottish Police Muslim Association, which works with staff from a Muslim background, because of issues around being female, Muslim and black. There is clearly much more work to do because of cultural issues, many of which are accentuated for police officers.

As for disability, I do not have the figures with me, but certainly few staff have visible disabilities. I do not know whether people with disabilities do not apply for the jobs in the first place. I do not think that we would make it difficult for them; we would try to make reasonable adjustments. We do not see many people who have visible disabilities working in the police service, although there is no reason why they should not be, given that almost one third of our employees are support staff.

There is much more work to do and we can learn lessons from each other. We are working with other associations to show them what has worked for us from a female perspective and to ask whether we can work with them and other underrepresented groups to make the business case to take things forward.

The Convener: Do committee members have any more questions for our witnesses?

Alex Johnstone: I will just develop slightly a point that I have raised before and which the panel has mentioned. We have talked about some professions that are traditionally male dominated and some that are traditionally female dominated. I am interested in the legal profession, because the statistics appear to indicate that, over a number of years, it has gone through a process of switching from being male dominated to being female dominated.

I accept the answer that was given earlier that part of the reason for male dominance at the top end of the business is that that change will take a while to work its way through the system. However, I am concerned about some of the statistics that were presented, which indicate a greater rate of attrition of women in the legal profession. I am concerned about some aspects of the glass ceiling. A lot of it has been removed, but there still appears to be a barrier. Have you got concerns about the barrier that still exists?

Joyce Cullen: As a woman and as a member of the legal profession who is here representing the Law Society, I say yes, of course. If we look at partnership as the glass ceiling, the statistics still show that there are fewer women than men at the top. As I said, about 30 per cent of the partners in my firm are women, and that is not representative of the number of women in the firm. There is certainly a way to go.

11:00

There is no doubt that there are barriers for everyone in seeking promotion. It is very tough to become a partner in a law firm now, particularly as we are going through a difficult period. Firms do not have lots of business and are keen to get the best people, so it is very tough for men and women to get to promoted positions. They must be able to demonstrate that they are good lawyers, that they will get on well with the people with whom they will work and with clients, that they will be able to develop specialist areas of expertise and that they will be able to encourage new clients. All that is very tough and they must make a business case at every stage. Unlike the police, we do not have an exam or diploma system that people have to go through. If someone wants to apply to become an associate, which is the next stage up, they must make a business case for that, which is tough.

I am not sure whether that is tougher for women than for men. In my experience, fewer women make partnership applications or seek promotion, partly because of family choices that they make, and they are absolutely entitled to make such choices. I have had discussions with many colleagues who have said that they do not want to go to the next stage because, at this stage in their career, they want to take a step back, work fewer hours and spend more time at home with their children, for example.

I am confident that—certainly in modern businesses—those who make promotion decisions are not making a barrier out of the fact that an applicant is a woman, and nor is the fact that people have childcare responsibilities a factor. We see ways of getting round any issues that arise, and people work flexibly.

As I said, because of technology, it is now much easier to work at home. When I was a partner in a firm and had young children at home, it was difficult. I had to get home for 6 o'clock and often returned to the office later in the evening to finish work. Nobody has to do that now, because we can take laptops home and people can be flexible

about when they finish work. The situation is now much easier for women and men with childcare responsibilities, but I am not complacent—we definitely have some way to go.

To an extent, it is for the profession to get the message through to women or men who have childcare responsibilities that it is possible to have a satisfying, fulfilling career and have children. They do not have to miss out on one or the other.

Alex Johnstone: When we talked about the teaching profession and the police force, we heard that part of the reason why men seem to be more successful as they move up through the ranks is that women are less keen to push themselves forward for such positions. Is that a problem in the legal profession as well?

Joyce Cullen: It is not a problem that I have encountered. In the past few years, women in the legal profession have become confident that they can progress. In my experience, when people do not apply, it is not so much because they are female as because of the work-life balance issue and the decision that they have made that, at a certain stage in their life, they do not want to progress in that way.

Colleagues often tell me that they will put off applying for promotion for a number of years—until their children are at school or have left school, for example—and will consider applying later. That is very much a choice, and I am pretty confident that most businesses see it as a positive thing to have a proper gender balance in their firm. Our clients are men and women, and they want to see the same balance in the advisers whom they are given. We try to fit the people who are giving advice to the people who are receiving it and, if they were all middle-aged males, that would not be representative of our clients.

Alex Johnstone: There will be a big challenge as time goes on. Once the balance at the younger end of the profession has moved 30 years into the profession, there is a danger that, if we select only men for the top jobs, we will end up with the wrong people at the top—it is as simple as that.

Joyce Cullen: Absolutely.

Alex Johnstone: You do not need to answer my next question unless you have a genuine view on it. I see other professions as having to learn quickly from the legal profession's experience. For example, medicine—particularly general practice—is going through the same experience and has a similar partnership structure. Do you have anything to teach other professions from your experience?

Joyce Cullen: I understand that other professions often look to the Law Society as a good example because of the way in which it has encouraged members of the legal profession to allow and assist women to progress. However, I do not know much about how the medical profession works.

The approach is about looking at policies and ensuring that, when people are considering recruitment, promotion and retention, they have in mind all the factors that we have talked about today in order to encourage the best candidates. That is what we are looking for. It is not that we want more women or men in particular positions; we just want the best people to provide the service and, if businesses cut out half the population from that, they will lose out. That applies whether they supply legal services or are involved in any other profession.

Alex Johnstone: I accept all that, but I have learned today that if the right people do not apply for the job, we are in trouble.

Joyce Cullen: Yes.

The Convener: There are no further questions. I thank our witnesses for coming along this morning. This has been a very informative session and it will be useful to the committee as we proceed with our inquiry into women and work.

That concludes today's meeting. Our next meeting will take place on Thursday 25 April and will include further oral evidence on women and work.

Meeting closed at 11:05.

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