WorkVue response: Equal pay and pay discrimination consultation

19 October 2026

1. About WorkVue and our evidence

WorkVue welcomes the government's commitment to reform the equal pay framework, and supports most of the proposals in this consultation.

WorkVue is a *future of work organisation* that puts workers first. Our Future of Work Advisory Council brings together labour, worker rights, and future of work experts across sectors. With the Council, we research and publish reports on the reality of being a worker and the impact of a shifting labour market. We share our findings with policymakers, including the UK government, to build solutions that centre the worker. Our YourVue tool helps people identify their transferable skills separately from their job titles, and explore new career paths when their work may be affected by AI replacement or restructuring. Our CEO and founder, Dr. Zara Nanu MBE, founded Gapsquare (acquired by RELX), whose pay analytics helped employers around the world measure and close their pay gaps. WorkVue is an active member of the Equal Pay International Coalition, and shares knowledge with pay equity commissioners and experts in other countries. This gives our response a view of what has worked, and what has not, in pay equity law outside the UK.

This response draws on two sources: a decade of pay equity work in the UK and internationally, and eight anonymous accounts of pay discrimination shared by members of the WorkVue community in September and October 2026. We include these accounts because they show, in workers' own words, how the current system fails in practice. We discuss pay equity with our community often, and remain open to sharing further findings with the Office for Equality and Opportunity.
We answer only the questions where our evidence is relevant. The employer-only questions are not answered.

2. Key messages from our community

Almost every worker who shared their story discovered their pay gap by accident. Our five recommendations follow from that.

1. **Pay visibility from employers, not workers.** Workers told us they found out about pay gaps by accident. Employers should show what a job pays, and should not ask what a candidate was paid before, because past pay carries past discrimination into new jobs. We recommend narrow pay ranges in job adverts and for internal promotions, a ban on questions about previous salary, and a right for workers to request pay information, in line with the EU Pay Transparency Directive. *Supports Q1–4 and Q17.*
2. **Employers justify gaps after they are challenged, so tighten the material factor**

defence. The factors that can determine pay should be listed, agreed and transparent, and a justification documented when pay is set, not produced once someone challenges a gap. *Supports Q7–8, Q18–19 and Q17.*

3. **Challenging pay leads to retaliation, so the burden must not sit with the individual.** Give the Equal Pay Regulatory and Enforcement Unit strong powers, and protect workers who raise pay concerns, including a right to anonymity while a concern is investigated. *Supports Q22–29.*
4. **Pay is more than salary.** Transparency and audits must include bonuses, share options, employer pension contributions (where a gap is quietly building too) and other deferred pay. *Supports Q3.*
5. **Disadvantage overlaps.** Level up protections for race and disability, and recognise that workers often cannot tell which bias they face. *Supports Q35–36, Q43–44 and Q63.*

3. Responses to the consultation questions

Each answer gives our position, the evidence from our community, and what we recommend.

Chapter 1: Pay transparency

Q1–2: Agree. Publishing pay in job adverts would end the guesswork that workers told us about. A graduate learned months into her job, from a colleague, that a man hired on the same day into the same role was paid more. Another worker only found out when a file of her department's salaries was sent to her by mistake. As one person put it, most people discover a pay gap by accident, and usually years too late. We recommend the same requirement applies to internal vacancies and promotions. One woman told us she was paid less than a male colleague in the same role, then was not even offered an interview when a senior post he later got became available.

Q3: Include all pay, not just salary. Pay information should cover base pay, bonuses, share options, employer pension contributions and other deferred pay, and any allowances such as location weighting. One worker was offered share options that would not vest for two years. She was let go before they did, so the true value of her package was never comparable with her colleagues'.

Q4: A pay range, not a benchmark. A specific salary or a genuine range is clear and comparable. A benchmark rate leaves room for the same opaque decisions that create gaps. Ranges must also be clearly set, evidenced and narrow enough to mean something. We recommend that guidance sets a maximum width for an advertised range, as a percentage between its bottom and top. A range of £50,000 to £70,000 is not a transparent pay range.

Q7–8: Agree. A non-discriminatory job evaluation scheme should follow an equal pay breach. Benchmarking alone is not enough. One worker from the environmental charity sector described two benchmarking exercises that did nothing for entry-level roles. Those roles required a degree and often years of experience, but were paid like unskilled jobs, and the employer's answer was always that it was a charity.

Q17: Other changes to pay transparency. We recommend:

- a ban on asking candidates about their previous salary, which carries past discrimination into new jobs (one worker was asked her previous salary and offered more on that basis, then found her counterparts abroad, all men, earned far more)
- a right for workers to request information on average pay for comparable roles, in line with

the EU Pay Transparency Directive, so UK workers are not left behind their European peers (one worker in education told us their employer publishes pay equity data, yet described a "lack of transparency within organization, on purpose"; organisation-wide figures do not tell individuals whether they are paid fairly)
- a standard, published approach to pay benchmarking that employers can be held to

Chapter 2: Pay discrimination enforcement

Q18–19: Tighten and clarify the material factor defence. Our community described justifications that appeared only after a worker complained. In one case, a pay gap between two graduates was put down to where each got their degree. In another, a large global gap was put down to in-country weighting. The factors an employer can use to justify a pay difference should be listed, agreed and published, so workers know them in advance. Guidance should also make clear that a justification must be documented when pay is set, must be applied consistently, and must exclude certain factors. The EU Pay Transparency Directive requires pay structures to be based on objective, gender-neutral criteria, including skills, effort, responsibility and working conditions (Directive (EU) 2023/970, Article 4(4)). UK law already assesses work of equal value against similar demands, such as effort, skill and decision-making (Equality Act 2010, section 65(6)). The same criteria should govern which factors can justify a pay difference. The university someone attended is not a valid pay-determining factor: using it reinforces barriers to social mobility.

Q22–27: Agree with all three proposed powers. The Unit should be able to require evidence before a formal investigation, require a job evaluation or pay audit during one, and require employers to report back on recommendations. Workers told us that challenging pay alone is risky and exhausting. One woman learned from a male colleague in an equivalent role that she was paid less. She closed the gap only by preparing a presentation on her own performance for the managing director, and later by bringing in a competing job offer, which her employer matched. Fair pay should not depend on how well an individual can negotiate. Shifting the work of uncovering discrimination to a regulator is the most important change in this consultation.
Q28–29: Yes, add protection against retaliation. One worker who challenged her pay said her position was then made untenable. She lost unvested share options when she left. Workers who raise a concern should have a right to anonymity during the investigation stage, until a case moves to formal action, so that speaking up does not itself put their job at risk. The Unit should also be able to investigate retaliation linked to pay complaints, and remedies should cover benefits lost as a result.

Chapter 3: Ethnic minority and disabled people

Q35–36: Agree. Protections against pay discrimination should be the same whatever the protected characteristic. Discrimination often overlaps. The graduate paid less than her male colleague still does not know whether the bias was about her gender or her class.
Q43–44: Agree. Race and disability claims should be possible where work is of equal value, as they are for sex.
Q57–58: Agree. Tribunals should have discretion to extend time limits. Our evidence shows workers often learn about a gap long after it began, through chance rather than any process.
Q63: Other changes. We encourage the government to consider how socioeconomic

background interacts with protected characteristics in pay, for example through the socioeconomic duty in the Equality Act 2010.

4. AI is reshaping work and pay faster than policy (Q17 and Q34)

Jobs are being reshaped faster than policy can keep up. Report after report maps the tasks and roles now being automated or delivered by AI. At the same time, AI is already used to evaluate jobs, assess workers and set pay, with little consideration of bias. An equal pay framework built for a slower world of work will not hold unless it covers these decisions.

Emerging research suggests these tools can reproduce gender pay bias[1]. A 2025 study tested ChatGPT's salary negotiation advice across nearly 100,000 prompts per model. When advising job seekers, every model version suggested higher starting salaries for men than for women, by around 1% on average, and recommendations also varied by the university a person attended (Geiger et al., PLOS ONE, 2025). Small differences like these compound over a career, and workers have no way of knowing they are there. If a tool trained on unequal historical pay data recommends a salary, the gap is carried forward with an appearance of objectivity.

We do believe AI can add real value. Used well, it can help build fairer, more consistent pay systems. But that will not happen by default. Unless we are deliberate and set standards now, AI will multiply inequality for workers. We recommend:

- a clear approach to how we value work as jobs change, so job evaluation keeps pace with new tasks, skills and roles
- standards for assessing bias in AI tools used to evaluate jobs, assess workers and set pay, tested before use and regularly after
- guidance on the material factor defence that makes clear "the system set it" is not a justification
- a duty on employers to explain, on request, how any automated tool contributed to a pay decision
- the Equal Pay Regulatory and Enforcement Unit having the expertise and powers to examine automated pay-setting tools during investigations

5. How WorkVue can support implementation

Reform will only work if workers know their new rights and feel able to use them. WorkVue would welcome the opportunity to support the Office for Equality and Opportunity in four ways.

- **Worker evidence.** Our communication with workers remains open. We can share further findings, and test draft guidance and the proposed statutory questionnaire (Q9–12) with workers to check they are clear and usable.
- **Put data into workers' hands.** Pay data has always sat with employers. We want to democratise it, so workers have clear, comparable information on what roles pay and how pay is set, and can check whether they are paid fairly without waiting for an accident or a leak. But new rights and greater transparency only protect people who know they exist and can access, understand and use the information. YourVue helps workers do

[1] https://dl.acm.org/doi/10.1145/3829807.3829910, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4880335, https://link.springer.com/article/10.1007/s42001-025-00433-4,

this. Pay gaps often open when people change jobs, seek promotion or go through restructuring, which are the moments YourVue supports. We can help workers understand what employers must disclose, what they can ask for, and how to use that information to check their own pay.

- **Recognising the value of skills.** YourVue helps workers name skills, including soft skills, that sit outside job titles. These skills are often overlooked in how roles are valued, which matters for equal value claims and job evaluation (Q7–8).
- **Convening and research.** Through our Future of Work Advisory Council, we can bring together labour experts, employers and workers to discuss implementation with officials. We can also share our research on AI and pay.

Annex: How we gathered the evidence

In September and October 2026 WorkVue invited its community to share experiences of pay discrimination through an online survey, promoted on LinkedIn. By 19 October 2026 we had received eight accounts: six survey responses and two public comments on our LinkedIn posts about the consultation.
https://forms.gle/PFtiyL99aGJkrwfLA

All accounts in this response are anonymised. We have not verified individual accounts and present them as illustrations of how workers experience the current system, not as statistical findings.

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