Equality, Diversity and Racism in the Workplace:

A Qualitative Analysis of the 2015 Race at Work Survey

EXECUTIVE SUMMARY

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Foreword

When we published the Race at Work report containing 24,457 responses from employees across the UK, I personally did not want to share some of the shocking comments that I had read when reviewing the survey responses without ensuring a professional analysis of the comments and assurance of their context. I am very grateful for the support that we have had from Dr Stephen Ashe and Professor James Nazroo from the University of Manchester who have undertaken a thematic review of more than 2,000 comments related to racial harassment and bullying and have also examined more than 3,000 comments on senior leadership, more than 5,000 comments overall.

Clear leadership from the top, policy not just on paper but in practice, responsible action from managers and transparent reporting processes have never been more important in the UK workplace. The reported rise in racist incidents following Brexit just reinforces how important this is. A key finding from the Race at Work survey which was completed in the summer of 2015, almost one year before the EU referendum, was that racial harassment and bullying was prevalent.

This report has an urgent call for employers to take action now. With line managers often acting as the facilitators of organisational culture, all employers across all sectors should ensure that managers do not discriminate. Managers also need to be clear on the role they play in identifying and stamping out racist behaviour wherever it exists in their teams.

Another major issue that has been flagged is the need to ensure that wherever possible employees can work in environments that are free from racial harassment and bullying from customers, clients, contractors and service users.

Employers from all sectors must step up and take action now. I commend this hard hitting and authentic report with the voices of workers from across the UK to all. I trust that it will galvanise senior leaders and employers in the public, private and voluntary sectors into bold action that says – this behaviour has no place in our organisations.

I want to say a special thank you to our sponsors BT, Enterprise Rent-A-Car, KPMG, Nationwide and Sainsbury's for their support with the survey, and a huge thank you to all those who took the time to share their stories and experiences that have helped to inform this report.

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Acknowledgements

Executive summary

Since 1968, successive Labour and Conservative governments have introduced legislation to outlaw racial discrimination in employment.[1] And yet, racism and racial inequality have proven themselves to be historically resilient features of the British labour market.

While one in eight of the working-age population is from an ethnic minority background, people from an ethnic minority background account for only one in ten of those who are actually in employment. Moreover, the Equality and Human Rights Commission's (EHRC) recent *Healing a divided Britain: the need for a comprehensive race equality strategy* report, published in August 2016, also found that people from ethnic minority groups have higher unemployment rates than White people.[2]

It was also in August 2016 that the United Nation's Committee on the Elimination of Racial Discrimination reported its 'concern' at the:

(a) the higher rate of unemployment among persons of African and Asian descent;
(b) occupational segregation, with the concentration of persons belonging to ethnic minorities in insecure and low-paid work; and
(c) discriminatory recruitment practices of employers.

It was in this context that the Prime Minister Theresa May announced the launch of 'an unprecedented audit of public services to reveal racial disparities and help end the burning injustices many people experience across Britain'. The evidence presented in this report strongly suggests that this audit should also examine both racial inequality and the racism faced by ethnic minority people *working* in the public sector.

This report builds on the *Race at Work* report that was published in 2015. The *Race at Work* survey was conducted between 28 July and 17 September 2015. In this report we explore further the voices of 24,457 ethnic minority and White British employees aged over 16 years old, currently living in England, Wales, Scotland and Northern Ireland. 6,076 people took part in the research via the YouGov panel survey, while some 18,381 respondents participated via the public open survey.[3]

Building on the 2015 report, we offer a qualitative analysis of responses given to open-ended survey questions designed to explore the following:

(1) employee accounts of experiencing and/ or witnessing racist harassment or bullying at work; and
(2) How, if at all, employers promote equality, diversity and fairness in the workplace.

In doing so, this report provides further insights into the nature, scale and human impact of racist bullying and harassment in the workplace. In addition to this, we draw further attention to some of the specific barriers that prevent the realisation of equality, diversity and fairness at work.

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[1] For a further discussion of the various legislative acts and subsequent legislative amendments introduced to both outlaw racism in employment and the enshrinement of equality in law, see http://race.bitc.org.uk/all-resources/toolkits.
[2] For further information on the longstanding nature of racial inequality in the labour market, see Nazroo, J. & Kapadia, D. (2013) 'Have ethnic inequalities in employment persisted between 1991 and 2011?' Centre on Dynamics of Ethnicity; and Nazroo, J. & Kapadia, D. (2013) 'Ethnic inequalities in labour market participation?' Centre on Dynamics of Ethnicity.
[3] For a further discussion of the survey methodology employed, see *Race at Work 2015*.

We find that:

- **Racism very much remains a persistent, if not routine and systematic, feature of work life in Britain, thus contributing to the organisation of society in ways that structurally disadvantage ethnic minority workers.** Ethnic minority workers are frequently subjected to racism by colleagues, managers, customers, clients and service users. Racism is experienced in a wide variety of ways, ranging from 'everyday banter' to violence and intimidation. Alongside Islamophobia and antisemitism, crude and overt forms of anti-Black and anti-Asian racism are also prevalent.

- **Experiencing and/or witnessing racism impacts on ethnic minority employees in a number of ways.** This includes having a direct impact on the mental health and emotional and psychological well-being of ethnic minority workers. Racism was also reported to have a negative impact on the careers of ethnic minority employees, reducing opportunities for additional training and career progression. Many ethnic minority workers also reported seeking alternative forms of employment as a direct response to experiencing racism.

- **The promotion of equality, diversity and fairness is inconsistent across workplaces.** On the one hand, some employers promote these values in a variety of ways, sometimes in an extensive manner and on a regular basis. On the other hand, a large section of survey respondents reported that they did not know or that they were unsure of what their employer did to promote equality, diversity and fairness. Some employees even suggested that the promotion of equality, diversity and fairness was 'non-existent'.

- **Some managers were said to have taken a zero-tolerance approach to racism in the workplace, offering support to those on the receiving end of racism. However, it was more common for ethnic minority employees to state that managers were also one of the main culprits when it came to racism at work.** Not only this, managers were also commonly described as being indifferent to racism. When it comes to opposing racism and promoting equality and diversity, this raises serious questions in relation to leadership in the workplace.

- **Trade union representatives were identified as being an important source of support in helping ethnic minority workers to 'speak out' and challenge racism at work.** Such statements were most prominent among ethnic minority employees working in the public sector. However, like managers, it was also suggested that trade union representatives could also be indifferent to racism.

- **Many employees commended equality and diversity practitioners for the role that they played in promoting equality, diversity and fairness and supporting colleagues who had experienced and/or witnessed racism**. However, some ethnic minority workers were critical of the work of equality and diversity practitioners, suggesting that some practitioners did not pay adequate attention to challenging racism and addressing racial inequality in the workplace.

- **Alongside racism, White resentment is a significant problem.** In some cases, White British employees suggested that activities and training promoting equality and diversity were no longer necessary. It was also suggested that equality and diversity activities provided ethnic minority employees with an unfair advantage and preferential treatment. These types of reaction appear to be part of a broader, overall negative, if not hostile, response to equality and diversity work, and indicate that it is

necessary to inform White employees about a) the nature of ethnic minority disadvantage; b) how this is reinforced by racism in the workplace; and c) why Race Relations legislation and equality and diversity duties are still very much needed.

- **In light of the above, it is important that we critically examine what equality and diversity work actually does, including identifying the barriers and obstacles that hinder this work.** This includes thinking critically about the limitations of existing approaches to equality, diversity and fairness, particularly in relation to whether expressions of commitment to equality, diversity and fairness and statements opposing racism are also partnered by clear and visible activity that addresses racism and racial inequality at work.

Listening to the voices of those who participated in the 2015 *Race at Work* survey clearly demonstrates that there is a great deal of work still to be done in terms of developing the structures, practices and resources required to oppose racism and to achieve both equality and diversity in workplaces throughout Britain.

Having reviewed the comments and statements captured by the *Race at Work survey* we provide a further set of policy recommendations. For Government, this includes:

- Commissioning research that explores the ways in which, if at all, employers are fulfilling their equality duties and how employers respond to instances of racism in the workplace;
- Institute new legislation regarding the procurement of government and public sector contracts to ensure that all tenders are subject to an Equality Impact Assessment;
- Proposals for an annual government review into the nature and scale of racism in the workplace and racial inequality in labour market participation;
- Eliminating the costs of employment tribunals as a means of empowering employees to challenge racism at work; and
- Addressing the issue of 'language proficiency' in ways that protect the rights of ethnic minority workers.

For employers, we identify a range of measures focusing on employer leadership, responsibility and accountability. We also detail a number of recommendations in relation to:

- Employer relations with Trade Unions, Employee Network Groups and Diversity and Inclusion specialists;
- Devising equality targets (including a timeframe and action plan for achieving these targets);
- Revising equality and diversity audits, processes and procedures to include reports of racism at work, paying attention to the voices of employees who have experienced and/ or witnessed racism in the workplace; and
- Changes to training and the promotion of equality and diversity.

Section 8: Where do we go from here? Further recommendations

In August 2016, the United Nation's Committee on the Elimination of Racial Discrimination published its 'Concluding observations on the twenty-first to twenty-third periodic reports of United Kingdom'.

In reference to racism and racial inequality in the field of employment, the Committee recommended that the Government collect 'disaggregated data on employment, unemployment and activity rates of individuals from ethnic minority groups'. In addition to this it was also recommended that the Government should adopt and implement 'targeted measures to address unemployment, occupational segregation and discriminatory practices in recruitment, salaries, promotion and other employment conditions'. The Committee also made the following recommendations in reference to the field of education, which we feel are equally applicable to the field of employment, particularly in terms of using training and activities promoting equality and diversity to deepen our collective understanding of both the historical and international political contexts that shape the expression and experience of racism today:

(a) Ensure that schools comply with their public sector equality duty under the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998 to challenge racist bullying and to promote respect for diversity, including through the training of educational personnel;

(b) Ensure that the school curricula across its jurisdiction contain a balanced account of the history of the British Empire and colonialism, including slavery and other grave human rights violations.

In light of these recommendations and the evidence presented in this report we offer the following recommendations outlined below which build upon on those published in the 2015 *Race at Work* report (See Appendix Two).

As the recommendations below make clear, leadership and accountability are pivotal if racism and racial inequality in the workplace are to be addressed and real, meaningful and substantive change is to be achieved. By this we mean addressing the nature of racism in a more holistic way that places individual cases of racism in a broader discussion and understanding of the entrenched nature of racial inequality in labour market participation and institutional racism (including the casual racism which is all too often an embedded feature of workplace culture). Rather than simply looking at racism and racial inequality under the heading of equality and diversity work, government ministers and officials must be made accountable for bringing about such change. Similarly, managing directors and senior managers have a responsibility to provide leadership in this area. During the recent Conservative Party Leadership election, Theresa May pledged that 'If I'm prime minister…we're going to have not just consumers represented on company boards, but workers as well'. In light of the evidence presented in this report, we urge the Prime Minister to make good on that pledge so that ethnic minority workers have both oversight and input into equality and diversity practice. Therefore, equality and diversity work and addressing racism and racial inequality must become central to organisational change, all the way from the boardroom to the shop floor.

For Government

(1) Demonstrate a commitment to eliminating racial inequality in the labour market by setting-up an annual review which measures progress in this area. This should include setting up inspections of companies and organisations where racism has been identified as an engrained and persistent feature of workplace culture, as well as investigating racial inequality in relation to pay, bonuses and levels and rates of recruitment and promotion.

(2) Institute new legislation regarding the procurement of government and public sector contracts to ensure that all tenders are subject to an Equality Impact Assessment. This assessment should examine whether companies: a) have an accessible and transparent equality and diversity policy and accompanying training activities; b) unequivocally express and demonstrate that a zero-tolerance approach to racism is adopted; c) clear evidence of carrying out readily available audit assessments in line with the recommendations for employers set out below (see Recommendation 7 for employers); and d) have a plan of action and timeframe for achieving equality and diversity targets upon which progress can be measured and subsequent tenders can be assessed. This legislation should also ensure that the results of employer audit assessments are made publicly available.

(3) Commission further research and commit to a wide-ranging review into whether employers are fulfilling their equality duties and how employers respond to instances of racism in the workplace. Both of these should focus on identifying additional support structures for employees, particularly where they feel unable to report racism in the workplace. This might include providing additional support such as counselling and representation. This research should also focus on whether there is a gap between what equality and diversity documents say they do, what employers actually do and the restrictions placed on equality and diversity practitioners.

(4) The Equality and Human Rights Commission (EHRC) should be given an adequate level of 'ring-fenced' funding that will enable the EHRC to ensure that employers comply with existing legislation and equality duties. The EHRC should also be given further power to apply sanctions in cases of non-compliance, particularly in cases of systemic non-compliance.

(5) Eliminate the financial legal costs faced by employees seeking to challenge racism through employment tribunals, as well as ensuring that tribunal committees are diverse.

(6) In light of the evidence presented in Section 2, and the recent announcement that there is to be an audit exploring 'racial disparities in public service outcomes', we strongly recommend that the Government reviews the implementation of the 'Draft code of practice on the English language requirement for public sector workers'. We recommend that the government should hold further consultation on how the issue of language proficiency contributes to how racism is experienced at work, particularly in the public sector.

(7) Introduce legislative provisions in relation to the issue of language proficiency, giving employees the legal right to have their 'language proficiency' assessed free of charge by an independent expert and to ensure that if necessary employees are given the opportunity to receive additional learning support. Furthermore, it should be independent 'language proficiency' experts, rather than managers, that should determine the level of 'language proficiency' required for particular roles.

For Employers

(1) Ensure that a senior figure within the organisation, who is either trained or demonstrates a requisite level of experience or understanding, is made responsible for ensuring that the company has an anti-racism, equality and diversity policy in place and that this policy is shared with all staff, external stakeholders, contractors, clients and customers. Senior leaders within the organisation/ workplace should also deliver a regular, clear, unequivocal statement indicating that a zero-tolerance approach to racism will be adopted. Such statements should also clearly dispel both the notion that the 'customer is always right' and the disavowal of casual racism that persists in general workplace culture, particularly the forms racism that are repudiated as 'jokes' or as a form of 'friendly banter'. Procurement agreements with clients and external contractors should also include a commitment to opposing racism and treating staff with dignity and respect.

(2) Ensure that senior leadership figures sign a policy agreement that guarantees equality and diversity practitioners have the time, space and resources required to fulfil their role, particularly in terms of having time to investigate and respond to reports of racism. This agreement should also ensure that the role of equality and diversity practitioners is not limited to providing induction training and drafting policy documents.

(3) Ensure that equality and diversity training is made mandatory for all managerial staff, with managers who have not undertaken such training doing so at the earliest opportunity.

(4) Ensure that senior managerial figures and all employees in leadership positions are clear about their organisation's policies on racism, equality and diversity and acknowledge their responsibility to ensure that these policies are put into practice at all times. Moreover, fear of victimisation is one of the main reasons people do not report experiencing and/or witnessing racism at work. We suggest that employers consider appointing a senior ethnic minority figure in the organisation to represent more junior employees that experience/witness racial harassment and bullying in order to prevent 'speaking out' against racism having a career limiting impact.

(5) Ensure that senior organisational leaders and Human Resources staff work in a constructive, collaborative and transparent manner with trade unions, employee network groups and diversity and inclusion specialists.

(6) Devise a clear set of equality targets aimed at eliminating levels of racial harassment and bullying incidents and complaints. This should include a timeframe and action plan for achieving these targets, with a senior figure at board level being given responsibility for ensuring that these targets are achieved. This should also include heads of units being made accountable through the provision of clear performance indicators. Employee survey results should also be used as a key performance indicator. Ensuring that the company and local workplaces are representative of the workforce should also be a key performance indicator.

(7) Ensure that equality and diversity audits/ assessments do not simply focus on measuring the demographic composition of the workforce, but also examine whether there is structural inequality in terms of pay, bonuses and levels and rates of recruitment and promotion. Equality and diversity audits should also include information on reports of racism and the nature of racial inequality in the workplace/ organisation. They should also include input from employees, particularly in terms of

recording employee satisfaction levels in relation to equality and diversity training/ activities, employee engagement with line managers, experiences with clients and customers and how employers respond to racism in the workplace, as well as giving employees an opportunity to provide suggestions for improvements in these areas.

(8) Establish structures, roles and processes that unequivocally communicate that all reports of racism will be taken seriously and will be handled in a sensitive and timely manner. Employers should ensure that channels for reporting racism are made accessible, straightforward and transparent and that employees are informed of decisions and action taken. Where existing government legislation permits, employers should also develop ways of responding to racism that centre on the experience and outcomes from the point of view of the person/people who have been subjected to racism. In this regard, employers *should not* transfer the person(s) who have experienced racism unless they have made such a request to do so. Similarly, employees who have experienced racism *should not* be forced to continue working with the person/ people who has been racist towards them.

(9) Establish and sponsor ethnic minority employee networks which create 'safe spaces' and offer support to people who have experienced racism, as well as enabling such a network to allow employees to collectively address the nature of racism and racial inequality in the organisation and across different work sites.

(10) Ensure that training and the promotion of equality and diversity includes a discussion of the continued persistence of racism and racial inequality in the labour market, why the Race Relations Act was amended in 1968 to outlaw discrimination in employment, and why such legislation and equality duties are required today. This should take place within a broader inclusive discussion of Britain's multiracial history, with emphasis placed on the history of racism in this country. In accordance, with the 2016 report of the [United Nation's Committee on the Elimination of Racial Discrimination](#), this discussion should also 'contain a balanced account of the history of the British Empire and colonialism, including slavery and other grave human rights violations', with emphasis placed on how this informs the expression and experience of racism today.

(11) Employee training should also make a clear distinction between racism and prejudice, rather than succumbing to the challenge presented by White resentment and claims of 'reverse racism'. The prevalence of White resentment and claims of reverse racism should not be used to suggest that the aims and objectives of equality and diversity documents should be revised nor should they be used to justify reformulating the work of equality and diversity practitioners in order to address the unease and discomfort expressed by White employees. To do so, would validate the notion that equality and diversity work is 'the problem', rather than racial inequality and racial discrimination, harassment and bullying. Employers should also make a clear statement that any form of prejudice, including forms of prejudice and discrimination between ethnic minority groups, will not be tolerated.