

Lambeth Equality Commission

A Lambeth for all Residents

Briefing Paper 3: Participation, Representation and Leadership

'When it comes to who runs Britain, overall ethnic minorities are still hugely underrepresented in positions of power' EHRC (2016) Healing a Divided Britain

'There are over 10 million disabled people in the UK. Yet there are only a handful of MPs who have declared that they are disabled'. Disability Politics UK

This briefing paper considers issues of equality and diversity in some of the main organisations and institutions (including the Council) who employ, work with and provide services to, Lambeth's residents, and questions whether the profile and leadership of these organisations is representative of the borough as a whole.

The paper focuses on workforce representation and diversity as one factor which influences both how far Lambeth residents are able to look to at local institutions and employers and see a reflection of local communities; and, as a driver of decision making informed by diverse perspectives and experiences. We acknowledge that there are a range of other factors which contribute to people's experience of equality and diversity in their working lives, in service delivery, in their local communities and society more widely, though these are not explored in detail in this paper.

This paper begins by setting out the case for why diverse participation, representation and leadership is so important; assesses equality and diversity across key partners and within Lambeth Council; considers those factors which influence equality and diversity; and considers what works in tackling inequalities in representation and leadership. It goes on to raise some questions for the commission to consider. The data presented as part of this paper focuses on ethnicity and disability reflecting the focus of Lambeth's Equality Commission¹.

Policy context

The Equality Act 2010 brought together nine pieces of previous equality legislation (including the Race Relations Act 1976 and the Disability Discrimination Act 1995) into a single piece of discrimination law intended to protect individuals from unfair treatment and promote a fairer and more equal society. The act affects all sectors but made specific provision for the public sector in the Public Sector Equality Duty, which came into force in 2011. This duty means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It also requires that public bodies have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different people when carrying out their activities. As well as legislating against discrimination, the Equality Act makes a range of provisions which allow organisations to take steps to increase the diversity of their workforce at every level through recruitment and promotion practice.

¹ The commission is focusing on four groups of residents: Black Caribbean, Portuguese, Somali and disabled residents.

The Equality Act 2010 makes it unlawful to discriminate against employees, job seekers and trainees because of race - this includes the different elements of colour, nationality, and ethnic or national origin. The act covers four types of discrimination: direct discrimination; indirect discrimination; victimisation and harassment.

The Equality Act outlaws discrimination based on a disability, which is defined as an impairment that is 'long term' (one that has lasted 12 months or more, or is predicted to do so) and 'substantial'.² Employers are obligated to make 'reasonable adjustments' for disabled staff, including letting certain employees work flexibly and providing specialised equipment and facilities. The government funds Access for Work grants in order to help pay for these adjustments. However, making an adjustment is not always mandated: there are occasions in which there is an essential part of a job that cannot be adapted with a reasonable adjustment³.

Whilst there is evidence of the act having had positive impacts in some areas, there are ongoing questions about its effectiveness, particularly in tackling disability discrimination in particular⁴. According to a government report, the Equality Act has been seen as less effect than the dedicated Disability Discrimination Act and Disability Rights Commission that it replaced. In addition, enforcement of the act's provisions was being cut with the government's 'Red Tape Challenge', which cut some regulation of employers. The Equality and Human Rights Commission used to have a helpline to provide advice, and arranged conciliation in non-employment cases; the helpline has been outsourced, and the conciliation practice has been cut. Finally, while the Equality Act has been praised in terms of its ability to encourage employers generally to consider disability, in legal terms its wording is quite vague and difficult to enforce⁵.

Why is diverse representation and leadership important?

As well as the overwhelming moral case for pursuing diverse representation, participation and leadership, there are a number of compelling practical reasons for pursuing diverse representation, participation and leadership, both within public sector organisations and more widely.

Organisational culture and effectiveness

There is wide ranging evidence that greater diversity and representation in decision making results in more effective processes and better outcomes. Whilst much of this evidence relates to ethnicity and gender, it is reasonable to assume that it would apply to other protected characteristics, including disability.

There is evidence that more diverse participation in decision making processes results in fairer outcomes. For example, more racially diverse juries have been shown to deliberate for longer, consider more evidence and be less likely to make inaccurate judgements⁶. At the government level, public sector research has shown that greater representation of minorities leads to a public sector that is more

² Definition of Disability Under Equality Act 2010, <https://www.gov.uk/definition-of-disability-under-equality-act-2010>.

³ <https://www.gov.uk/recruitment-disabled-people/job-specifications>

⁴ <http://www.publications.parliament.uk/pa/ld201516/ldselect/ldseqact/117/117.pdf>

⁵ Select Committee on the Equality Act 2010 and Disability, (2016) The Equality Act 2010: The Impact on Disabled People.

⁶ *Journal of Personality and Social Psychology*, Samuel R. Sommers, (2006) On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations.

responsive to those groups⁷. The benefits of diversity extend into organisations and processes which are driven by commercial rather than social outcomes. Evidence from the United States, shows that private sector companies with greater racial and gender diversity have better financial performance and growth⁸.

Whilst the reasons why diversity is associated with better decision making and outcomes needs further investigation, it appears that individuals working in a diverse group are:

- less likely to engage in ‘group think’ (agreeing as a group to promote harmony or reduce conflict);
- more likely to consider information more deeply and accurately;
- more likely to examine the support for their own beliefs and abandon those not supported by evidence; and,
- more likely to be receptive to new ideas.

As well as resulting in more effective processes and better outcomes, diverse representation has also been shown to improve external trust in the groups or organisations delivering these outcomes. There is more trust, for example, in the verdicts delivered by more diverse juries⁹. We know that this is also true locally, with the council’s diversity (including at leadership level) being seen by some residents as an indicator of how fair and therefore trustworthy we are as an organisation. Research with Black Caribbean residents particular identified concerns about the degree to which the council promotes equality and diversity, and about the experiences of BAME staff¹⁰.

Workforce representation and leadership: the wider picture

Workforce diversity, and in particular, representation of people with equalities characteristics (be it ethnicity, disability, sex or sexual orientation) in leadership roles is an issue that cuts across all areas of public life and the private sector.

Ethnicity

It is clear that people from BAME backgrounds are considerably underrepresented in public life and in business, particularly at leadership levels. For example:

- whilst the 2015 General Election saw an increase in the proportion of MPs who are from an ethnic minority but minorities still massively underrepresented in both national and local political positions¹¹;
- In 2012 only 6% of judges who declared their ethnicity were from an ethnic minority;

⁷ Journal of Public Administration and Theory, (2007) [Representative Bureaucracy: Exploring the Potential for Active Representation in Local Government](#).

⁸ *Academy of Management Journal*, Orlando C. Richard, (2003) Racial Diversity, Business Strategy, and Firm Performance: A Resource-Based View; McKinsey and Company, (2015) Diversity Matters.

⁹ Journal of Personality and Social Psychology, Samuel R. Sommers, (2006) On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations.

¹⁰ Over a third of the Black Caribbean residents who took part in Equinox Consulting’s 2013 research in Lambeth disagreed that the council promotes equality and diversity (this compares with only 4% of the respondents to the Lambeth Residents’ Survey). Those who disagreed said that although the council employed a diverse staff, many of those staff occupied junior roles, often on the frontline, and thus could not influence or change policy.

¹¹ EHRC (2016) Healing a Divided Britain

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- Ethnic minority police officers make up 13% of the Metropolitan Police force (compared to around 6% in England) however this is still not reflective of London's diverse population. At leadership levels proportion shrinks to around 6 %;
- In London community schools where data is available, 34% of employees whose ethnicity is known are black compared to 40% of the population. Unison reports that across London schools, white staff are 4% more likely than black staff to be in an upper pay scale (defined as £29,558 and above).
- 43% of the staff at Kings College Hospital are BAME, but of the very senior managers (VSM) the figure is just 8%¹². In St Thomas Hospital, 37% of the workforce are BAME, but less than 10% of staff in the top pay band are BAME¹³. The South London and Maudsley NHS Foundation Trust, who run Lambeth Hospital, have reported that 19.5% of staff in the top pay bands are BAME, compared to 39.7% of the staff as a whole^{14, 15}.

We do not hold any information on the make-up of our workforce or our partners' workforces by nationality, and thus cannot estimate Portuguese or Somali representation in these areas. A 2015 report on the Portuguese community in Lambeth highlighted its lack of formal representation; it reported that this in part reflected 'a suspicion and wariness of political institutions and state services acquired through experience of unstable and oppressive regimes in their countries of origin', and because of the significant language barrier faced in public services.

Disability

There is less available evidence on representation of disabled people in all sectors, and the data that is available is less clear and straightforward than that for ethnicity. In London police, for example, data on disability is not formally published in the same way as ethnicity data. The main source of data comes from Freedom of Information Requests, which suggest that in 2014 around 0.6% of police officers declared a disability.¹⁶

It has been noted that disability data can fluctuate wildly between years due to changes in the number of people who report it. There is concern that disability is vastly underreported, partly due to the fact that disabled staff may be concerned about being targeted in cuts due to their impairment. In addition, the definition of what constitutes a disability may vary according to the individual and employer collecting the data.¹⁷

The 2015 King's College Hospital 'Annual Equality and Diversity Workforce Information Report' suggests a similar degree of uncertainty over disability data, pointing to the fact that 3% of staff are recorded as having a disability, compared to 16% of respondents in their 2014 National Staff Survey.¹⁸

¹² King's College Hospital, (2016) [Workforce Race Equality Standard](#).

¹³ Guy's and St Thomas' NHS Foundation Trust, (2015) Statutory Annual Workforce Diversity Monitoring Report 2014/15.

¹⁴ South London and Maudsley, (2016) (2016) Workforce Race Equality Standard.

¹⁵ It is important to note that these top pay bands may differ in their scope, thus shifting the relative level of representation; the general trend, however, is apparent for all of these hospitals.

¹⁶ UK Home Office, (2014) Police Officers age profile and disability statistics in England and Wales from 2010 to 2014.

¹⁷ BBC, (2012) 'Doubts affect inconsistent police disability statistics'.

¹⁸ King's College Hospital, (2015) Annual Equality and Diversity Workforce Information Report. Interestingly, the 16% figure used as a point of comparison includes those with a long term illness, which should not necessarily be equated with disability.

In the UK judiciary proportion of magistrates who have declared a disability is 4% and this has remained stable for the last 5 years.¹⁹

Schools are asked to provide information on the number of teachers that record themselves as disabled, but only half did so in the November 2015 census. The results suggest that 0.5 per cent of teachers are disabled, but the report cautions that ‘this may not truly reflect the real position given the large amount of missing data.’²⁰

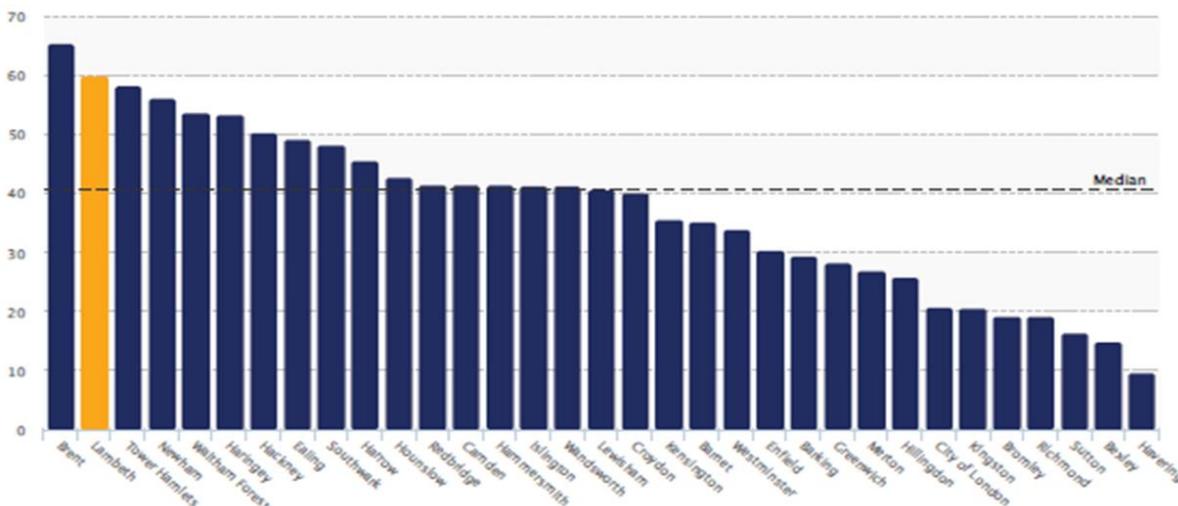
Although there are gaps in the data, all available data suggests that disability is underrepresented in all of these fields – and in public life more generally. In 2013/14, 1 in 5 people were disabled, but only about 7.3% of public appointments and reappointments were filled by disabled people.²¹

Lambeth Council

So what does the picture look like for Lambeth Council? We have the second highest percentage of BAME staff of any London Borough (at 60% of staff, compared to 44% of our resident population) and the highest percentage of Black employees in London (44% of staff, compared to 30% of the Lambeth population). White employees make up 40% of our workforce compared to 55% of the resident population. In fact, Lambeth has by far the highest proportion of black staff, and the lowest proportion of white staff, across all London boroughs.²²

Ethnicity - BAME

The following analysis includes data from all London boroughs.



Lambeth Council, (2016) Human Capital Metrics Survey.

However, despite our good representation of BAME staff overall, representation of Lambeth’s diverse communities is less evident in our leadership roles. Of the top 5% of earners only 23% were BAME²³. This

¹⁹ Judicial Office, (2016) Judicial Diversity Statistics 2016.

²⁰ Department for Education (2016), School Workforce in England: November 2015.

²¹ Papworth Trust, (2016) Disability in the United Kingdom: Facts and Figures.

²² Lambeth Council, (2016) Human Capital Metrics Survey.

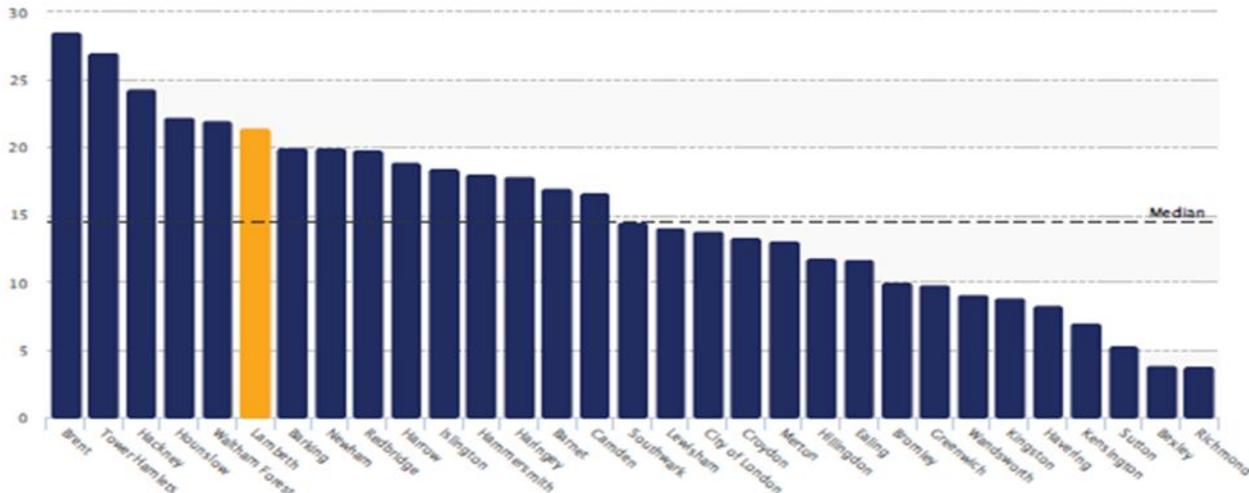
²³ Lambeth Council, (2016) Human Capital Metrics Survey.

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contributes to a significant overall pay gap by ethnicity. So, whilst our representation of BAME staff in our most senior roles is in the top quarter of London Councils and significantly above average, it is not a position we are happy with and is one we are trying to address, as detailed below.

Ethnicity - Percentage of top 5% earners: BAME

The following analysis excludes Councils that have not yet submitted data for this metric, ie: Enfield, Westminster.



Lambeth Council, (2016) Human Capital Metrics Survey.

A similar trend is apparent when it comes to disabled staff. Lambeth holds data on disability for about 3/4 of its staff. Of the 31 London boroughs for whom data is available, Lambeth has the 7th highest proportion of disabled staff (7%). When it comes to the earners, however, only 2% are disabled, the 9th lowest proportion in London.²⁴

While we do not hold reliable data on our 64 councillors, informal analysis suggests that while they are broadly representative in terms of gender, BAME and disabled people are underrepresented.

Factors influencing diversity

There is growing evidence on the role of unconscious bias in recruitment and progression. Research suggests that biases about certain groups is universal and unconscious,²⁵ and that this bias can have a profound effect, especially in recruitment.

According to a research study on unconscious bias, over a third of participants demonstrated a bias against those with disabilities, higher than the equivalent figure for gender or ethnicity.²⁶ Over a third of the British public believe that disabled people are less productive than non-disabled people.²⁷

²⁴ Lambeth Council, (2016) Human Capital Metrics Survey.

²⁵ Greenwald et al., (1998) Measuring Individual Differences in Implicit Cognition: The Implicit Association Test. This test demonstrates that most people find it easier to associate a given ethnicity with some characteristics more than others.

²⁶ ENEI, (2014) Disability: A Research Study on Unconscious Bias.

²⁷ Scope, (2014) Current Attitudes Towards Disabled People.

Research has challenged the assumptions that have made some employers cautious about employing people with disabilities: evidence suggests that employees with a disability are just as productive as those without one.²⁸ Another study suggests that while employers are often anxious about the cost of accommodations, such accommodations are often zero-cost, and if not are on average very low cost.²⁹

Specifically in relation to ethnicity, name-based discrimination has been shown to have a significant effect in job applications: applicants with white names were 29% more successful in a recruitment process than applicants with a BAME name.³⁰ This suggests that name-blind recruitment would eliminate some discrimination, conscious or unconscious, in the recruitment process.

Bias in recruitment has also been demonstrated with regards to disability, although those with a physical disability are generally viewed more favourably by employers than those with a mental, emotional or communication disability.³¹ In one survey of employers, several described their reluctance to hire disabled staff due to lack of awareness of disability issues, concerns over the cost of accommodations, and fear of legal liability.³²

Experiments around 'stereotype threat' have shown how a test is presented can affect a candidate's performance depending on their ethnicity. One classic study demonstrated that black candidates performed far worse on a test than white candidates only when they were told in the instructions that the test would measure their intelligence.³³ The same effect has been found in relation to those with a physical disability.³⁴

Another way that recruitment and promotion can reflect bias in the form of 'cultural matching', where employers seek applicants who are not only competent, but are similar to them in terms of leisure pursuits, experiences and self-presentation styles.³⁵ Social class can play a key role in recruitment, not only filtering in through existing inequality at university level, but pervasive in the cultures of elite organisations.³⁶

In terms of ethnic diversity, feelings that high-level positions are exclusive based on background remain; the lack of diverse leadership in the Civil Service has been characterised as self-fulfilling as employees do not have role models to inspire them and make them believe they can reach senior management.³⁷ BAME staff have also cited a lack of support when it comes to career progression, common negative assumptions

²⁸ Hindle et al., (1999) Are Workers with a Disability Less Productive? An Empirical Challenge to a Suspect Axiom.

²⁹ McDonald et al., (2007) Exploring the Bottom Line: A Study of the Costs and Benefits of Workers with Disabilities.

³⁰ Department for Work and Pensions, (2009) A Test for Racial Discrimination in Recruitment Practice in British Cities. In the experiment, the only variable was the name of the candidate; the recruitment test was not administered in person.

³¹ Greenwood, et al., (1991) Employer Concerns Regarding Workers with Disabilities and the Business-Rehabilitation Partnership: The PWI Practitioners' Perspective.

³² Kaye et al., (2011) Why Don't Employers Hire and Retain Workers with Disabilities?

³³ Steele and Aronson, (1995) Stereotype threat and the intellectual test performance of African Americans.

³⁴ Desombre et al., (2017) Stereotype threat among students with disabilities: the importance of the evaluative context on their cognitive performance.

³⁵ Lauren A. Riviera, (2015) Hiring as Cultural Matching: The Case of Elite Professional Service Firms.

³⁶ Ashley et al., (2015) A qualitative evaluation of non-educational barriers to the elite professions.

³⁷ Ethnic Dimension Research and Consultancy, (2014) Identifying and Removing Barriers to Talented BAME Staff Progression in the Civil Service.

about them as individuals, and assumptions that they occupy a junior position as challenges in the workforce.³⁸

Confidence and self-belief is a recurring theme both in relation to ethnicity and disability. More than a third of employees expect their disability is a barrier to career progression.³⁹

Increasing diversity leadership: What Works?

Name-blind recruitment has been generally shown to be effective in reducing unconscious bias, particularly in relation to gender. However, one study in France found that name-blind recruitment was associated with lower call-back rates for migrants and residents of deprived neighbourhoods. It has been suggested that this may be because name-blind recruitment does not prevent employers from accessing other information, such as a candidate's spoken languages and education history, which point to their ethnic or national profile; some have suggested that a more comprehensive approach needs to be taken, which would hide all such indicators in the initial stage of recruitment⁴⁰.

In relation to stereotype threat and recruitment, an experiment performed by the Behavioural Insights Team in partnership with the Avon and Somerset Constabulary centred itself around a situational judgment test (SJT) that police applicants were sent by email to complete online. Half of the candidates received a standard email, while the other half received the same email with a few extra sentences that asked them to consider the effect they would have on their community as a police officer. These extra sentences did not affect the performance of white applicants, but the BAME group that received this second message received higher scores and were 20% more likely to pass the test than the BAME control group⁴¹.

Changes to the recruitment process are one way to increase diversity; the other includes a wide range of managerial interventions. Some of these have been called into question in recent years, and none more so than mandatory diversity training. Research psychology suggests that traditional mandatory diversity training systematically fails to increase representation in leadership positions. In fact, it may do more harm than good. A meta-analysis of diversity research found that mandatory diversity training had a negative effect (of 9%) on the representation of black women in managerial roles, and a negative effect of about 5% on the representation of Asian men and women in those roles⁴². It has been conjectured that part of this effect is due to white distrust and resentment of such diversity initiatives; white employees can perceive such equality measures as being discriminatory and unfair to white staff⁴³.

Research consistently suggests that successful diversity initiatives are more often indirect than direct, and typically focus on recognising and rewarding potential rather than punishing bad behaviour. Successful initiatives included voluntary diversity training (that allowed participants to feel proud rather than resentful about their involvement), having self-managed teams, cross-training staff, creating mentoring

³⁸ Equality Challenge Unit, (2011) The experience of black and minority ethnic staff in higher education in England.

³⁹ PMI, (2016) Disability Still Seen as Barrier to Career Progression.

⁴⁰ Krause et al., (2013) Anonymous Job Applications in Europe.

⁴¹ Behavioural Insights Team, (2015) [Promoting Diversity in the Police](#).

⁴² Dobbin and Kalev, (2006) Best Practices or Best Guesses? Assessing the Efficacy of Corporate Affirmative Action and Diversity Policies.

⁴³ Dr Stephen D. Ashe & Professor James Nazroo, (2015) Equality, Diversity and Racism in the Workplace: A Qualitative Analysis of the 2015 Race at Work Survey.

schemes, initiating 'diversity task forces' that created accountability for diversity, and hiring a diversity manager.

Council Activity to Promote Diversity

Several pieces of research have been commissioned in relation to black employees in Lambeth Council. Our HR team is currently conducting more research with a view to designing interventions to increase the number of black senior managers. Focus groups will be held next month with black staff and white staff to identify some of the issues that black staff face within the council and any barriers to their promotion. A wide range of interventions may be put in place as a result of the research, including a mentoring scheme or unconscious bias training.

To date, there have been no major initiatives to date that have been targeted specifically towards disabled, Portuguese or Somali staff members.

Questions for consideration/discussion:

- 1) What, to you, appear to be the most critical issues that would help encourage greater participation, representation and leadership?
- 2) Based on what you have read here and your wider knowledge, where do you think we could have most influence and what are the levers available to us?
- 3) What are the gaps of information around the issue of representation and leadership within Lambeth? What further data would help in identifying the problems?
- 4) What actions can the council take to promote greater diversity in leadership positions throughout the borough?
- 5) Are there other partners or agencies the Council should be seeking to influence that would help overall approaches to tackling issues of representation?

NOTE ENDS