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An Analysis of Shared Parental Leave Policies in UK Universities

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Abstract: The paper examines the content, pay package, and uptake of shared parental leave within 66 UK universities. The study aimed to consider whether the nature of the policy and the pay impacted the effectiveness of shared parental leave. Data for the study was obtained by analysing the shared parental leave policies of 66 universities in the UK whose policies were publicly accessible through the university websites. Freedom of Information requests was made to 125 universities listed on The UniGuide 2020 to obtain data on the take-up of shared parental leave in UK universities. Out of the 125 universities, 80 responded to the freedom of information with data on shared parental leave take-up from 2016-2021. Findings demonstrate a mixed picture of the level of details universities tend to include in their policy document. While some universities provided detailed information with examples to support staff, others provided as little as a line directing staff to the government website on shared parental leave policy. While most universities enhance maternity and paternity leave, not all universities extended the pay generosity to shared parental leave. This is seen as a disincentive to parents to take shared parental leave given that shared parental leave is not an addition to maternity leave for the mother. The findings supports the stereotypical gendered norms in which most workplaces are modelled. There was no identifiable trend within a particular group of universities regarding the length of the policy document or material included in the policy. However, there was an identifiable trend regarding shared parental leave take-up. The top 10 universities with the highest take up of shared parental leave were mostly Russell Group universities which could also be described as research-active institutions. This study concludes that gendered inequality in the workplace and motherhood penalty are why most universities are not proactive in supporting shared parental leave policy.

Keywords: Shared Parental Leave, Higher Education Institutions, Family Friendly Rights

1. Introduction

Universities are known for producing research that shapes practices and policies in the UK. The objectives of a university include providing an inclusive, favourable, and equitable work-life balance [1]. However, many universities are failing to embrace policies that could support working parents to balance work and family life and minimise gender inequality in the workplace. In this article, we will examine university policies on shared parental leave, accessibility of the policy, generosity of the policy and the number of uptakes.

SPL is one of the vital family-friendly rights introduced in the UK in 2015 to enable working parents to balance work and family life. This encourages more inclusive

organisational policies [2] by allowing mothers to share their maternity leave with their partners. The policies give fathers the opportunities to spend more time off work bonding with the baby in addition to the two weeks paternity leave. While there may be financial costs [3] associated with family-friendly policies such as SPL in the workplace, the benefits outweigh the cost. Shared parental leave has vital advantages for both the employer and the employee. For the employees, SPL as a family-friendly policy and practice in the workplace could signal supportive and accommodative employers, while for employers, shared parental leave and family-friendly policies, in general, would signal improved workplace performance [4]. A workplace with supportive, family-friendly policies experiences improvement in staff retention [4], low staff turnover [5], low levels of

absenteeism and improved motivation and commitment [6], and an increased level of job satisfaction [7]. Employees are more dedicated to their work and the employer when they are well-supported to balance work and family life [8].

The shared parental leave policy came into force on 5 April 2015. It allows mothers to share their maternity leave with their partners. Historically, fathers were only able to take two weeks of paid paternity leave up to the child's first birthday and up to 18 weeks of unpaid parental leave up to the 18th birthday of the child. It became normal for men to take two weeks of paternity leave in the UK and for women to take 52 weeks of maternity leave. Shared parental leave offers the opportunity for this dynamic to change. Women could therefore be off work on maternity leave for a much shorter period, and the men on leave for a more extended period, depending on how the couple decides to share the leave. Shared parental leave is a welcomed policy in the right direction as more men continue to increase their involvement in family life [9]. Furthermore, more women are increasingly taking up key roles in the labour market, and SPL would minimise the motherhood penalty that women suffer. Most workplaces still operate on the male as a breadwinner model [10], which does not foster gender equality or encourage men to take longer parental leave.

While shared parental leave was welcomed as a step in the right direction for gender equality [11], the uptake has remained low across the UK [12]. Atkinson argued that SPL is incapable of enabling more men to take leave to act as the primary carer for their children because the policy provided no financial incentive [13] and no independent father's right [14]. SPL policy could be described as complex, bureaucratic, and often poorly communicated [12]. This has impacted the level of awareness of the policy and how it could work in practice amongst working parents [15]. Policymakers, scholars, society, and employers widely acknowledge maternity leave. Evidence suggests that women do not desire to share their maternity leave [14], making it difficult for willing men to take SPL. There is a general lack of support for a father who wishes to take SPL from society and the workplace [16].

Employers' support is a key factor that influences a father's motivation to take leave [17]. Supporting fathers to take on more responsibilities in the family is a crucial step toward achieving gender equality. Most of the literature on gender equality focuses on support for mothers [18], but support for fathers is essential and seems to have gone unnoticed for a long time. The concentration of mothers seems to yield few results because most workplaces still operate on the father as a breadwinner model [19]. Organisational culture is far from generally supportive of active and caring fatherhood [20]. Hass and Rostgaard [21] argued that parental leave is more effective when dads are encouraged to take leave. Research [22] demonstrates that fathers who engage in family life significantly benefit the family's welfare. Fathers' engagement is associated with various child development benefits, including reduced child abuse and behaviour problems, increased cognitive tests, and decreased infant

mortality [23].

While the benefit of SPL is evident to the family unit, its uptake depends on workplace practices [24]. The uptake of SPL has remained low for reasons such as financial cost or unawareness and sometimes because they are hesitant to use the leave [25]. However, many fathers tend not to take SPL for fear of being stigmatised as less committed [23] or less productive in the workplace [26]. Research evidence suggests that fathers tend not to take SPL because they are concerned about what their employers would say if they tried to negotiate a longer than two weeks of paternity leave [27]. Research demonstrated that long leaves disincentivise employers from investing in mothers on leave because of low productivity [28,]. Therefore, employers would be expected to be more interested in SPL because the mothers will not have to be on leave for a very long time.

Furthermore, enhanced maternity pay is associated with a higher employment rate for mothers, higher retention, and higher levels of job satisfaction among women [29]. It would be beneficial for employers to not only encourage and support staff taking SPL but to enhance SPL pay in line with their maternity pay. While the policy on SPL is described as complex and bureaucratic, there exists great variation amongst universities on policy provision. We focus on the UK Higher Education sector to explore the accessibility of the policy, generosity of the policy, the number of uptake and support for staff. The research analyses 66 SPL policies from institutions in the Higher Education sector and 79 FOI responses to explore the effectiveness of SPL policy in Higher Education Institutions.

2. Policy Background

The UK policymakers have, over time, made various policies and amendments on family-friendly rights to enable working parents to balance family-work life. In 1999, unpaid parental leave was introduced, which allowed fathers to take up to 4 weeks of leave per year to look after their children under five [30]. However, many fathers did not take the leave because of the financial cost. In April 2003 [31], fathers were allowed to take up to two weeks of paternity leave within the first two weeks of the child's birth. Although paternity leave is paid as opposed to parental leave, it is paid at the basic rate causing most fathers to abandon it for the same reason as parental leave, which is the financial cost.

Consequently, there were no sufficient incentives for fathers to be part of their newborn's life in the first few days, weeks, or months. Mothers had maternity leave which allowed them to spend 52 weeks recovering from childbirth and caring for the newborn. These policies did not encourage women to return to work early after childbirth, which affected some working mothers' career prospects and progression. This, consequently, supported the culture that considered childcare responsibilities the women's responsibility and the father the family's breadwinner.

Shared parental leave is the first legislation to strike a balance between allowing mothers to get back to work early

after childbirth if they so wish and allowing fathers to be part of the newborn's life. The legislation was introduced in December 2014 by the Shared Parental Leave Regulations 2014 [32], which applies to children born or placed for adoption on or after 5 April 2015. The legislation can break the culture of women regarded as child carers and fathers as the family's sole breadwinners. Even though additional paternity leaves, introduced in 2010, allowed fathers to take up to 26 weeks [33] of continuous leave after the mother had returned to work only from 20 weeks post-birth [34]. The additional paternity leave was ineffective due to the inflexibility of when the leave could be taken.

3. Methods

For this research, both primary and secondary data were collected. Primary data was obtained from Universities through a Freedom of Information (FOI) request collecting data on the take up of SPL from 2016-2021. The secondary data was obtained by downloading SPL policies from the university's websites for those that had made their policies publicly accessible. The list of universities was downloaded from TheUniGuide 2020. There were 125 Universities listed on TheUniGuide 2020. Out of the 125 (n=100) universities, 66 (53%) made their policies on SPL publicly available on the university website. These were downloaded and analysed. Twenty-three percent of the universities did not respond to the FOI request, and 7% responded with incomplete information, which was not included in the analysis. Overall, 79 (63%) universities were analysed and the results are discussed in this paper.

4. Analysis

Fifty-three percent of the universities made their policies on SPL publicly available on their websites. While this signifies that the universities are family-friendly to prospective staff, a critical question remains as to the accessibility of the policy. Accessibility is considered in terms of how the policy is drafted and how generous the policy might be financially. We found a variety of policies, with different levels of information included and a range of different enhanced packages for SPL pay and restrictions. The analysis revealed no pattern unique to any group of universities such as Russell groups and Cathedral Group Universities.

Publishing the policies on the university website made it easy for anyone looking for the policy to find it, even by searching on google. This is different from 47% of the universities that did not publish their policies, as the staff could only find the information on the university intranet page. Research demonstrates that working parents gravitate towards family-friendly employers. However, publishing family-friendly policies like shared parental leave could be a positive move for the employer and potential employee.

The information included in the policies on SPL included Purpose/Introduction of shared parental leave;

Eligibility/Entitlement; how to take the leave; notice period; variations to arranged SPL; how SPL will be paid; what happens to annual leave while on SPL; SPL in touch (SPLIT) days; what happens upon returning to work after SPL; how SPL might affect staff in research grant funded posts; Special Circumstances and Further Information; real or hypothetical examples and the necessary forms to be completed to take SPL; a checklist for the staff; and where to get support if needed. Given the complexity of SPL policy, a good policy is expected to have detailed and phrased statements with examples to allow staff to read and understand. However, most universities needed all of the above within their policies. Depending on what elements were included in the policy and the details provided, we found that policy pages ranged from a few lines on the university website to over 21 pages, as demonstrated by figure 1. On average, most policies were 17 pages long, including key information such as eligibility, pay, how to take leave, etc. What was rare in most of the policies were practical or hypothetical examples, information for research grant holders, and where to go for further information.



Figure 1. Length of Universities' SPL Policies.

We found that 9% of the universities required that staff have conversations with their line managers or the human resources team about SPL. Given the complexity of SPL, this requirement could be interpreted as a supportive step for any step who wanted to take SPL or had further questions about the policy.

While the procedure for taking leave, such as maternity and paternity leave, is fairly standard, the procedure could be slightly complicated with SPL. While the policy gives parents the right to decide how they wish to share the leave, the university policy needs to clarify the procedure in cases where the parents wish to alter the leave that had already been booked. Thirty-one percent of the universities included information on what the staff must do if they wanted to alter the dates of an already arranged leave. The shared parental leave policy provides that parents need to give the employer eight weeks' notice if they want to take SPL, but it is silent on what should be done to alter an already agreed leave. The presumption is that the parents should give eight weeks' notice to alter any leave. Where this is different, the employer should clarify or provide information for staff to

know and not guess.

Most employers provide information on what should be done when a staff has been absent. However, we found that only some universities (11%) provided information on return to work. This could leave staff confused or with the assumption that they must return to work as normal. This suggests that the university is not supportive of its staff because SPL is a leave taken when the staff has a child. There should be a conversation about work-life balance, support available in the workplace, etc.

While some of the universities, like the Russell Group universities, are very research active, we found that only three universities provided information for staff in research grant-funded posts: Aston University, University of East Anglia, and London School of Economics and Political Sciences. This makes it difficult for staff with a research grant to understand the policy or support is for him/her. While some grant funders could make clear provisions on what will happen should the academic go on parental leave, others still need to. The silence of the policy at the university makes it more difficult for the staff to understand the policy and how it would apply to them.

Ten percent of the universities provided real or hypothetical examples of how leave could be taken. The universities include Bournemouth University, Coventry University, Imperial College London, Loughborough University, Swansea University, University of Brunel, University of Essex, University of Liverpool, University of Manchester, University of Oxford, and University of St Andrews. The examples make it easier for staff to understand how the policy would work for them in practice. Where real examples of people in the institution that have taken SPL are provided, staff could feel more comfortable about the process and may be able to gain more information from the staff. A real example is that the human resources department has gone through the process and knows more about how it works to better support interested staff. An example of a university that provided both a staff member that took SPL and a hypothetical example is Queen Mary University.

Twenty-four percent of the universities included relevant forms or links to the relevant forms that the staff could use to apply for SPL within their policy. This makes it much easier for the staff reading the policy to understand what they need to do and what forms need completing. Where the forms or links to the forms are not included in the policy, it gives the staff an extra responsibility to email the human resources department asking for me. Depending on how interested the staff might be in taking SPL and how easy it was for them to read and understand the policy, they might not email the human resources department for the forms. Furthermore, depending on the response time from the human resources department, it might take time for them to get back to the staff. It would be better for all the forms related to SPL to be in the SPL policy document, which would cut out unnecessary emails and time-wasting.

We found only one university (Robert Gordon University) that included a checklist for both the employee and their line

managers in its policy. The checklist is a helpful document that could ensure that the staff and the line manager cover everything necessary to support the staff taking SPL. This could remedy situations where information is missed, and staff must keep asking for it or not know. The checklist also makes the line managers responsible for ensuring that all the relevant information is given to the staff.

Research demonstrates that financial cost is one of the key challenges of SPL policy [35]. Thirty percent of the universities enhanced SPL pay, and the rest paid at the statutory rate of £151.97 a week or 90% of your average weekly earnings, whichever is lower. The generosity of enhanced SPL pay varied across different universities, as illustrated in figure 2. Figure 2 only considers the number of weeks for full payment. Some universities had a combined enhancement of full pay for several weeks, and half pay for several weeks. For example, Oxford Brookes University provides the first 11 weeks after the initial two weeks at full pay, half pay plus statutory Shpp for the subsequent 13 weeks, and statutory for the remaining weeks. University of Exeter and the University of Oxford were the top two universities enhancing pay for 24 weeks on full pay. However, none of these two universities made the top 10 universities with the highest SPL uptake.

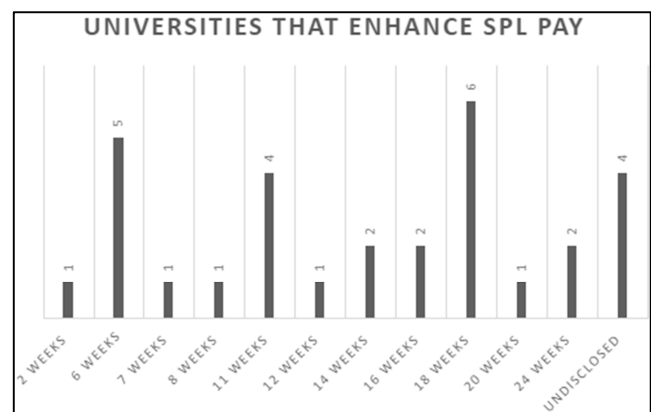


Figure 2. Number of Weeks Universities Pay SPL at Full Pay.

We found that all the universities required at least one year of continuous service by the 15th week before the baby is due to receive the university SPL pay. Some universities restrict eligibility to pay when the leave is taken. For example, Napier university provides that the staff is eligible for 11 weeks of full pay if SPL is taken within 13 weeks of the commencement of maternity/adoption leave. However, this needs to be clarified because SPL can only start after the mother takes the first two weeks of maternity leave. This means that staff at Napier University would only be eligible for 11 weeks of full pay rather than 13 as stated. University of Abertay's provision needed to be clearer and easier to see how staff would understand what it meant and how that would apply to them. It stated:

"7 weeks' normal pay, followed by up to 13 weeks half-pay (up to 20 weeks in total). If you receive more than six weeks' enhanced maternity/adoption pay with the same child ("the

excess”), then the 20 weeks enhanced shared excess will reduce parental leave pay entitlement. The balance of shared parental pay will be at the statutory rate.”

The provision could mean that staff receiving maternity leave are not entitled to enhanced SPL enhanced pay. For staff to be able to assess their financial situation before deciding on SPL, essential information like this one must be obvious. This is where an example could be helpful or complete redrafting of the policy.

The University of Bristol is a combination of maternity leave pay and SPL pay, which could confuse staff. It states:

“Option 1: 8 weeks x full pay (inclusive of the statutory SShPP entitlement), 16 weeks x half pay plus SShPP; 15 weeks x SShPP followed by 13 weeks unpaid leave. Option 2: 16 weeks x full pay (inclusive of the statutory SShPP entitlement), 23 weeks x SShPP, and 13 weeks unpaid leave.”

The University of Nottingham clearly states that enhanced SPL pay would only be paid if the staff took SPL in one block of leave. While staff is allowed to request discontinuous leave, the employer has the discretion to refuse on the grounds of business needs. If a discontinuous staff SPL is granted at the University of Nottingham, they will not benefit from the enhanced payment again, acting as a disincentive to staff.

Twenty-five percent of the universities that enhanced SPL pay included a minimum period for the employee to return to work. Otherwise, they would be expected to repay the enhanced payment. Again, we saw a variation in the length of time universities expect staff to return to work after receiving enhanced SPL pay. Twenty percent of the universities required staff to return for at least three months, the University of Newcastle required the employee to return for one month, and Aston University required the staff to return to work for a minimum of 6 months. While some universities were particular in requiring the staff to return to full-time employment for the specified minimum period, others needed to be more specific. However, the University of Swansea clarified that the employee must return either in a part- or full-time position for at least 13 weeks. Giving the staff to return part-time provides flexibility for the staff to balance work and family life.

While SPL is a complex policy, only 4% of the universities required employees to discuss SPL-related issues with their line managers first. While this is an excellent step to ensure that the staff knows where to go for support, it also depends on how well the line manager knows how SPL works. Twenty-two percent of the universities requested employees to contact the HR team for more discussion. This is a good practice indicating that the university is supportive of any staff that might be interested in taking SPL.

5. Findings from Freedom of Information Data

Out of the 63% of the universities analysed, only 2% of universities had over 200 staff that had taken SPL. The University of Cambridge had the highest number of SPL take

up, with 269, followed by the University of Manchester with 213. 8 of the top 10 universities with the highest number of SPL take up were Russell Group universities.

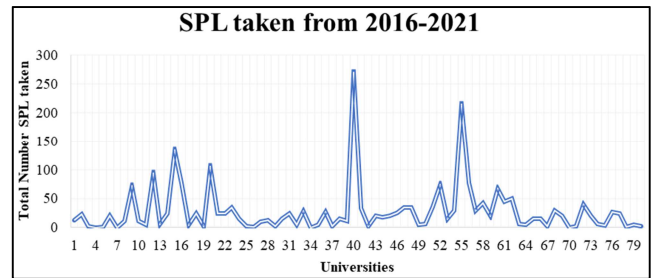


Figure 3. Number of SPL take-ups in universities from 2016-2021.

Leave taken broken down by Russell group universities and Cathedral Group Universities.

Twenty-four universities make up the Russell Group of universities in the UK. Three universities provided incomplete data and therefore were not considered in the analysis. One university counted SPL leave taken as maternity leave for two academic years, and four universities did not respond to the freedom of information request. Most of the universities had less than 100 SPL taken up in the five years covered by the research.

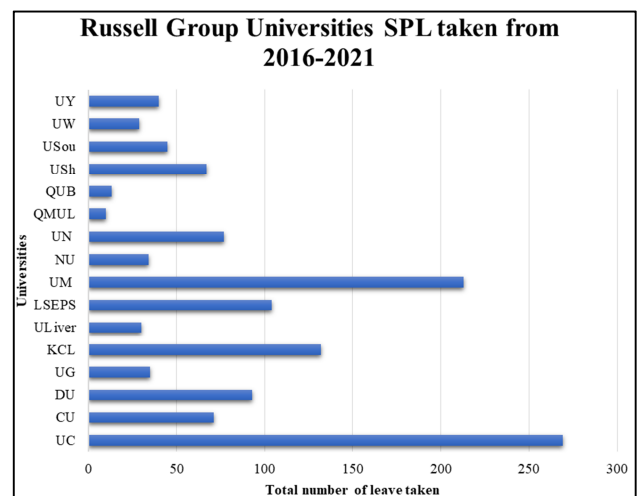


Figure 4. Number of SPL taken up in Russell Group Universities from 2016-2021.

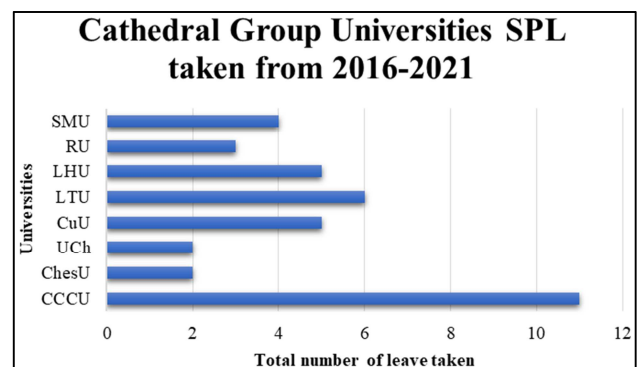


Figure 5. The number of SPL take-ups In Cathedral Group Universities from 2016-2021.

Fifteen universities make up the Cathedral group of universities. Five of these universities did not respond to the freedom for information requests. Some universities, like the University of Gloucestershire and York St. John University, kept specific numbers private because the uptake was less than 5 in each academic year to protect possible staff identification.

6. Discussion

UK Higher Education Institutions vary significantly in their policy content, length, and generosity on SPL. This is similar to the variation of maternity pay packages in UK HEIs [1]. We find it difficult to explain the variation in the length of the document and the content because there needed to be a clear identifiable trend. However, in terms of the uptake of SPL, we found that Russell group universities made up 80% of the top 10 universities with the highest number of SPL take up. These top universities share some similarities regarding financial capacity and research activity. It could be interpreted as highly research-active institutions investing in the staff of childbearing age and recognising their contribution to the institution. The publication of SPL policies by the 66 universities considered in this study demonstrates a commitment to supporting both current and potential staff. While some of the policies might be found lacking in crucial information, it still gives the outward message that the universities are ready to support parents and encourage gender equality. We acknowledged that some universities have more financial capacity and number of employees than others.

Some university policies could have been better drafted with more content to enable the reader to understand how it will apply to them practically. A shared parental leave policy is very complex and requires precise drafting, considering the employer policy. Explaining key concepts and providing examples could be a great way to help staff to understand the policy.

Research has demonstrated that one of the critical barriers to SPL is the complexity and bureaucratic nature of the policy. This implies that employers need to take extra steps to present the policy in a way that staff will understand. As the findings section identifies, using hypothetical or real examples could help simplify the policy. While some universities included information encouraging staff to speak to their line managers or HR, the lack of such information could make it less comfortable for staff to want to know more. Including a checklist for managers and staff, as Robert Gordon University did, would ensure that the staff and the line manager cover everything that is needed for the staff taking leave. This practice could significantly improve accountability and supportive culture in the workplace.

More policies needed to be clarified, making them inaccessible to staff. SPL only starts after the mother has taken the first two initial weeks of her maternity leave and must be taken within the first year of the child's life. However, some university provisions like the Napier

University policy mean that staff will benefit from the enhanced pay package if only they take SPL at the start of maternity leave. Contrary to the research findings by Epifanio and Troeger [1], which suggested that research-intense universities with higher academics at childbearing age provided more generous maternity pay, this research found no particular pattern in terms of the pay package for SPL. However, out of the top 10 universities with the highest SPL uptake, 8 were Russell Group Universities.

While financial cost remained one of the critical challenges of SPL, most universities (37) studied enhanced SPL pay. This represents more than 50% (n=66) of the universities studied. This enhancement is meant to help drive gender equality [21]. In line with the study by Epifanio and Troeger [1], universities tend to have generous pay packages for parental leave. However, the enhanced pay from these universities has yet to translate into more uptake of SPL, suggesting that more issues are impacting the take up of SPL than the financial cost. Gheyoh Ndzi [35] argued that decades of gender discrimination is a crucial challenge to the take up of SPL, suggesting that the problem is workplace culture-related than the policies and the pay. Research demonstrates that unawareness [15], breastfeeding practices, and workplace culture [21] are factors hindering the take-up of SPL. Haas et al. [21] pointed out that the support for women and fathers and the father's perception of workplace policies and performance rewards fundamentally impacted the decision to take leave. While there has been a general call for SPL to be better paid to incentivise parents to take SPL, this study suggests that financial cost alone would not drive SPL uptake. In a country like Sweden, which is known to have the most generous principle and pay on SPL, research still demonstrates that workplace factors determine whether fathers would want to take leave and the length of the leave [36].

Furthermore, Evertsson and Duvander [37] argued that extended leave was detrimental to career and income development. This research suggests that people, especially fathers, may want to avoid taking SPL despite the pay because of its potential impact on their careers. Therefore, employers need to ensure that they not only have a good enough policy that staff can read and understand, but they also need to demonstrate support by changing workplace cultures.

This can be further evidenced by the fact that although 37 universities enhanced SPL pay, there seemed to be no correlation between the enhanced pay and the take up of SPL. The data on SPL take-up from universities show low take-up in general, with some universities having as low as two uptakes in five academic years.

Some universities decided not to disclose the specific number of staff that took SPL if the numbers were less than 5, while other universities did not mind disclosing the information. The ability to take SPL is a legal right, and institutions consider the disclosure as a way of showcasing that there are family-friendly irrespective of the uptake. Park [38] argued that working assumptions regarding what constituted good research, teaching, and service and the

relative importance of each reflected and perpetuated masculine values and practices. While SPL is meant to change that culture and model, what is most crucial is for the employer to provide the information to the staff and be supportive of staff taking SPL. No disclosure of the information is perceived as non-supportive and could be interpreted as SPL not being something worth mentioning or celebrating. In line with the study by Monroe et. al. [39], who argued that women attributed the persistence of gender inequality not to biology but to a professional environment in which university administrators care more about appearance than the reality of gender equality and a professional culture based on a traditional, linear male model. A workplace culture that will be ready to encourage men to spend more time with family would be the critical driver to SPL and not just the policy and the pay package. Enhancing and promoting shared parental leave has the potential to reduce the gender pay gap [40].

7. Conclusion

The research aimed to evaluate the SPL policies of universities and the take-up rate for the academic years 2016-2021. We found that all 66 universities that had made their policies publicly available were not because the policies were deemed perfect but for their ability to drive towards showcasing that they are family-friendly institutions. As identified from the policies evaluated, some of the policies were lacking in content, and some of the policies were too basic. Thirty-seven universities enhanced their SPL pay, but the number of SPL uptake does not correlate with the generous package the universities provide. Russell Group universities are leading on the number of SPL take up even though some have less generous pay packages than some non-Russell Group universities. Shared parental leave is considered essential for parents and can help reduce the impact of the motherhood penalty by keeping female talent and closing the gender pay gap.

Shared parental leave is a vital gender equality driver, and it is crucial to understand its benefits and how workplace culture could encourage take-up. This research demonstrates that financial cost is not the key barrier to SPL take up in UK universities. Workplace culture is at the center of SPL effectiveness which correlates with the importance of workplace culture in driving family friendly rights.

This paper goes beyond considering the effectiveness of SPL in general, and starts to consider how the policies are drafted, what information is included in the policies, accessibility of the policy in terms of where to find it and readability, the pay package, and the take up of SPL. As noted above, the research demonstrates that a less generous pay package is one of many reasons for low take-up of SPL but points out that workplace culture is a crucial barrier to SPL take-up. Further research is needed to understand how workplace culture drives SPL take up even where the pay is not enhanced. Research into Russell Group approach might reveal best practice that could be shared among other

universities. An understanding of how SPL contributes to gender equality and gender pay gap particularly in the Russell Group Universities that had the highest SPL take up will be valuable.

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