

# UNITED KINGDOM 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The United Kingdom of Great Britain and Northern Ireland (the UK) is a constitutional monarchy with a multiparty, parliamentary form of government. Citizens elect members of Parliament to the House of Commons, the lower chamber of the bicameral Parliament. They last did so in free and fair elections in 2019. Members of the upper chamber, the House of Lords, occupy appointed or hereditary seats. Scotland, Northern Ireland, Wales, and Bermuda have elected legislative bodies and devolved administrations with varying degrees of legislative and executive powers. The UK has 14 overseas territories, including Bermuda. Each of the overseas territories has its own constitution, while the UK government is responsible for external affairs and defense.

Except in Scotland and Northern Ireland, the national police maintained internal security and reported to the Home Office. The army, under the authority of the Ministry of Defence, is responsible for external security and supports police in extreme cases. The National Crime Agency investigates serious crime in England, Scotland, Wales, and Northern Ireland and has a mandate to deal with organized, economic, and cybercrimes as well as border policing and child protection. The National Crime Agency's director general has independent operational direction and control over the agency's activities and is accountable to the home secretary.

Scotland's judicial, legal, and law enforcement system is devolved. Police Scotland reports to the Scottish justice minister and the state prosecutor, coordinates cross-border crime and threat information to the national UK police, and responds to UK police needs in Scotland upon request.

Northern Ireland also maintains a separate police force, the Police Service of Northern Ireland, which reports to the Northern Ireland Policing Board, a public body composed of members of the Northern Ireland Assembly and independent members of the community.









































































other communicable disease status. The government effectively enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, gender, and sexual orientation and gender identity. Women were paid less than men, and persons with disabilities faced discrimination in hiring, access to the workplace, and training. Ethnic minorities faced difficulty in hiring and attaining promotion, as well as discrimination in the workplace.

The law requires equal pay for equal work. Businesses with more than 250 employees are required to measure, and then report, on how they pay men and women. This affected 8,000 businesses employing approximately 11 million persons. The pay gap has narrowed over the long term for low earners but has remained largely consistent over time for high earners. The Equality and Human Rights Commission is charged with enforcing pay gap reporting requirements. In 2019 the finance sector had the highest pay gap of all sectors, with the average woman earning 35.6 percent less than the average man.

In Northern Ireland the law prohibits discrimination in employment or occupation regarding age, disability, gender or gender reassignment, marital or civil partnership status, pregnancy and maternity, race, sex, sexual orientation, religion, or political affiliation. Teachers applying to work in religious schools, however, are not protected from discrimination on religious grounds. Employers must register with the Northern Ireland Equality Commission if they employ more than 10 persons. Registered employers are required to submit annual reports to the commission on the religious composition of their workforce.

In Scotland the law prohibits discrimination on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The Scottish government introduced a plan in 2019 to address the gender pay gap, estimated at 5.7 percent in 2018. The plan set a goal of reducing the gender pay gap by 2021 and included 50 actions to provide resources and support for working women and mothers.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law provides for a National Living Wage for workers

age 23 or older and a National Minimum Wage for workers of at least school leaving age until age 22. Both wages were above the poverty level.

The law limits the workweek to an average of 48 hours, normally averaged over a 17-week period. The law does not prohibit compulsory overtime, but it limits overtime to the 48-hour workweek restriction. The 48-hour-workweek regulations do not apply to senior managers and others who can exercise control over their own hours of work. There are also exceptions for the armed forces, emergency services, police, domestic workers, sea and air transportation workers, and fishermen. The law allows workers to opt out of the 48-hour limit, although there are exceptions for airline staff, delivery drivers, security guards, and workers on ships or boats.

The government effectively enforced the wage and hour laws. Her Majesty's Revenue and Customs (HMRC) enforces wage payments. The Health and Safety Executive (HSE) enforces maximum working hours. The number of labor inspectors was sufficient to enforce compliance. The HMRC and the HSE can make unannounced inspections and initiate criminal proceedings.

Penalties were generally commensurate with those for similar violations and inspections were sufficient to enforce compliance. Although criminal enforcement is available, most minimum wage noncompliance is pursued via civil enforcement through the courts. In August the HMRC named and shamed 191 companies that had failed to pay 2.1 million pounds (\$2.8 million) to over 34,000 workers. The companies had to pay back wages owed and fines to the government. The HSE reported violations of wage, hour, or overtime laws were common in the agriculture, chemicals, construction, fairgrounds and theme parks, film and theater, logistics and transport, manufacturing, mining, energy, sports and leisure, utilities, and waste and recycling sectors.

**Occupational Safety and Health:** The government set appropriate and current occupational safety and health standards. The law stipulates employers may not place the health and safety of employees at risk. The HSE is responsible for identifying unsafe situations, and not the worker, and inspectors had the authority to conduct unannounced inspections, levy fines, and initiate criminal proceedings. By law workers can remove themselves from situations that endanger health or

safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

In response to the COVID-19 pandemic, beginning in March 2020 the government advised citizens to work from home if possible. Employers of “essential workers,” such as hospital staff, grocery store workers, and public works departments, were required to make arrangements to work safely. In July 2020 the government allowed anyone unable to work from home to return to their place of work, as long as their employer had put in place sufficient safety measures. The government issued “COVID-secure” workplace guidance for different sectors of the economy. Employers that fail to meet these standards can be reported to the local authority or the HSE, an arm of the Department for Work and Pensions, which can require employers to take additional steps where appropriate. Certain businesses, such as theaters and live music venues, have been ordered to close to reduce the spread of coronavirus COVID-19, contributing to a steep rise in unemployment.

The HSE effectively enforced occupational health and safety laws in all sectors including the informal economy. The fines for violations were commensurate with those for similar laws. HSE inspectors also advise employers on how to comply with the law. Employers may be ordered to make improvements, either through an improvement notice, which allows time for the recipient to comply, or a prohibition notice, which prohibits an activity until remedial action has been taken. The HSE issued notices to companies and individuals for breaches of health and safety law. The notice may involve one or more instances when the recipient failed to comply with health and safety law, each of which was called a “breach.” The HSE prosecuted recipients for noncompliance with a notice while the Crown Office and Procurator Fiscal Service (COPFS) prosecuted similar cases in Scotland. The International Labor Organization expressed concern that the number of HSE inspectors decreased in recent years, noting that the number of cases brought by the HSE had also declined.

From April 10 to August 14, there were 34,835 disease notifications of COVID-19 in workers where occupational exposure was suspected, including 409 death notifications.

Figures for April 2020 to March 2021 revealed 142 persons were fatally injured at

work. An estimated 693,000 workers sustained a nonfatal injury at work according to self-reports in 2019-20. A total of 65,427 industrial injuries were reported in 2019-20 in the UK. The HSE and COPFS prosecuted 342 cases with at least one conviction secured in 325 of these cases, a conviction rate of 95 percent. Across all enforcing bodies, 7,075 notices were issued. The HSE and COPFS prosecutions led to fines totaling 35.8 million pounds (\$47.3 million) compared with the 55.3 million pounds (\$73 million) in 2018-19.

Bermuda's legislation does not provide a minimum or living wage, and efforts to introduce one have not progressed. The Bermuda Department of Labour and Training enforces any contractually agreed wage, hours and safety and health standards. Regulations enforced by the department extensively cover the safety of the work environment, occupational safety, and health standards and are current and appropriate for the main industries. By law workers can remove themselves from situations that endangered health or safety without jeopardy to their employment. Penalties were commensurate with those for similar violations.