**EXPLANATORY MEMORANDUM TO**

**THE EQUALITY ACT 2010 (AMENDMENT) REGULATIONS 2023**

**2023 No. [XXXX]**

## 1. Introduction

1.1 This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of His Majesty.

## 2. Purpose of the instrument

2.1 The purpose of this instrument is to reproduce in domestic law certain interpretive effects of retained EU law which, under the Retained EU Law (Revocation and Reform) Act 2023 ("the REUL Act"), will cease to apply to the UK statute book after the end of 2023. This will mean that, in the areas covered by this instrument, the law will continue to have the same effect after the end of 2023 as it did before.

2.2 The interpretive effects in question provide protection against discrimination and are reproduced by making amendments to the Equality Act 2010 ("the 2010 Act"). They relate to the following aspects of equality law:

- Direct discrimination related to pregnancy, maternity and breastfeeding;
- Indirect discrimination where a person without a relevant protected characteristic suffers substantively the same disadvantage as those with that protected characteristic;
- Direct discrimination in the context access to employment and occupation as regards public statements outside a recruitment process;
- The right to equal pay where employees' terms are attributable to a single source (Article 157 of the Treaty on the Functioning of the European Union[1]);
- The definition of disability in relation to employment and occupation.

## 3. Matters of special interest to Parliament

***Matters of special interest to the Joint Committee on Statutory Instruments***

3.1 None.

## 4. Extent and Territorial Application

4.1 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is Great Britain.

4.2 The territorial application of this instrument (that is, where the instrument produces a practical effect) is Great Britain.

## 5. European Convention on Human Rights

5.1 The Minister for Women & Equalities Kemi Badenoch has made the following statement regarding Human Rights:

[1] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E157.

"In my view the provisions of the Equality Act 2010 (Amendment) Regulations 2023 are compatible with the Convention rights."

## 6. Legislative Context

6.1 The 2010 Act consolidated and restated various enactments which implemented EU Directives in the field of equality law[2] and it is currently interpreted in accordance with the interpretive effects of retained EU law.

6.2 The REUL Act removes the interpretive effects of retained EU law from the statute book at the end of 2023. In particular, it provides for the sunset of directly effective rights, the principle of supremacy of EU law, and general principles of EU law, and it also facilitates domestic courts departing from retained EU case law.

6.3 Section 12(8) of the REUL Act provides the power to reproduce, to any extent, the effect that anything which was retained EU law by virtue of section 4 or 6(3) or (6) of the European Union (Withdrawal) Act 2018 ("EUWA 2018") would have, but for the sunsetting of interpretive effects. Section 4 of EUWA provided for the continuation in domestic law of directly effective rights, and section 6(3) and (6) provided for cases to continue to be decided in accordance with retained case law.

6.4 These Regulations are made using the power in section 12(8) of the REUL Act to amend the 2010 Act to reproduce in domestic law the effects of certain retained EU law, as interpreted by the relevant court judgments. In particular, they amend sections 13 (direct discrimination), 18 (pregnancy and maternity discrimination: work cases), 79 (comparators) and Schedule 1 (disability: supplementary provision) of the 2010 Act and insert new sections 19A (indirect discrimination: same disadvantage) and 60A (discriminatory statements).

6.5 Section 13(3) of the REUL Act provides that this power may be used to make any change considered appropriate to resolve ambiguity, remove doubts or anomalies, or facilitate improvement in the clarity or accessibility of the law. This instrument reproduces interpretive effects in certain areas of equality law in order to improve the clarity and accessibility of the legislation whilst maintaining the existing policy approach.

6.6 Section 20(1)(b) permits regulations to make "supplementary, incidental, consequential, transitional, transitory or saving provision". This instrument also makes a number of consequential, incidental, supplementary and transitional provisions.

## 7. Policy background

***What is being done and why?***

7.1 The reproduction power in the REUL Act is being used to maintain existing policy which is currently given effect through the interpretive effects of retained EU law. This is being done to ensure necessary equality protections are put into statute, ending the inherent uncertainty of relying on rights recognised under section 4 of EUWA and judicial interpretations of EU law. This will improve the accessibility and legal clarity of equality rights.

[2] See paragraphs 4, 5 and 11 of Explanatory Notes to the 2010 Act.

7.2 The instrument will reproduce the following principles from 1 January 2024 to ensure these rights and protections continue, notwithstanding the removal of interpretive effects by the REUL Act:

(a) That special treatment can be afforded to women in connection with pregnancy, childbirth or maternity;

(b) That less favourable treatment on grounds of breastfeeding constitutes direct discrimination on grounds of sex, and that this applies in the workplace as in other settings covered by the 2010 Act;

(c) That women are protected from unfavourable treatment after they return from maternity leave where that treatment is in connection with the pregnancy or a pregnancy-related illness occurring before their return;

(d) That women are protected against pregnancy and maternity discrimination in the workplace where they have an entitlement to maternity leave which is equivalent to compulsory, ordinary or additional maternity leave under the Maternity and Parental Leave etc. Regulations 1999 (MAPLE Regulations);

(e) That a claimant without a relevant protected characteristic, who suffers a disadvantage arising from a discriminatory provision, criterion or practice ("PCP") together with persons with the protected characteristic may bring a claim of indirect discrimination;

(f) That employers and equivalent for other work categories covered by Part 5 of the 2010 Act may be liable for conduct equivalent to direct discrimination if a discriminatory statement is made regarding recruitment, even when there is not an active recruitment process underway;

(g) That an employee is able to draw a comparison for the purposes of equal pay claims with another employee where their terms are attributable to a single body responsible for setting or continuing the pay inequality and which can restore equal treatment, or where their terms are governed by the same collective agreement;

(h) That the definition of disability must be understood as specifically covering a person's ability to participate in working life on an equal basis with other workers.

***Explanations***

*What did any law do before the changes to be made by this instrument?*

Pregnancy, maternity and breastfeeding

Special treatment

7.3 Section 13(6)(b) of the Equality Act 2010 currently provides that special treatment can be afforded to women in connection with pregnancy or childbirth. However, in EU case law the scope for such treatment is more expansive and is reflected in the Recast Directive[3]'s reference to 'pregnancy or maternity', permitting a wider scope for such treatment over the period following childbirth. As referred to in the Recast Directive[4], it is clear from EU case law that unfavourable treatment of a woman related to pregnancy or maternity constitutes direct discrimination on the grounds of

[3] Council Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment between men and women in matters of employment and occupation.
[4] Recital 23.

sex. Section 13(6)(b) of the 2010 Act is currently interpreted in that context. After the end of 2023 when interpretive effects fall away, the scope for preferential treatment in relation to 'maternity', and in particular occupational maternity schemes, may be narrower than it is at present. This instrument therefore amends the 2010 Act to insert the word 'maternity' into section 13(6)(b) so courts can continue to interpret section 13(6)(b) in the same way they do currently.

Breastfeeding

7.4 Section 13 of the 2010 Act defines direct discrimination for the purposes of the Act. Section 13(6)(a) provides that, where the protected characteristic is sex, less favourable treatment of a woman includes less favourable treatment because she is breastfeeding. However, at present, that provision is expressly excluded by section 13(7) in relation to Part 5 (work).

7.5 Under the Recast Directive, pregnancy and maternity discrimination constitutes direct discrimination on grounds of sex, and in the case of Otero Ramos[5] the European Court of Justice determined that this includes less favourable treatment because of breastfeeding. Claimants can therefore currently bring a work-related claim for direct sex discrimination because of breastfeeding, despite section 13(7) of the 2010 Act, by relying upon the interpretive effects of retained EU law.

Unfavourable treatment after the protected period

7.6 Section 18 of the 2010 Act covers pregnancy and maternity discrimination in the workplace and provides specific protection during "the protected period". In particular, in contrast to claims under section 13, no comparator is required.

7.7 At present, section 18(5) provides that this protection against pregnancy and maternity discrimination extends beyond the protected period if treatment relates to the implementation of a decision taken during the protected period. It does not extend this protection to unfavourable treatment which occurs after the protected period but is because of the pregnancy and relates to the protected period. However, the European Court of Justice in the Brown case[6] established that pregnancy and maternity protection extends to unfavourable treatment which occurs after the end of the protected period but which is because of the pregnancy and or pregnancy-related illness during the protected period. Claimants can therefore currently bring a pregnancy and maternity discrimination claim in relation to such treatment by relying upon the interpretive effects of retained EU law.

Maternity leave under occupational schemes

7.8 At present, the definition of the "protected period" in section 18(6) depends on whether or not a woman has the right to ordinary or additional maternity leave under the Employment Rights Act 1996. If they do not have that right, their protected period is limited to two weeks.

7.9 In the case of Geldart[7], the Court of Appeal determined that a woman who did not have rights under the Employment Rights Act 1996, but had an equivalent right to maternity leave under an occupational scheme, did not need a male comparator in order to bring a claim for sex discrimination relating to maternity leave (applying the

[5] See Otero Ramos v Servicio Galego de Saude (C-531/15).
[6] See Brown v Rentokil (C-384/96).
[7] See Commissioner of the City of London Police v Geldart [2021] EWCA Civ 611.

principle established by the European Court of Justice in the case of Webb[8]). Claimants in this situation can therefore currently bring a sex discrimination claim relating to their pregnancy or maternity without the need for a comparator by relying on the interpretive effects of retained EU law.

Indirect Discrimination: Same Disadvantage

7.10 At present, section 19 of the 2010 Act provides that a person (B) is indirectly discriminated against when another person (A) applies to them a provision, criterion or practice (PCP) which is discriminatory in relation to a relevant protected characteristic of B's. The current wording requires the person claiming indirect discrimination to have the relevant protected characteristic.

7.11 However, in the case of CHEZ[9], the European Court of Justice determined, on the basis of the Race Directive[10], that the principle of equal treatment must mean that a person who does not have the relevant protected characteristic is also indirectly discriminated against in certain circumstances. These circumstances are where they suffer together with persons who do have the relevant protected characteristic from a particular disadvantage arising from a discriminatory PCP.

7.12 Claimants without a relevant protected characteristic who suffer such a disadvantage can therefore currently bring a claim for indirect discrimination by relying upon the interpretive effects of retained EU law. However, they would not be able to do this from the end of 2023 due to the operation of the REUL Act, unless these interpretive effects are reproduced.

Access to Employment and Occupation

7.13 At present, section 39(1) of the Equality Act 2010 is directed specifically at preventing discrimination in the context of decisions that an employer makes when deciding to whom to offer employment. Other provisions in Part 5 of the Equality Act 2010 make similar provision in respect of other work categories.

7.14 Section 39 does not make specific provision for discrimination to occur outside an active recruitment process, and requires there to be an identifiable victim.

7.15 The European Court of Justice, in the case of *NH*[11], ruled that employers may be liable for direct discrimination if a discriminatory statement is made about not wanting to recruit people that share certain protected characteristics. The Court ruled that this applied even when there is no active recruitment process underway, and there is no identifiable victim. This goes further than the existing provisions in the Equality Act 2010. The judgment also set out that when a discriminatory statement is made by a third party, this does not preclude the employer from being treated as having made the statement in some circumstances. A relevant factor to be considered is whether the public believes that the third party is capable of exerting a decisive influence on the employer's recruitment policy.

[8] See Webb v EMO Air Cargo (UK) Ltd (C-32/93).
[9] See "CHEZ Razpredelenie Bulgaria" AD v Komisia za zashtita ot diskriminatsia (Case C-83/14).
[10] Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.
[11] See NH v Associazione Avvocatura per i diritti LGBTI - Rete Lenford (C-507/18).

7.16 Furthermore, a discriminatory statement must be related to the employer's recruitment policy. The judgment in *NH* referred to the factors that should be taken into account when assessing if there is a link between the statement and the recruitment policy.

7.17 Discriminatory statements are presently unlawful by reference to the interpretive effects of retained EU law.

Equal pay

7.18 At present, the equal pay scheme in the 2010 Act provides that an employee is entitled to contractual terms, including those related to pay, that are as favourable as those of a comparator of the opposite sex in the same employment if they are employed on equal work.

7.19 Article 157 of the Treaty on the Functioning of the European Union (TFEU) requires Member States to ensure that 'the principle of equal pay for male and female workers for equal work or work of equal value is applied'. Article 157 has influenced the interpretation of the domestic provisions and been relied upon in addition to the provisions of the 2010 Act. As treaty-derived directly effective rights, the rights which flowed from Article 157 are currently recognised and available in domestic law by virtue of section 4 of EUWA.

7.20 This is relevant in relation to the permissible comparator. The 2010 Act requires an actual comparator (rather than a hypothetical one) doing equal work or work of equal value before a sex equality clause or rule can operate. The comparator must be someone who is employed by the same or an associated employer and either (a) at the same establishment, or (b) at a different establishment at which 'common terms' apply.

7.21 By contrast, Article 157 allows comparisons to be made between employees in the same establishment or service.[12] Comparisons under this test are not confined to employees working for the same employer or associated employers. Rather, the key question is whether the employees' terms are attributable to a single source; that is, whether there is a single body responsible for the alleged pay inequality and which can restore equal treatment.[13] Claimants can therefore currently bring a claim in these circumstances as they are able to rely on the rights in Article 157 by virtue of section 4 of EUWA.

Definition of disability

7.22 At present, section 6(1) of the 2010 Act defines disability as follows: "A person (P) has a disability if (a) P has a physical or mental impairment, and (b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities."

7.23 The Framework Directive[14] prohibits discrimination on the basis of disability, among other protected characteristics, in the area of employment and occupation. The 2010 Act replaced earlier legislation that implemented the Framework Directive and has been the main piece of legislation giving effect to that Directive in Great Britain.

[12] See Defrenne v Sabena (No.2) [1976] ECR 455.
[13] See Lawrence v Regent Office Care Ltd [2003] ICR 1092.
[14] Council Directive 2000/78/EC establishing a general framework for equal treatment in occupation and employment.

7.24 The Framework Directive did not define "disability", but in the case of HK Danmark[15] the European Court of Justice determined that for the purposes of the Framework Directive the concept of "disability" must be understood as inclusive of people experiencing limitations related to "physical, mental or psychological impairments", which "hinder the full and effective participation of the person concerned in professional life on an equal basis with other workers".

7.25 This is a potentially broader definition of disability than that used in the 2010 Act, which refers to a person's ability to carry out "normal day-to-day activities". This could be interpreted as referring only to activities which are general, common and frequent (e.g. sending emails, interacting with colleagues).

7.26 Subsequent Employment Appeal Tribunal (EAT) judgments[16] have considered the European Court of Justice's definition of disability alongside the definition in the 2010 Act and this has enabled a broader interpretation of "disability" in two ways:

- In relation to the frequency of "normal day-to-day activities". The EAT has held that "normal day-to-day activities" can include activities that are infrequent, if they are part of participation in working life (e.g. applying for a job, sitting an examination for promotion); and
- In relation to the range of "normal day-to-day activities" considered to be part of working life. The EAT has found that activities that are not common to the majority of jobs, but that are common across different types of employment (e.g. lifting heavy items and working at night are activities common across many jobs) are relevant when determining a person's ability to participate in working life on an equal basis with other workers.

7.27 Claimants can therefore currently bring a claim where they need to rely upon the broader definition of "disability" developed in retained case law for the purposes of the Framework Directive.

*Why is it being changed?*

7.28 The changes are being applied in order to maintain the existing legal position when the interpretive effects of retained EU law cease to apply.

*What will it now do?*

Pregnancy, maternity and breastfeeding

7.29 Regulation 2 reproduces certain effects of retained EU law as regards direct discrimination related to pregnancy, maternity and breastfeeding. That is, it provides clarity that no account is to be taken of special treatment received by a woman in connection with maternity (in addition to pregnancy and childbirth) in a direct sex discrimination case. It also ensures that work-related claims for direct sex discrimination on the grounds of breastfeeding can be brought. The regulation also provides protection against unfavourable treatment which occurs after the end of the protected period but is because of the pregnancy or pregnancy-related illness during the protected period; and ensures that protections against pregnancy and maternity

[15] See HK Danmark acting on behalf of Ring v Dansk Almennyttigt Boligselskab (C-335/11).

[16] See Paterson v Commissioner of Police of the Metropolis [2007] 7 WLUK 660; Sobhi v Commissioner of Police of the Metropolis [2013] Appeal No. UKEAT/0518/12/BA; Igweike v TSB Bank Plc [2019] [2019] 8 WLUK 313; Aderemi v London and South Eastern Railway Ltd [2012] 2012 WL 6774469; and Banaszczyk v Booker Ltd [2016] 2 WLUK 18.

discrimination apply to women on maternity leave under occupational schemes outside of but equivalent to rights under the Employment Rights Act 1996.

7.30 It does this by amending section 13 of the 2010 Act to insert the word 'maternity' into subsection (6)(b) and to omit subsection (7), which excludes work-related claims of direct sex discrimination on the grounds of breastfeeding. It also amends section 18 of the 2010 Act to extend its protections against work cases of pregnancy and maternity discrimination to unfavourable treatment which occurs after the end of the protected period, where such treatment is because of the pregnancy or pregnancy-related illness during the protected period. Finally, it further amends section 18 to extend its protections to cover maternity leave which is of a substantially similar nature to ordinary, additional or compulsory maternity leave, where it is provided for under a statutory or contractual scheme.

7.31 This will ensure that:

- employers can continue to offer more generous treatment for women on maternity leave;
- work-related claims are included in the 2010 Act's protection against discrimination on the grounds of breastfeeding as direct sex discrimination, as set out in section 13(6)(a) of the 2010 Act;
- women are protected against unfavourable treatment which is because of the pregnancy or pregnancy-related illness during the protected period but which occurs after the end of the protected period; and
- the 2010 Act's protections against pregnancy and maternity discrimination extend to statutory or contractual schemes which are substantively equivalent to compulsory, ordinary or additional maternity leave, even if outside the coverage of the Employment Rights Act 1996.

Indirect Discrimination: Same Disadvantage

7.32 Regulation 3 reproduces interpretive effects of retained EU law to enable claimants without a relevant protected characteristic who suffer from a disadvantage together with persons with the protected characteristic as a result of a discriminatory PCP to continue to bring a claim. In doing so, the regulation resolves ambiguities, removes doubts and anomalies and facilitates improvement in the clarity and accessibility of the law.

7.33 Regulation 3 does this by adding section 19A to the 2010 Act to provide that a person without a relevant protected characteristic (B) is discriminated against where a PCP puts (or would put) persons with the relevant protected characteristic at a particular disadvantage when compared with persons who do not share the relevant protected characteristic; the PCP puts (or would put) B at substantively the same disadvantage as persons with the relevant protected characteristic; and the PCP is not a proportionate means of achieving a legitimate aim.

7.34 Regulation 3 also makes supplementary, incidental, and consequential amendments to other provisions of the 2010 Act and the Equality Act 2006.

Access to Employment and Occupation

7.35 Regulation 4 reproduces interpretive effects of retained EU law providing protection from discrimination in access to employment and occupation. It sets out the factors that should be considered when deciding whether discriminatory public statements,

made by organisations or their representatives which signal the intention to directly discriminate against people that share certain protected characteristics from employment or occupation related opportunities, amount to unlawful conduct.

7.36 It does this by amending Part 5 of the 2010 Act, adding new section 60A and specifying that such statements may amount to unlawful conduct if there is no active recruitment (or other decision-making process relevant to occupation opportunities) underway. In addition there does not need to be an identifiable victim. Part 5 of the 2010 Act details a range of occupations and other related relationships that are protected from discriminatory conduct (including contract workers, partners and public appointments) and these changes apply to the range of occupations and other relationships listed.

7.37 Section 60A also sets out the factors that need to be considered regarding whether the statement is connected to decisions about recruitment.

7.38 As is currently the case, this will mean that an organisation may be liable for discrimination if they make a public statement which indicates that they intend to take a discriminatory approach towards work-related opportunities that would amount to direct discrimination. This will apply even if there is no active recruitment or decision making process underway. This will ensure that groups that share certain protected characteristics are not unfairly deterred from applying, or thinking about applying, for roles or other opportunities in an organisation.

7.39 Unlawful conduct may arise if the relevant discriminatory statement is made by someone who is not a direct employee (acting in the course of employment) or agent (acting with the authority of the principal) but where there are reasonable grounds for the public, or a section of the public, to believe that they are capable of exercising decisive influence on the organisation's recruitment policy. There are certain factors that need to be considered to determine whether these circumstances exist, and to determine whether the statement is connected to the decision making of the organisation in question, such as the context in which the statement is made, and whether organisations have taken any steps to disassociate themselves from such a statement. These have been drawn from the judgment in NH to assist the courts in understanding that the intention is to give effect to that judgment.

7.40 This regulation is compatible with Article 10 of the European Convention on Human Rights on the fundamental right to freedom of expression. In any claim of unlawful conduct under these provisions, consideration would need to be given to how the rights conferred under Article 10 are balanced against the rights of individuals to be protected from discrimination.

7.41 Consequential amendments have been made to reference the new section 60A within paragraphs 1, 2, 4 and 5 of Schedule 9 to the Equality Act 2010.

Equal Pay

7.42 Regulation 5 reproduces the effects of the principle of 'single source' by amending section 79 of the 2010 Act. That section sets out the circumstances in which employees and others are taken to be comparators for the purposes of Chapter 3. The amendment inserts new section (4A) which will apply if a single body is responsible for setting or continuing the terms on which the claimant and their comparator are employed, and that body is in a position to ensure equal treatment between those employees in respect of such terms.

7.43 New subsection (4B) ensures that a comparator can also be used in circumstances where the terms on which the claimant and their comparator are employed are governed by the same collective agreement. The term "collective agreement" is defined in new subsection (10) as having the same meaning as in section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992.

7.44 This will mean tribunals and courts can continue to compare the pay of men and women who work for an enterprise or organisation that ultimately controls - or can control even if it chooses to delegate this - the terms on which they are employed, including pay.

Definition of Disability

7.45 Regulation 6 maintains the interpretation of the definition of disability in the work context that has developed through retained case law.

7.46 It does this by amending Schedule 1 to the 2010 Act to provide that, in relation to employment and occupation, provisions of the Act defining disability by reference to a person's ability to carry out normal day-to-day activities must be read as including a person's ability to participate fully and effectively in working life on an equal basis with other workers.

7.47 This will ensure the interpretation of "disability" in the work context can continue to take into account a person's ability to carry out an infrequent or one-off work activity (such as job applications or examinations). It also ensures that activities that are not common to the majority of jobs, but that are found across a range of employment situations (such as lifting boxes, working at night or driving) remain relevant activities to consider when determining if a person meets the definition of "disability" in the work context.

7.48 The term "working life" is referred to in the reproduction instead of "professional life". While the latter term is used in the retained EU case law, it is clear that it affords protection to all workers and not just those in professional roles. It is therefore considered that "working life" may be more readily understood to include all types of jobs and work.

## 8. European Union Withdrawal and Future Relationship

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

8.2 However, this instrument is made using powers under sections 12(8), 13(2), (3) and (7) and 20(1) of the REUL Act to reproduce effects of retained EU law.

## 9. Consolidation

9.1 These Regulations do not amend another statutory instrument and consolidation is therefore not necessary.

## 10. Consultation outcome

10.1 Consultation was not deemed necessary as the amendments introduced by this instrument serve to reproduce the effects of retained EU law and there is therefore no policy change.

## 11. Guidance

11.1 There is no change to the overall effect of the law as a consequence of these Regulations and so no new guidance is currently planned. The Equality Hub will continue to keep its guidance under review.

## 12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies.

12.2 There is no, or no significant, impact on the public sector.

12.3 A full Impact Assessment has not been prepared for this instrument because there is no impact as a result of its implementation. Its effects are to maintain existing legal principles, thus having no impact on business.

## 13. Regulating small business

13.1 The legislation applies to activities that are undertaken by small businesses.

13.2 Given the effect of these amendments is to maintain the status quo, there are no plans to minimise the impact of the requirements on small business.

## 14. Monitoring & review

14.1 As this instrument is made under the REUL Act 2023, no review clause is required.

## 15. Contact

15.1 Ieuan Willox at the Cabinet Office (email: ieuan.willox@cabinetoffice.gov.uk or telephone 07540 320311) can be contacted with any queries regarding the instrument.

15.2 Helen Anderson, Deputy Director for the Equality Framework Team, at the Cabinet Office can confirm that this Explanatory Memorandum meets the required standard.

15.3 Minister Kemi Badenoch, Minister for Women & Equalities, at the Equality Hub can confirm that this Explanatory Memorandum meets the required standard.