

A Fairer Scotland For All: An Anti-Racist Employment Strategy

Appendixes

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This appendix sets out in further detail the role and use of data in terms of collection, analysis, and application. Examples of data practice implemented by employers are also included.

Collection of data

- Data collection can help employers better target support and actions.
- Poor data collection (and reporting) can hide inequalities and risk dismissing the case for addressing them in an organisation putting particular groups at greater risk or poorer outcomes.
- A clear example of this is the COVID-19 pandemic, where existing, unaddressed health and labour market inequalities among people from racialised minorities and disabled people in Scotland were intensified.
- Collection of data is not only important to identify and address barriers and inequalities among employees, but also among people accessing the services that employers provide.
- Trade unions can help employers regarding the collecting and building of data sets.

Equality and diversity data provided by workers for their employer is voluntary. This requires employers to consider their approaches carefully to how they effectively and successfully gather data and use it.

For bodies subject to the Scottish Specific Duties, the collection of certain data is a statutory requirement, and the duty to have due regard to the Public Sector Equality Duty includes a requirement for relevant authorities to be properly informed before taking decisions. The collection of data is necessary for employers wishing to report their ethnicity pay gap.

Data collection is a commitment in the [Race at Work Charter](#) which is an initiative for employers who, as signatories to the charter, are committed to taking forward key actions in their organisations.

Through our engagement with stakeholders in developing the strategy, it was acknowledged that there is a historical and wider societal issue related to workers not providing equality and diversity data to their employer. Some of the reasons for this have been highlighted by stakeholders including lack of trust in the organisation and not knowing what the information is being used for. This is compounded by the possibility of a workplace not feeling inclusive for racialised minorities who have experienced discrimination because of their race, not just in the workplace but from life in general.

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Ethnicity categories themselves are also a subject of contention. Different groups may not know which ethnicity category they fall under or oppose the way their ethnicity is categorised.¹ Being aware of this along with providing a reason for the categories that have been used will strengthen an employer’s messaging when looking at communication to encourage workers to provide this information.

Local authorities have addressed this issue by aligning to the Census Scotland categories, which start with 6 broad categories:

White
Mixed or multiple ethnic groups
Asian, Scottish Asian or British Asian
African, Scottish African or British African
Caribbean or Black
Other ethnic group

Each of these broad categories are further broken down or give the option to add information.² Guidance is also provided on completing this part of the Census.³ By aligning to the Census Scotland categories, employers will have a consistent approach to how data is collected at national level, which would help provide a national comparator.

The Scottish Government has also produced guidance⁴ for public bodies on the collection of data on ethnic group. This includes how to present and ask questions in relation to each ethnic group to ensure the best quality ethnicity data.

1 [Scotland’s Census 2022 – Equality Impact Assessment Results](#)

2 [Scotland’s Census 2022 – Question Set](#)

3 [What is your ethnic group? | Scotland’s Census 2022](#)

4 [Data collection and publication – ethnic group: guidance – gov.scot \(www.gov.scot\)](#)

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Employers have shared the positive impact of using self-access online systems for staff to provide equality and diversity information. It has been recognised as a useful practical measure that ensures that the member of staff has autonomy in providing the information and providing it confidentially. Where staff have deleted their equalities data through this system, employers can also use this as an indicator and prompt to understand why. For example, employers could consider deletions as evidence that some workers no longer feel comfortable providing this information and that more work is to be done to create an inclusive workplace culture.

Example of an equalities-wide data campaign by City of Edinburgh Council:

Equalities Data Campaign

Background

Historically, each local authority held their own set of equalities data questions and the same was true of the recruitment portal used by all local authorities which gathered a separate and unrelated set of questions. It was clear that, to compare data inter-authority or nationally, a consistent data set was required. The Society of Personnel and Development Scotland (SPDS) equalities portfolio sub-group led discussions on which data set to use and, initially, it was challenging to achieve consensus. However, as discussions were ongoing, the data set for the Scottish Census was being finalised and, once this was complete, the group felt that it made most sense to mirror those questions and to propose that COSLA adopt the same data for recruitment across all 32 local authorities.

Some local authorities, such as Edinburgh, migrated their internal HR systems to the new data set as soon as agreement was reached (around November 2020) and by April 2021, COSLA were also able to move to the new question set. As well as achieving the consistency we were hoping for, the questions at a recruitment stage were now made compulsory, although each question does provide a 'prefer not to say' option, this has provided us with a full view of recruitment from an equalities perspective for the first time.

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Edinburgh Equalities Data Campaign

At the point where we transitioned our existing data over to the new question set, we began a campaign to engage all colleagues in updating their data. As there was no direct match for some of the questions from our old data set in the new census data, it was important that people had an opportunity to review what we held and make amendments, as required. This was particularly true of our data around marriage and civil partnership because a large number of colleagues had indicated that they were “single” in the old question set but there was no direct equivalent for this answer we could map to in the new question set.

The campaign comprised the following activities:

- A series of articles via our internal communications channel, Newbeat. The articles highlighted the importance of holding accurate equalities data, what we use the data for and how we manage the data in terms of confidentiality and GDPR.
- Video messages from our Executive Sponsor for Equalities and Inclusion, our colleague networks and our trade union representatives highlighting, again, the importance of updating your data.
- PC wallpaper was replaced across our IT estate with a campaign “poster” encouraging colleagues to update their data.
- Direct messaging about how to update your data was sent out with payslips.
- Feature articles in correspondence circulated to trade union members through their direct communications.
- Articles targeting managers through our “Managers News” channel asking them to encourage and support colleagues to update their data.
- Inclusion Calendar dates were used to focus on specific groups who share a protected characteristic by, for example, running personal profile stories where colleagues shared their lived experience. These stories were often ‘topped and tailed’ with links to where data can be updated and why we are reminding colleagues to do this.
- Colleagues with no access to online systems were contacted directly, asking them to update their data using an external system which we then imported to our internal HR system.
- A monthly reporting system allowed us to check regularly how we were progressing with each of the categories from our baseline data.

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Results and next steps

We have seen significant progress across all areas and particularly encouraging gains in those areas where we had lowest reporting rates (gender reassignment, sexual orientation, and religion or belief). In terms of ethnicity reporting, this has increased by 5% over a 12-month period, reflecting an 88.2% reporting rate from colleagues. Our next steps will be to build on this progress and target these areas to improve recording rates whilst also seeking a better understanding of our carer data.

We will do this by running a series of targeted communications, aligned to our Inclusion Calendar, and specifically gearing our content towards groups who share these protected characteristics as this is one of the areas where we have seen best results in the campaign to date.

Even where an employer has an effective data collection process, there is the overall challenge of it showing low numbers of racialised minority staff in the returns and even lower numbers for intersectional analysis. However, whilst low numbers may prevent employers from publishing this data due to the General Data Protection Regulation (GDPR), that does not prevent employers from using this evidence to consider what measures can be taken to address inequality.

It is important to consider GDPR implications before collecting and reporting ethnicity workforce data. Stakeholder engagement tells us that employers who do not collect data on ethnicity indicate that the reason behind this is concern around GDPR and legal restrictions.

“Personal data regarding ethnicity is classified as a special category of personal data under the GDPR. When processed, such data may create significant risks to employees’ fundamental rights and freedoms, for example, resulting in unlawful discrimination. The GDPR is designed to protect individuals. The GDPR doesn’t prevent the collection of ethnicity data, however, it is important organisations consider the GDPR requirements that must be addressed before starting such collection.”

Data Protection Strategy, Legal and Compliance Services Director, PricewaterhouseCoopers

Another challenge is the inconsistency of approach across sectors. Different public bodies are using different recording tools and measures for data collection and reporting. For example, some organisations will report percentages, and others, numbers.

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Collecting data also includes collecting qualitative data. In the context of employment, qualitative data can tell you how racialised minority staff experience the workplace. Both quantitative and qualitative data types are necessary to improve policies and practices to increase the representation across all levels in an organisation.

Qualitative data can be gathered through:

- Staff surveys or focus group sessions that include questions around work satisfaction, progression, experiences of bullying and harassment of any kind
- Focus groups that can be organised by workers sharing more than one protected characteristic e.g. experience of the workplace by racialised minority women or a young racialised minority disabled person
- Exit interviews to determine the reasons why staff left and what they liked and disliked about the organisation
- Feedback from staff networks

This can yield a lot of valuable evidence despite having low levels of representation in the workforce.

Case Study: NHS Scotland – National Minority Ethnic Staff Forum

NHS Scotland has established a National Minority Ethnic Forum. As well as being a formal structure for gathering important qualitative data of the experiences of ethnic minority staff, the Forum will facilitate a clear, strong, and credible voice and structure for agile engagement in the development of policies and initiatives and work to improve workforce data.

One of the Forum's aims is to increase the awareness of the differences in experience for minority ethnic employees within the context of employment and career progression. Acting as a collective to discuss the different experiences of its members, it will use this qualitative data to provide new insight into the complex barriers to employment progression and put together practical and creative solutions to help close the employment gap for minority ethnic staff.

Gathering qualitative data will be challenging if racism and hostility is experienced by racialised minority workers and is compounded by insecure job conditions. Employers will need to take account of the power dynamics of this type of discussion and ensure that the messaging around the gathering of data is clear in terms of its purpose and how it will be used.

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The Scottish Government has also developed [case studies](#) of good practice in relation to equality data collection in the Scottish public sector. This work is an output of the Scottish Government's Equality Data Improvement Programme (EDIP). Key features that were highlighted include:

- having defined outcomes that require the collection and analysis of high quality equality data and analysis;
- establishing steering groups with a remit to drive the improvement of equality data and work strategically to reduce inequality;
- introducing a system that records relevant equality data in a systematic way and allows analysis and reporting to be carried out;
- using census-based categories and definitions for recording equality data to allow comparison with other population-level datasets; and
- mandatory completion of an equality monitoring form, which provides information about how the information will be used, and provides a 'prefer not to say' option for each question.

Analysis of data (Assess – Plan)

Following the collection of data, employers should be looking at what the data is telling them. While the examples provided below can give general analysis in terms of recruitment, retention and progression, analysis by more than one variable or characteristic at a time will provide a more detailed picture. For example, racialised minority women, women who are racially minoritised and are disabled and racialised minority women and hours of work. Analysis can help to show:

- The ethnicity profile of an organisation. This can be used to determine whether it is reflective of the population and the local population it serves. Each ethnicity category could be analysed to understand the percentage proportion of staff who are female and further analysis could show the types of roles occupied.
- The percentage or number of people from racialised minorities applying for posts, being selected for interview and then appointed. The data can help to identify drop off rates at each stage according to ethnicity category and other characteristics such as gender and disability.
- The percentage of staff in senior positions according to ethnicity.
- The number of staff in entry-level or lower-grade positions according to ethnicity. If data shows disproportionate levels, action could be taken to focus on progressing staff from entry-level or lower-grade positions.

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- The disparity in pay according to ethnicity, either between roles or within a role. This could help to begin to address what is causing it.
- The number of workers represented in working patterns and employment contracts according to ethnicity and other characteristics such as gender. For example, if there is a higher proportion of women, including racialised minority women working part-time, does the organisation need to provide greater flexibility to allow for full-time working?

Qualitative data sources can be also useful for determining whether there are barriers including:

- Performance marking appraisals – what are the markings across an organisation according to the ethnicity profile of the workforce? Are there any disparities when looking at markings of racialised minority staff?
- Stress-related absences – are there particular trends when analysing data according to ethnicity and the data of racialised minorities and if so, are there intersections with other characteristics that need to be taken into account?
- Exit interviews – what are the reasons racialised minority staff leave the organisation and are barriers related to other characteristics highlighted?
- Sideways transfers – are racialised minority staff moving posts in the organisation without progressing? If so, why – are there certain roles where this is more likely to occur?

The Scottish Government is committed to taking an anti-racist approach to address institutional racism in our organisation and improve outcomes for minority ethnic workers.

The following section outlines how we are taking steps to meet this commitment. This is an opportunity to support employers by sharing our actions, progress and lessons learned.

What our data tells us

Minority ethnic staff are under-represented at every band compared to the Scottish working age population. Our ethnicity pay gap (in December 2021) was 4.23% in favour of staff declared as white. This marks a decrease from the ethnicity pay gap in 2020 (7.27%) and 2019 (6.42%).

Ethnic minority		White		Pay gap	
Mean	Median	Mean	Median	Mean	Median
£38,360.57	£34,600.00	£42,194.75	£36,129.00	9.09%	4.23%

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The declaration rate for ethnicity in December 2021 was 80.7% and ethnic minorities represented 2.8% of the workforce. This includes those who have selected 'prefer not to say', but not those who have not completed the diversity monitoring question on ethnic group.

The ethnicity pay gap pattern we have seen over the past few years (an increase followed by a decrease) supports what would be expected following previous recruitment drives, with larger proportions of minority ethnic staff joining the organisation meaning they are more likely to be on the minimum pay step compared with the wider workforce, and this gradually shifting over time. Recruitment drives that result in the intake of more minority ethnic staff will need to continue in order for this pattern to carry on, and there may be fluctuation in the pay gap as a result.

While this is a step in the right direction, collecting ethnicity pay gap information is only one part of the picture that helps us determine how we can address structures and processes that enable and embed inequality. Alongside this we analyse data from other sources, including our annual Civil Service People Survey, which helps us understand workers' workplace experiences.

Available data from our People Survey 2020 show us that:

Employee engagement is higher among Asian, Asian Scottish and Asian British (80.0%), Black, Black Scottish and Black British (77.3%) and Mixed or Multiple Ethnic Group (74.2%) staff than White staff (69.7%)

- The rate of discrimination reported (6.5%) among Black, Black Scottish and Black British staff is equal to the Scottish Government average rate. This has decreased from 2019, where the rate of discrimination reported among this group was 29% compared to the average rate of 13%.
- The rate of bullying and/or harassment reported (0.0%) among Black, Black Scottish and Black British staff is much lower to the Scottish Government average rate (7.4%). This has decreased from 2019, where the rate of bullying and/or harassment reported among this group was 17% compared to the average rate of 12%.
- Discrimination experienced by staff selecting Mixed or Multiple ethnic groups has increased from 10% in 2019 to 14.3% in 2020, significantly higher than the Scottish Government average.

As employers we recognise the vital need for transparency in terms of progress to address inequality, and to hold ourselves to account where we have not made progress.

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Application of data (Action)

Once employers have collected, analysed, and reported their ethnicity data, including intersectional analyses where the data allow, employers can then use that data to monitor the experience of racially minoritised staff and inform policies and processes to improve it. This is the most important step to addressing inequality in the workplace.

Employers can use data to identify barriers to progression. If intersectional analysis of data is carried out, for example, breaking down employee data by ethnicity, gender and working pattern, this can identify whether racialised minority women are clustered in part-time jobs and what the impact this has on progression.

Employers can use ethnicity data to review their recruitment actions from monitoring attraction, sift, assessment, interview, selection through to appointment. When employers look at the local demographic data and use it as a baseline it can help employers to better understand what volumes of applicants from diverse candidates their job vacancies should be attracting.

Employers can use the data to monitor progression, and appraisal ratings as well as access to temporary promotion opportunities. Reviewing the representation in the central roles and those that attract the highest salaries can also help employers consider if there is an issue relating to building a pipeline of talent to improve this for the future with inclusive succession plans.

Employers can also use data to monitor the rates of attrition by diverse group. There is also evidence of employers using data to ensure fair and inclusive access to training and development opportunities and also secondments outside of the organisation.

Data can also be used to monitor the level of bullying and harassment complaints from employees and the number of employees who are subject to formal disciplinary procedures should also be monitored.

Where disparities exist, there is an opportunity for employers to engage with HR, learning and development and employees themselves via employee networks and affinity groups, focus and advisory groups, to better understand the challenges and together identify possible solutions.

Insight can also be captured from one-to-one conversations when there are not large numbers of people from diverse ethnic groups within the organisation. Common themes from these discussions can help to create a picture about some of the trends and challenges that may need attention.

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Through analysing their ethnicity pay gap, larger employers have reported undertaking a range of activity such as partnering with anti-racist charities to support the provision of educational resources and being involved in national roundtable discussions on how employers can create inclusive workplace cultures.

We can see in the examples below some of the actions that employers have taken from the data they have analysed.

Case Study: Changes in recruitment practice

A small private sector company with a workforce of 20 people has begun to make changes in its recruitment practice. This was initiated by its CEO following the resurgence of the Black Lives Matter movement in 2020. The focus on racial inequality from this made the company look at its own workforce and it realised that it was not diverse (with the majority of staff being white). While the company has a small staff level it has significant prominence and sees itself as having a caretaker role for the business community in Scotland. Looking both inwards and outwards, it saw the need to make changes to begin to diversify its workforce to improve its own business and to inform on how it can best support other businesses regarding diversity. The employer sought out race equality training – recognising the limitations of teaching themselves. The training provider provided the space for staff to have discussions which was a crucial part of the training which led to learning and implementation in practice. The recruitment process has been overhauled and sifting of applications has become anonymised – focussing primarily on candidate's responses to the question on how they meet the essential skills set by the company. For interview panels, this is now gender-diverse and the company are building up connections with partner organisations to ensure a more diverse reach for positions it recruits.

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North Lanarkshire Council (NLC) has made clear their commitment to improve racial inequality. It has signed up to the Race at Work Charter⁵ and associated seven commitments, the first Scottish Local Authority to do so.

Data collection

NLC used findings from their 2021 analysis of ethnicity data part of their requirement under the Public Sector Equality Duty and as per the commitment in the Race at Work Charter. They gathered ethnicity data through an anonymous minority ethnic staff survey developed in partnership with their Employee Equality Forum. This is alongside the data provided through the self-reporting HR system where workers can update their equalities data at any time.

They introduced the survey with positive messaging, as follows:

“The Council aims to be the best employer it can be. To help us we need to understand what it is like for employees who currently work for the Council. We are undertaking this survey to explore the experiences of our Black, Asian and Minority Ethnic employees.

The first section **About You** asks questions which will help us understand if different people have different experiences, for instance, Asian women may have a very different experience to working in NLC than a Polish male.

The following sections 2 – 5 were developed in partnership with the Council’s Employee Equality Forum and ask about: the job you do, progression and career development, workplace culture and experiences and actions for change.

The survey is completely anonymous and confidential. Nothing within it will identify an individual. If you would like more information before completing it please contact...”

⁵ [Race – Business in the Community \(bitc.org.uk\)](#)

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Data Analysis

Their data showed that:

- All BAME employees were surveyed and around 30% responded.
- A significant proportion of these have been with the council for more than five years. Importantly, 68% of these employees said they are satisfied in their work all or most of the time.
- 70% of respondents have never applied for promotion. 21 % have line management responsibility.
- Workplace culture – 75% of employees feel they are valued members of their teams. When asked about experiences of racist bullying or harassment in the last two years – 14% had experienced it from a colleague and 14% from a service user.
- The top two highest-priority items for these staff were compulsory anti-racist training followed by creating an executive sponsor for race

Their data which came from the employment gathering information required by the Scottish Specific Duties showed:

- Composition – 92 (0.63%) Council employees have recorded their ethnicity as being either Black, Asian, or Minority Ethnic (BAME) in comparison to 2.3% of our residents across North Lanarkshire.
- Promotion – the availability of promoted posts has reduced significantly since 2018, from 226 to 76. No promotions were made to BAME people in the same timeframe.
- Recruitment – disproportionately low interviews were offered to BAME people in 2020 in comparison to disabled, men and women.
- Progression – there are no BAME employees working at senior manager (NLC15 – 18) and none are Chief Officials. Within Education & Families, which accounts for almost 50% of the Council's workforce, there are disproportionately low numbers in all grades.

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Data Application

Based on the findings of the employee survey, the statistics, and what they needed to do in terms of the asks of the Charter, they shaped their annual Race Equality in Employment Action Plan. This Plan outlined where the issues were, what action they were taking to address it, by when, and with a measure by which to determine whether the action was successful. For example:

Issue	Actions	Measure	Timescale
Low self-recording of ethnicity on iTrent gives unclear picture of the ethnic diversity of our workforce.	Internal campaign lead by the BLM Working Group and the EEF to promote understanding of the need to record and encourage action.	Increase in numbers of employees self-recording in ethnicity category. Decrease in prefer not to say responses.	October 21 – January 22
Although there is low self-recording we know that there are low numbers of BAME people in our organisation (0.63%). The local population is 1.7% (not including white minority). We want to at least match this.	Work with COSLA to facilitate entirely anonymous recruitment at application and at shortleet. Unconscious Bias training for people on recruitment panels and managers. Job adverts to say that applications are particularly welcome from BAME people. Targeted recruitment campaigns to BAME representative organisations. Positive action in recruitment within teaching – probationers intake, Promote to teacher training establishments.	Increase in BAME people interviewed and appointed. Increase in applications from BAME people. Increase in BAME people working for the Council. Increase in numbers of BAME teachers.	September onwards September onwards Ongoing January 2022 onwards

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What the role and application of data mean for small-to-medium employers

When it comes to data management, it is important that it be proportionate to the resources available. In the context of the smaller employer, data should be:

- as simple, clear, and easy-to-produce as possible, to minimise the administrative and resource burden;
- sufficiently detailed and meaningful, to highlight the exact location and nature of any gaps;
- and indicate how these have been caused and how they might be closed.⁶

Review

Employers should consider the impact of any actions they have taken in terms of intended outcomes and how those outcomes contribute to the overall aims/objectives of their organisation.

For example, employers could review their actions to understand how well trust and commitment to diversity and inclusion has been established through the messaging and communication in a disclosure campaign; what was effective about the partnership work undertaken with external organisations to promote and support a disclosure campaign – what expertise did they bring that can be built on in-house; how clear was the data collection process to participants, including how it will be stored, used, who is responsible for it and has access to it, and whether or not it is anonymised; how well actions that have been taken and their outcomes have been communicated; and how involved senior leaders have been in the process.

⁶ CIPD, *Ethnicity Pay Reporting: A guide for UK employers*

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The Scottish Government's Race Recruitment Retention Action Plan

Signs of progress

Since the publication of the Plan at the beginning of 2021, we can see we are starting to deliver positive signs of progress, but the targets we have set are ambitious and will take time. Some positive findings of our actions to date include:

- The overall proportion of minority ethnic employees has increased from 1.7% in 2013 to 2.8% in 2021.
- At 86% positive, our overall Inclusion and Fair Treatment People Survey score is the highest on record and is above the UK Civil Service score. Between 2016 and 2021, the gap in that score for minority ethnic colleagues reduced from 5 percentage points to 2 percentage points.
- Participation in Black History Month events was at its highest during 2021, with the subscription to Race Equality Network and race ally networks also being at its highest.

Lessons learned and next steps

Whilst identifying actions for the Plan through stakeholder engagement and focus groups was relatively straightforward, the biggest challenge we face is how to measure the impact of these actions, particularly whether impact has been the effect of an individual action or the cumulative effect of many, when multiple actions are implemented in tandem.

We also recognise that the impact of some actions may be more slow-burning, not being evident until later. In the face of competing priorities and managing resource, decisions on whether to stick with actions that are not showing notable impact in timescales anticipated can be difficult.

Like many organisations, we felt the additional stretch on resources within our corporate teams in responding to the pandemic. In 2022 we made a shift to concentrate our resource and activity on 'Game Changers'. These were identified in collaboration with the Race Equality Network (REN) staff network, actions in the Plan which were felt likely to have the most impact, or to facilitate the most cultural change, in the shortest space of time. The focus of 2022 has been to deliver our Game Changers.

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Further, we acknowledge that we will not always get things right first time. And whilst our vision is clear and our ambitions high, we recognise effecting real and palpable change for minority ethnic staff is a complex and continual process. It calls for a willingness to disrupt our own thinking and the usual ways of doing things, to relinquish power and to get comfortable with being uncomfortable.

What will success feel like?

Our actions are only one part of the process – and they are only as successful as the change they help to create. Our actions need to show measurable progress to address inequality for racialised minority workers. How we measure success against these actions will depend on what the data is telling us and what racialised minority workers say it feels like to work in the organisation.

For example, for recruitment and representation, we have set the following progress indicators:

- Minority ethnic people represent 5.8% of workforce composition and at each level. This figure has increased from 5%, since the date of publication in line with the working age population in Scotland.
- The ethnicity pay gap reduces

For building an anti-racist culture we would look to see:

- Reduction in discrimination, harassment and bullying scores in the People Survey, across all ethnic groups and intersections with other aspects such as gender and disability
- ‘Inclusion’ measures from the People Survey demonstrate a strong sense of inclusion amongst minority ethnic colleagues
- Employees are confident to discuss race equality

Further information on how we will evidence success can be found in the [Plan](#).

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This appendix provides practical guidance and examples of practice implemented by employers. Employers can assess whether the practice in the examples could be taken forward in their organisation. Alongside these examples are suggested measures for implementation at each stage of the employment journey.

Pre-recruitment

The first step to building an inclusive and diverse workforce starts before recruitment.

How a job is worded and the qualifications or assessment process required can create barriers for people from racialised minorities seeking employment. Accessibility of wording, assumed knowledge of processes or acronyms specific to an organisation, stereotypes in wording or images used can all affect how inclusive and diverse an employer is perceived to be. Even if a job advert looks interesting, some applicants may discount it because of the organisation.

Action that employers can take at pre-recruitment stage

- Branding and organisational messaging to include transparency in equality and diversity data.
- Use images that portray diversity positively in your organisation or promote your message of intending to create this diversity.
- Job wording reviewed to eliminate acronyms, use plain English and inclusive language.
- Combine targeted advertising so that it reaches specific communities with clear messaging on why you want to reach different communities.
- Have strong messaging around commitment to equality and diversity and in particular an anti-racist approach. This includes steps to improve representation in organisations that are known to lack diverse workforce representation or have a history of discrimination or employment tribunal cases. It also includes transparency around ethnicity pay gaps, diversity and inclusion strategies, and other data, such as staff testimonies.
- Include flexible working in job advertisements and promote the benefits and services staff have access to that shows the importance the employer gives to health and wellbeing, inclusive and safe working environments.
- Highlight diversity and inclusion information of the organisation such as workplace profile, ethnicity pay gap and actions that are being taken forward increase workforce representation and reduce the pay gap.

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Reporting the ethnicity pay gap

In reporting the ethnicity pay gap – it would be expected that there will be information on the causes of it and to ensure that the voice of the employee is captured as an indication of what it feels like to work in that organisation. Reporting the gap could include:

The ethnicity pay gap, disaggregated where data allows	What it feels like for racialised minority staff working in the organisation; what do staff surveys and staff networks say? What is good and what could be better?
Wider context and the reasons behind that gap. Are there low levels of racialised minority populations in the organisation's locale; is there occupational segregation?	Action employers are taking to address the gap and improve employee experience, with measurable targets.

A clear example of transparent ethnicity pay gap reporting comes from Waltham Forest London Borough Council.

Waltham Forest Ethnicity Pay Gap Strategy

In their strategy, they state the pay gap and break it down, where the data allows, to show the variations in the gap for different ethnic groups and which group faces the biggest gap.

They outline the gap's contributing factors, including occupational segregation and lack of representation at senior level.

The strategy includes racialised minority staff stories reflecting on the barriers they have faced and what it feels like to work in the organisation.

The strategy also reports on staff insights data, which includes indicators such as appraisals, sickness, progression opportunities to paint a fuller picture of the experiences of racialised minority staff and where barriers lie.

At the end of the strategy there is a guide for staff to self-report their ethnicity.

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Examples of inclusive and attractive branding:

The **Scottish Government** has recently updated its recruitment website⁷ with a renewed focus on modernising our employer narrative with strong messaging around our commitment to equality, diversity and inclusion.

To underpin this narrative, our website includes links to the latest Equality Outcomes and Mainstreaming reports, which outline the level of progress made by the organisation.

The **City of Edinburgh Council** have clear diversity and inclusion messaging on their recruitment website:⁸

“We want to attract and retain a diverse workforce that reflects, and can respond to, the diverse needs of our citizens. Our Diversity and Inclusion Strategy sets out our cultural ambitions in terms of where we want to be and our action plan outlines the key ‘building blocks’ we need to put in place in order to move us forward.”

This is accompanied by their recruitment and retention policy, and information on support mechanisms for staff, including minority ethnic staff networks.

Burness Paull provided a detailed overview of the work they have been doing in this space:

“As a market leader in the legal field, we believe it’s our responsibility to help widen access to the legal profession, to ensure a level playing field for all applicants and to break down barriers that might prevent candidates and new recruits from succeeding.”

⁷ [Diversity and Inclusion – Work For Scotland \(work-for-scotland.org\)](#)

⁸ [Diversity and Inclusion – The City of Edinburgh Council](#)

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Burness Paull do this by:

- Targeted outreach using job boards such as Proud Jobs, Scottish Ethnic Minority Lawyers Association (SEMLA) and Women Returners to advertise our vacancies.
- Membership of the PRIME programme, committed to opening access to the profession through providing work experience for school-age students from lower socio-economic backgrounds.
- Partnered with SEMLA, leading on a series of interactive workshops covering topics such as commercial awareness and interview skills which minority ethnic students report present employment barriers.
- Work with recruitment agencies to ensure they understand our diversity objectives and that they refer a diverse range of candidates for screening.
- Sponsor and participate in Law Society inclusion law fair on an annual basis – aimed at supporting under-represented groups.

Many diverse candidates face barriers as a result of selection and assessment processes. To address this, Burness Paul have implemented:

- ‘CV-blind’ interviews for a graduate scheme.
- Investment in RARE – a contextualised recruitment system which allows us to look at candidates within the context of their socio-economic background and their overall school performance and make adjustments accordingly.
- Investment in the Arctic Shores cognitive behavioural assessment platform has been driven by research which shows increased diversity of talent pools through measures such as reduction in anxiety for candidates, reduction in unconscious bias and an increase in consistency of the process which benefits candidates from all backgrounds.
- Inclusive recruitment training for hiring managers.
- Mandatory unconscious bias training for hiring managers.

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To foster an inclusive and supportive workplace culture:

- Building Diversity and Inclusion objectives into processes such as new employee induction and training.
- Inclusion and Wellbeing Manager, in conjunction with employee led networks (BeValued – the firm’s inclusion group, set up to recognise personal issues affecting colleagues in and out of work; BeProud – LGBTQ+ colleagues and allies network; and our mental health network), facilitate Diversity and Inclusion and wellbeing inductions which cover our culture, strategy, policies and processes.
- Various Diversity and Inclusion training modules cover topics such as mental health, bias, understanding race as well as bullying, harassment, bias and the Equality Act.
- A firm-wide mentoring scheme which matches colleagues with the aim of providing confidential ongoing support and advice.
- Senior leader role modelling sessions which are aimed at highlighting the diverse identities and routes to success of our senior colleagues.

Recruitment

Whilst recruiting racialised minorities into the organisation is a positive step, employers should consider the following measures within the context of all grades, not just lower-grade or entry-level positions. The Scottish Government’s recruitment toolkit looks at this in more detail including recognising that capability and capacity need to be built of those involved in recruitment activity for addressing racial inequality in recruitment processes. More information can be found in the Toolkit.

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Examples of measures that can be taken include:

- Raising awareness of job opportunities – for example running jobs fairs and workshops to encourage, advise and support applications from diverse groups. These fairs should be in places easily accessible to people from racialised minorities, such as a local community centre.
- Undertaking regular engagement with local communities and organisations that work with people from racialised minorities and employability providers to explore ways to refine recruitment processes. Some organisations have found that this has made a difference in the level of applications received from racialised minority applicants.
- Collaborating with other employers, including sharing and learning from practices that have worked well.
- Reviewing where and how jobs are advertised for example non-internet-based recruitment such as leaflet drops, open days and TV campaigns.
- Using other channels of communication to promote jobs such as CEMVO's Equal Jobs Portal⁹ or local radio stations.
- Establishing platforms or signposting to support for racialised minority communities across the local authority area, such as English for Speakers of Other Languages (ESOL) provision, which can target support to better understand jobs and application processes.

⁹ The Portal enables employers to engage directly with people from racialised minorities through advertising of job vacancies. People from racialised minorities who are jobseekers can register onto the site to upload their CVs to receive regular job updates via SMS or email. When an employer advertises at Equal Jobs, this communicates the message to would be candidates that your company is keen to develop a culture of inclusion and belonging, which encourages talented jobseekers to apply.

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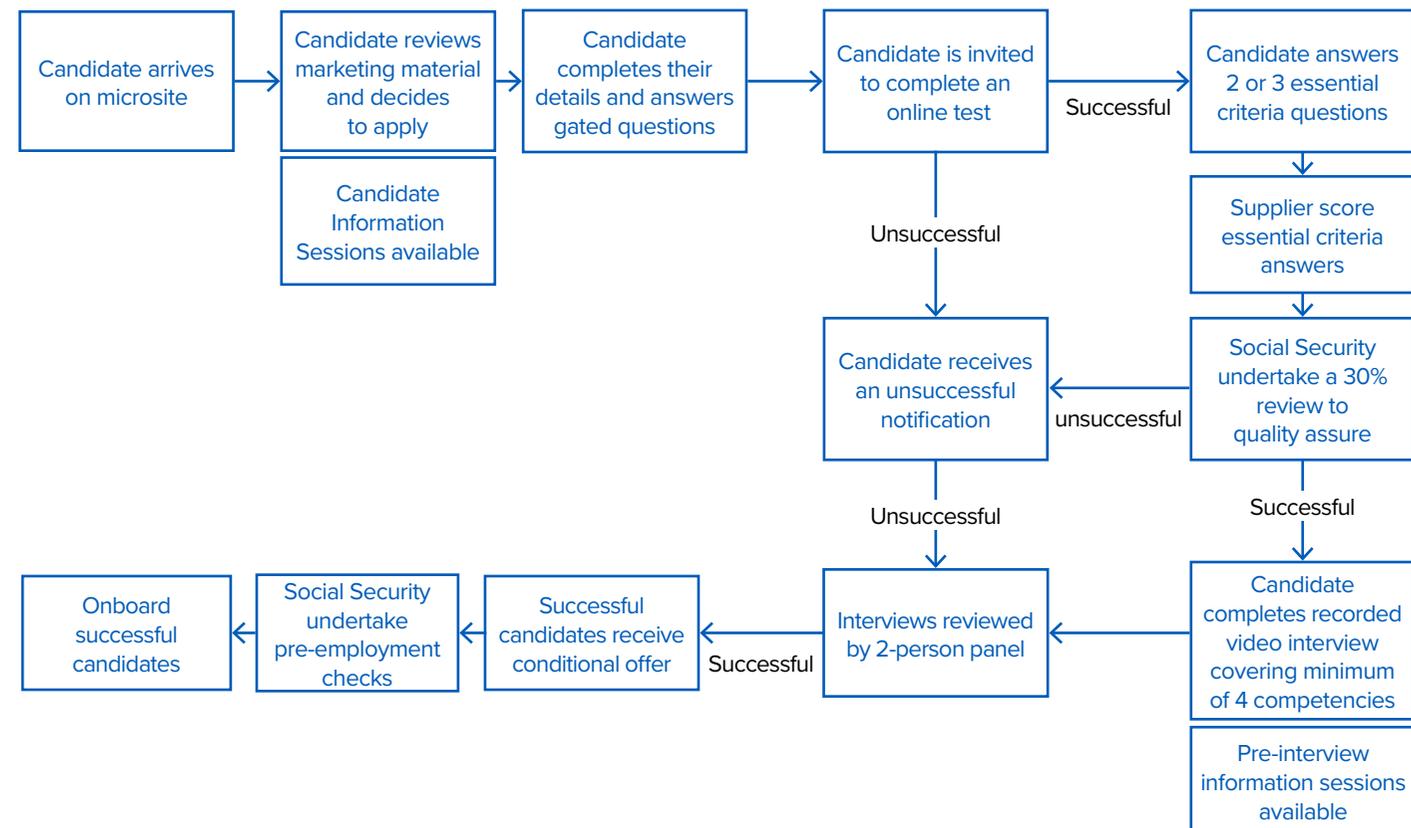
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Eliminating bias through a volume recruitment campaign by Social Security Scotland

- Social Security Scotland launched the volume recruitment to support the organisation to grow by 2,000 people within 12 months, recruiting to roles in Dundee, Glasgow and in Local Authorities across Scotland.
- To achieve this goal, we needed to develop an updated recruitment process which would allow us to hire candidates at pace, deliver people with the right skills, and attract a diverse workforce.
- To support delivery, Social Security Scotland worked in partnership with a supplier allowing us to implement a fully digital recruitment experience.

Volume Recruitment Process



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- We redesigned our recruitment process, putting our values of Dignity, Fairness and Respect at the centre.
- We implemented an online test focussing on values, preferences and ability. We involved our employees in the design of the test. Before setting pass marks, we undertook statistical analysis to ensure no adverse impact for protected groups.
- We removed identifying information from the written application stage, so that the assessor only reviewed the evidence provided against the questions.
- We implemented recorded video interviews, meaning all candidates were asked the same questions and provided with the same amount of time to respond. This also allowed the candidate to complete their interview at a time and place which suited them.
- We ran information sessions for candidates at application stage, and at interview stage. We also provided a video version of the interview sessions so people could access on demand. This helps to demystify the recruitment process and our data suggests that candidates who attended information sessions were more likely to be successful.
- To attract candidates, we utilised various marketing approaches including job boards, social media posts and advertising, working with employability stakeholders, and bus stop adverts.

Lessons learned

- Take the time to design your recruitment process and attraction plans, being proactive can help you attract a more diverse candidate pool, and taking time to design and test your process can ensure it's fair.
- Don't underestimate the importance of attraction and marketing – if your candidate pool isn't diverse then you won't be able to improve the diversity of your organisation.
- Working with local employability providers can help you attract talented people who wouldn't normally consider a role in your organisation.
- Transparency of process – make sure the process and how you are going to assess candidates is clear, this will help candidates to best show you their skills, experience and potential.
- If you are undertaking large-scale recruitment, consider in advance your data requirements. Regular reporting on the diversity of your candidates can help you to understand what sources and activities are supporting or hindering diversity outcomes.

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The example below outlines an approach to entry-level recruitment taken by private sector organisation, **arbdn**.

Diversity And Inclusion Case Study: Using data and an inclusive process to improve ethnicity at early careers (June 2021)

At arbdn, we share a collective outcome: to embed Diversity and Inclusion through all we do – creating a place where the creativity of our diverse talent is brought together, in an agile and inclusive environment, to enable our clients to be better investors. To deliver this, we have a Diversity and Inclusion strategy which outlines four priority areas: embedding Diversity and Inclusion through our purpose, inclusive ways of working, developing a culture where colleagues feel involved and valued every day, and ensuring diverse talent flows into and through the company (with a specific focus on addressing under-representation in ethnicity, gender and social mobility).

When we signed the Race at Work Charter in 2018 and developed our first ethnicity action plan, we gathered data about how best to increase ethnic minority representation and build a more inclusive workplace for colleagues from different ethnic backgrounds. We have taken a segmented approach, considering what is needed at early, mid- and senior career stages (as we have with our gender actions).

We believe hardwiring inclusion through our HR processes and systems minimises the chance of making biased decisions. At early careers, we have made a number of process changes to the way we attract and recruit candidates which have helped us achieve greater diversity in this population. These include:

- Critically analysing our process with some of our employee networks to consider its impact from an ethnicity and gender perspective.
- Carefully choosing who we would work with as partners to help us attract broader diversity in our early careers talent pool than might normally have been attracted to work with us or our industry.
- Interrogating our data about who dropped out of our process at each stage and trying to find out why that was the case working with a small number of trusted diversity partners (for example Investment20/20, 10,000 Black Interns, SEO London, Black Professionals Scotland) to help us reach talent has had a significant impact on who is now attracted to us.

For example, 18% of ethnically diverse candidates who were successfully appointed into early-careers roles in 2020 came through one of our partners.

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Taking time to review which candidates were not successful in getting through our process has also led to us introducing some process changes to remove barriers for particular groups. Most of our analysis suggested no significant bias in our process stages (the proportion of ethnic minority and other diverse candidates who progressed through each stage was really uniform). However, we did discover a large proportion of ethnic minority candidates (37%) in our school leaver process were selecting themselves out when they got to test stage, rather than go through any testing.

Exploring this with candidates and peers, we have now introduced the following to our 2021 process:

- 1) Reaching out to candidates to understand why they did not complete the test and find solutions to support their individual needs (where possible).
- 2) All candidates will have the opportunity to do practice online tests to help build their confidence – this will be done in partnership with our online test service.
- 3) We host bespoke webinars, in collaboration with our diversity partners, on each stage of the recruitment process and share tips on how to set themselves up for success.
- 4) We host panel discussions with current / alumni graduates at the start of each recruitment process (applications stage, online test, interview, assessment centre) where candidates come and hear first-hand from someone relevant – this again will build confidence. This will be a targeted approach which will be offered to all candidates within our processes.

Our ethnic minority representation at early careers in 2020 was 22% in our school leavers, 43% in our interns and 21% in our graduates. We're confident that continuing to make inclusive process improvements like these will help us maintain or increase the amount of diverse talent that successfully joins us at early career stage.

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Partnership working to increase representation of racially minoritised staff

CEMVO – Early Learning and Childcare

The Council for Ethnic Minority Voluntary Organisations (CEMVO) Scotland is a national intermediary organisation and strategic partner of the Scottish Government Equality Unit. Its aim is to build the capacity and sustainability of the minority ethnic voluntary sector and its communities. CEMVO Scotland delivered a two-year Scottish Government-funded programme to increase the number of people from racialised minorities within the Early Learning and Childcare (ELC) workforce. During the delivery of the programme, CEMVO worked with Glasgow City Council (GCC) in 2019 to organise an ELC event aimed at racialised minority communities. Following the event, GCC and CEMVO delivered a follow up ELC application session, and as an outcome of the event and support through CEMVO and GCC, 19 people were successfully recruited into ELC jobs within GCC.

[CEMVO Scotland – Strengthening Communities Tackling Inequalities](#)

Retention

Recruiting racialised minorities into the organisation is a positive step, but equally important is to ensure that they are entering a fair and inclusive workplace, with a workplace culture that enables all staff to thrive and flourish. Some examples of practices to promote retention include:

- Establish resourced networks for workers, enabling a safe space to discuss experiences, whilst also ensuring senior leader sponsorship of networks to enable issues to be raised appropriately.
- Develop your own understanding of how peer support can positively impact on racialised minority staff and look for ways to implement this.
- Demonstrate to your workplace how you as an employer are enabling effective voice. Produce anonymous feedback mechanisms for workers, such as a yearly survey, where results are reported at board level and action plans to address issues are developed in partnership with staff.
- Build your own understanding of how to be an inclusive employer and how to develop an anti-racist culture; –we all need to do more to promote an anti-racist environment and create safe spaces for calling people and processes out. Racism is a societal system of inequality and therefore solutions must involve everyone in the organisation. Allyship and leadership are a critical component of making this work.

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- Raise awareness of the harms of racism experienced outside the workplace, including hate crime, and ensure staff know where and how to access support services as well as where and how to report an incident.
- Support and promote anti-racist campaigns and campaigns that address inequality across the organisation such as the National Hate Crime Awareness week. Increase leadership messaging and proactivity on standing up against discrimination and challenging racism wherever it occurs.
- Implement flexible working policies and practices and use the voice of leadership to support and mainstream these practices.
- Ensure staff responsible for dealing with incidents of bullying and harassment have the opportunity to develop their own racial literacy and understanding of racism.

Example of one approach to build an inclusive workplace culture

Scottish Government Employee Passport

The Passport is a digital document that can record adjustments colleagues may need to support them to perform at their best whilst at work. This could include adjustments on account of a disability, faith/belief. It is voluntary, open to all, and can be updated at any time. It guides the conversations between individuals and managers that we know are critical to understanding circumstances, commitments, conditions or disabilities and putting in place the wide range of possible adjustments. It also means that individuals do not have to constantly “re-tell their story” when they change roles.

Progression

“You can’t be what you can’t see” is a prominent theme when we talk about progression in an organisation. Lack of racially minoritised role models impacts both one’s sense of confidence and self-worth, and one’s belief that achieving the highest positions of power is realistic and achievable.

During the development of the Scottish Government’s Race Recruitment and Retention Action Plan, stakeholders cited the need for consistent and sustained support from managers on career progression, promotion and performance assessment. “We also learned that meaningful mentoring, sponsorship and peer support are particularly valued by minority ethnic colleagues” (Race Recruitment and Retention Action Plan).

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Actions employers can take to support progression include:

- Explore and set up appropriate mentoring programmes, including mutual mentoring between racialised minority staff and senior leaders to discuss issues and share knowledge. Some organisations have established an e-learning portal to facilitate mutual mentoring.
- Target leadership courses and other progression related training at racially minoritised staff. Some organisations have created learning and development courses specifically for racially minoritised staff with the view to increasing minority ethnic representation in senior roles.
- Use intersectional data analysis of your staff profile, to promote and target training courses that support career progression in your organisation.
- As with recruitment into the organisation, employers should take steps to remove barriers for racialised minorities seeking promotion within the organisation, including diversifying and training their recruitment panel, conducting blind sifts and advertising vacancies among staff networks.

The Leading to Change Programme, launched in October 2022, is a programme targeting the workforce at all levels across health, social care and social work. It will embed anti-racist culture and practice; and encourage inclusive and diverse leadership across the three sectors. A maturity model has been developed which begins with focussing on supporting racially minoritised staff into senior and executive roles. Interventions aimed at line managers and others to become active allies will be introduced, as will support for diversity focused networks, and a programme supporting racially minoritised staff to become effective and compassionate leaders at all levels. Alongside this, we are looking to introduce a diversity recruitment target in health and ensure the use of diverse recruitment panels and diversity objectives to underpin the culture change we are seeking to drive at pace.

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Employer journey case study

Diversity, Equity and Inclusion Case Study Our Ethnicity Journey (June 2022)

At ABRDN, we share a collective outcome: to embed Diversity and Inclusion through all we do – creating a place where the creativity of our diverse talent is brought together, in an equitable and inclusive environment, to enable our clients to plan, save and invest for their future. To deliver this, we have a Diversity and Inclusion framework which outlines four priority areas: embedding Diversity and Inclusion through our purpose, inclusive ways of working, developing a culture where colleagues feel involved and valued every day, and ensuring diverse talent flows into and through the company (as part of this priority area, we have a specific focus on addressing underrepresentation in ethnicity, gender and social mobility).

Better representing our clients and customers from an ethnicity and multi-cultural perspective is a priority across the investment management industry – as both investors and employers. abrdn is committed to playing our part, recognising there is a way to go to break down systemic and long-standing barriers for people from ethnic minority backgrounds to join the industry. There have been some key progress points and also challenges for us over the years, and we know our journey continues.

2016: Establishing our ethnicity and multicultural employee network in 2016 was an important place to start, because it allowed us to connect with colleagues in a safe environment to start to understand barriers, opportunities for improvements, and where we should focus corporate actions on ethnicity.

2017: We listened to colleagues, researched and discussed with peers where some of the challenges were (we participated in the McGregor Smith review of ethnicity at work which led to a series of recommendations for organisations).

2018: This led to us appointing an Executive Sponsor for Ethnicity in 2018, and publishing our first ethnicity action plan internally, which we created in partnership with Unity (our Ethnicity and Multicultural network). We heard from colleagues that one of the biggest barriers was the “awkwardness” that people have when they talk about race and ethnicity. We launched our “Talk about Race guide” that year to grow confidence and capability on this topic. It was promoted through Unity and events across abrdn and is still widely used five years later.

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2019: Understanding data around ethnicity and race is important and can underpin other actions (publishing ethnicity pay gap, setting targets, etc). We built the system capability to collect ethnicity data globally and link this to individual records, so that we could track what happens to employees through their career at abrdn (promotions, movement around business areas, turnover, learning and development, talent and succession, etc). We also appointed our first ethnic minority Board member this year. In our early careers work, we established partners this year who would help us reach ethnic minority candidates who may not normally be attracted to us (such as SEO, Investment 2020, Bright Network and more recently #10,000 Black Interns).

2020: Through 2019 and 2020 we worked to remove barriers and introduce inclusive “nudges” to our employee lifecycle processes. This involved analysis of our processes with Unity and with candidates, then introduction of things like software to remove jargon from our job adverts for people who don’t have English as a first language, telling our suppliers that we wanted diverse shortlists from them, and a trial of masked-candidate recruitment (“blind” recruitment).

The murder of George Floyd generated many conversations, commitments and a desire to understand and do more to tackle systemic racism. Our Executive Leadership team worked with Unity members on a six-month reverse mentoring programme to lead to better informed actions, and we held a number of events and workshops (including providing mental health support for Black colleagues in the US). We also set and published our first ethnicity target and our second ethnicity action plan this year, and benchmarked the progress we were making with Investing in Ethnicity, and Race and Work.

2021: Working with organisations who connect firms on race and ethnicity has been really beneficial for abrdn. From being one of the first signatories to the Race at Work Charter, to joining the #TalkaboutBlack workstream of the Diversity Project, to the Corporate Call to Action (US), we’ve benefited from sharing and learning from peers, and working towards collective goals. In 2021 we joined Change the Race ratio to focus progress at senior leadership level.

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2021 saw the embedding of ethnicity actions further into our processes – building on previous work, to include things like our charity partnerships, sponsorships, working with minority-owned suppliers. We extended our ethnicity reverse mentoring beyond the executive team to other teams, helped grow capability with new cultural awareness workshops, and launched a Diverse Interview Pool to support recruitment. One of the key things we did this year was to increase how transparent we are around ethnicity data, publishing our EEO-1 ethnicity data in the US for the first time and sharing our progress (such as data about how our ethnic minority representation has improved in our new hires, early careers, and overall workforce populations).

2022: Our journey continues this year, with actions targeting early, mid- and senior career stages, building our data and continuing to address systemic issues by minimising the potential for bias in our processes and policies. And we're continuing work to increase leadership capability, grow accountability and create safe spaces to learn and share. All of which is resulting in higher reported levels of inclusion by ethnic minority groups, and greater ethnic diversity in our workforce.

Our key learns:

- Listen to your colleagues, experiences – whether that's through surveys, an employee network, focus groups.
- Have a plan with a sponsor – for accountability, and make sure your plan is created with colleagues.
- Lean on partners – they'll help you reach into communities and support candidates who might not normally have been attracted to join you/your industry.
- Work with peers – no one organisation has all the answers and we can all make progress together.
- Identify and remove barriers in your existing processes and culture – before you pay for costly initiatives which don't remove systemic issues.
- Be transparent – even if your data isn't great, publishing it can help drive progress.

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There are certain actions that can be taken at any point in the employment journey to address racial inequality.

Positive action, for example, is a tool that employers can use within their own workforce and is widely underused.

Two forms of positive action are permitted under the Equality Act 2010, provided the relevant statutory tests are met:

- general positive action, which might include reserving places for a protected group on training courses or providing mentoring for a particular group to increase their representation at senior levels;
- positive action that specifically relates to recruitment and promotion, also known as the “tie-break provision”. Here an employer can take an individual’s protected characteristic into account in recruitment or promotion.

The goal of positive action is not to advantage one group over the other; it is about levelling the playing field for all groups. It is not about treating people the same way, but treating them appropriately so everyone experiences the same outcomes.

Some employers are concerned that positive action will be viewed as positive discrimination among their employees. Positive discrimination is different to positive action.

Positive discrimination is recruiting or promoting a person solely because they have a relevant protected characteristic. Setting quotas to recruit or promote a particular number or proportion of people with protected characteristics is also positive discrimination. Positive discrimination is unlawful in Great Britain.

The Equality and Human Rights Commission provide the following examples of positive action:¹⁰

- Placing job adverts to target particular groups, to increase the number of applicants from that group.
- Including statements in job adverts to encourage applications from under-represented groups, such as “we welcome female applicants”.
- Offering training or internships to help certain groups get opportunities or progress at work.
- Offering shadowing or mentoring to groups with particular needs.
- Hosting an open day specifically for under-represented groups to encourage them to get into a particular field.
- Awarding a job to the candidate from an under-represented group, where two candidates are “as qualified as” each other.

¹⁰ [Employers: what is positive action in the workplace? | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

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Positive action is another reason why collecting data is useful. Before taking positive action, employers need to establish an evidence base and evaluate the extent of under-representation.

Comparisons should look at (where possible) under-representation of particular minority groups with local or national information. Under-representation will also look different for large, rural, central, public or private companies. National data is provided in the [Analysis of Labour Market Outcomes of Scotland's Minority Ethnic Population](#) paper which accompanies this strategy.

Targeted promotion of a leadership programme in the NHS.

The programme was established because of the evidence showing a lack of people from racialised minorities being represented at more senior levels of the NHS.

Stepping Up is a five-month leadership development programme for aspiring Black, Asian and minority ethnic (BAME) colleagues who work within healthcare (the NHS or an organisation providing NHS care). The programme is designed to bridge the gap between where applicants are and where they need to be, to progress into more senior roles. Successful applicants will be empowered to drive forward the inclusion agenda and develop their skills and abilities in order to grow and progress.

What's covered?

- Increasing your self-awareness and the leadership strengths your diversity brings
- Range of management principles, gaining comprehensive understanding of leadership and management
- Developing your communication, presentation and interpersonal skills
- Understanding of senior leadership requirements and the opportunity to craft your authentic leadership style and approach
- Developing an understanding of the factors that both block and enable BAME progression and development
- Developing a personal and organisational strategy, and your ability to influence the healthcare system you work in to create greater equality

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Who is it for?

This programme is for BAME healthcare leaders and those aspiring to lead.

Applicants usually come from Bands 5 to 7.

Why should I join the programme?

- You will prepare and develop for more senior leadership roles within the NHS.
- You will be able to challenge the diverse environment you work in to make transformational change.
- You will develop the knowledge, experience, and skills to help your organisation create an inclusive culture. It will also help you to influence change across wider healthcare.
- The programme will empower you to become a role model to help inspire the development and progression of others.

Stepping Up Programme – Leadership Academy

Other examples of practice that can be taken at any stage of the employment journey include:

- Collaboration among employers on areas of good practice, learning and establishing connections.
- Trade union engagement – this should be an integral part of each and every stage of the employment journey when developing policy and/or developing guidance on addressing racial inequality. We encourage employers to support trade union recognition and proactively work with trade union representatives and the workforce when developing key policies and processes.
- Working with external organisations with expertise to highlight experiences and challenges of racial inequality in the workplace to senior-level decision makers in the organisation.
- Establishing a dedicated resource to lead on anti-racist practice in the organisation.
- Developing an equalities forum to lead on all aspects of equality, diversity and inclusion; to gather and intersectionally analyse information on equalities issues the organisation is facing; and to help bring together everyone's contribution to inform the organisation's vision and priorities on equalities.

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Action for small employers

Assess what measures could be taken in your organisation against the examples given in this appendix and adapt to suit your organisation. Actions useful to consider include:

- adopting inclusive employer branding – public-facing commitment to equality and diversity;
- upskilling recruitment panel members on recruitment techniques, equality, diversity, and cultural awareness;
- through ethnicity data analysis, monitoring the percentage of racially minoritised candidates at each stage of the recruitment process, from application to interview to appointment. Identify whether there are barriers at particular stages and look at how each stage can be improved (e.g. through candidate feedback and equality experts);
- creating a channel for effective voice, including a safe space/staff network or third party process for colleagues to raise concerns and for these concerns to be progressed;
- establishing anonymous feedback mechanisms and ensure concerns are raised and discussed at senior level and developed in partnership with staff;
- involving everyone in your organisation in activity to address racial inequality such as allyship;
- introducing anti-racist training across the organisation;
- setting up mutual mentoring; and
- target leadership courses and development opportunities.

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Measuring impact of practice

Actions are only as successful as the outcomes they achieve. Employers need to ensure that whatever action they take, that they monitor their effectiveness and make changes where necessary. This includes establishing success indicators and setting up regular review periods.

To take this forward, employers need to consider the end-to-end process, i.e. where they are starting from and what they need to achieve. A model that employers could use includes:

Action	Success Indicator	Baseline	Review Periods			Next Steps
			6 months	12 months	18 months	
Positive action to improve attraction and increase representation	<ul style="list-style-type: none"> Increase in number of ethnically diverse applicants being appointed to posts; and Positive feedback from applicants on recruitment process 	Workforce profile according to ethnicity and where data will allow, intersectional analysis, and the roles occupied	<ul style="list-style-type: none"> Has the diversity of the workforce profile according to ethnicity improved? If not, do we know why? What are our next steps – what can we change? What/who do we need to help us? 	<ul style="list-style-type: none"> Has the diversity of the workforce profile according to ethnicity improved? If not, do we know why? What are our next steps – what can we change? What/who do we need to help us? 	<ul style="list-style-type: none"> Has the diversity of the workforce profile according to ethnicity improved? If not, do we know why? What are our next steps – what can we change? What/who do we need to help us? 	<ul style="list-style-type: none"> How do we apply this learning across other areas and with other equalities groups? How do we share this learning with our peer organisations?

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This appendix seeks to build a deeper understanding of institutional racism and intersectionality among employers to support cultural and attitudinal change in organisations. It provides further detail on the barriers affecting racialised minorities and what employers can achieve by taking an anti-racist and intersectional approach.

The term institutional racism is not new and has been acknowledged and discussed across disciplines in recent years. Twenty years after the Stephen Lawrence Inquiry in 1999, in 2019, the Scottish Parliament’s Equalities and Human Rights Committee brought the term into focus when they held their [inquiry](#) into race equality, employment, and skills. The Committee’s [report](#) highlighted that minority ethnic organisations and equality groups were concerned that the existence of institutional racism had been minimised over the years.

During its inquiry, the Committee asked public authorities what role institutional racism plays within their organisations in relation to employment opportunities; how, or if, it is recognised, and what measures they have in place to combat it. Throughout its evidence sessions, “the Committee sensed among public authorities either a lack of understanding of racism or a reluctance to acknowledge institutional racism”.¹¹ The Committee concluded that:

“Institutional racism, whether overt or indirect, exists. It’s an issue in Scotland for all employers, which must be addressed. The Committee believes if institutional racism is not recognised or is shrugged off as a societal issue, then public authorities will be, by default, part of the problem.”¹²

Regardless of how some people view institutional racism, the fact is, issues exist. It is evidenced in our data and in evidence of the challenges that racialised minorities face in accessing and progressing in the labour market.¹³

The Scottish Government recognises this and is committed to taking an anti-racist approach to address institutional racism in our organisation and improve outcomes for racially minoritised workers.

¹¹ Page 8, [Race Equality, Employment and Skills: Making Progress? \(azureedge.net\)](#)

¹² *ibid.* paragraph 38

¹³ [Scotland’s Labour Market: People, Places and Regions – Protected Characteristics. Statistics from the Annual Population Survey 2021; Race in the Workplace: The McGregor-Smith Review; Still not Visible: Research on Black and minority ethnic women’s experiences of employment in Scotland](#)

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Our Race Recruitment and Retention Action Plan takes an anti-racist approach and is built around five priorities focused on the whole system, aiming to redistribute power, increase accountability, and bring about cultural change:

- responsibility and accountability
- leadership, governance, and decisions
- recruitment and representation
- career progress and promotion
- building an anti-racist culture

We recognise the role of leadership in promoting and driving this agenda, and that is why the implementation of the Plan is being overseen by senior leadership in the organisation.

Evidence of how institutional racism manifests

Section 4 of the strategy covers how institutional racism is reflected in the labour market. Examples are given here of how it can manifest in the workplace.

One of the ways in which institutional racism can manifest is through indirect discrimination. Indirect discrimination is defined in the Equality Act 2010¹⁴ and, broadly, occurs when a person applies an apparently neutral “provision, criterion or practice” which puts persons sharing a protected characteristic at a particular disadvantage compared with persons who do not share that characteristic. The Equality Act 2010 prohibits indirect discrimination unless it can be shown to be a proportionate means of achieving a legitimate aim.

¹⁴ [Equality Act 2010 \(legislation.gov.uk\)](#)

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Examples of policies which could amount to indirect discrimination are set out in the Equality and Human Rights Commission’s Employment Statutory Code of Practice (“the Code of Practice”):

“A factory owner announces that from next month staff cannot wear their hair in dreadlocks, even if the locks are tied back. This is an example of a policy that has not yet been implemented but which still amounts to a provision, criterion, or practice. The decision to introduce the policy could be indirectly discriminatory because of religion or belief, as it puts the employer’s Rastafarian workers at a particular disadvantage. The employer must show that the provision, criterion or practice can be objectively justified.”¹⁵

“A superstore insists that all its workers have excellent spoken English. This might be a justifiable requirement for those in customer-facing roles. However, for workers based in the stock room, the requirement could be indirectly discriminatory in relation to race or disability as it is less likely to be objectively justified.”¹⁶

“A construction company employs a high number of Polish workers on one of its sites. The project manager of the site is also Polish and finds it more practical to speak Polish when giving instructions to those workers. However, the company should not advertise vacancies as being only open to Polish-speaking workers as the requirement is unlikely to be justified and could amount to indirect race discrimination.”¹⁷

Further examples of indirect discrimination can be found in the Equalities and Human Rights Commission’s Equality Act 2010 [Code of Practice: Employment Statutory Code of Practice](#).

Institutional racism can also manifest in the form of direct discrimination. Whilst we recognise that this is the case, the focus of this strategy is on how it manifests indirectly, as this is more challenging to recognise. However, direct discrimination can also occur in the workplace, regardless of whether it is conscious or unconscious. It can even occur when the employer is well-intentioned. The Equality Act 2010¹⁸ defines direct discrimination as follows:

“A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.”

¹⁵ [Equality Act 2010 Code of Practice – Employment Statutory Code of Practice](#) (paragraph 4.5)

¹⁶ [Equality Act 2010 Code of Practice – Employment Statutory Code of Practice](#) (paragraph 17.44)

¹⁷ [Equality Act 2010 Code of Practice – Employment Statutory Code of Practice](#) (paragraph 17.49)

¹⁸ [Equality Act 2010 \(legislation.gov.uk\)](#)

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Below are examples of direct discrimination in the workplace, as included in the Code of Practice:

“An angling magazine produced by an all-male team does not recruit a female journalist. They are genuinely concerned that she would feel unhappy and uncomfortable in an all-male environment. Although they appear to be well-intentioned in their decision not to recruit her, this is likely to amount to direct sex discrimination.”¹⁹

It is also worth noting that direct discrimination can take place even though the employer shares the same protected characteristic as the worker. An example from the Code of Practice includes:

“A Muslim businessman decides not to recruit a Muslim woman as his personal assistant, even though she is the best qualified candidate. Instead he recruits a woman who has no particular religious or non-religious belief. He believes that this will create a better impression with clients and colleagues, who are mostly Christian or have no particular religious or non-religious belief. This could amount to direct discrimination because of religion or belief, even though the businessman shares the religion of the woman he has rejected.”²⁰

Examples given in this section can be useful in detecting discrete forms of discrimination including those as a result of institutional racism. Employers who take an intersectional approach will have an understanding of how these discrete forms of discrimination (connected to a person’s identity such as gender, disability and age) can compound and further impact on a person’s experience in the workplace. Nonetheless we recognise that it is not always as clear-cut as these examples. Through taking an anti-racist approach by continually talking about racism, employers can begin to understand where potential issues are. This will enable employers to challenge policies and practices. This is how employers can be agents of change.

The Scottish Government recognises that in Scotland, intersectional labour market data is an area identified for improvement. There is some intersectional data provided in the [Analysis of Labour Market Outcomes of Scotland’s Minority Ethnic Population](#) paper that has been published alongside the strategy. Employers should use this as a basis to look at their own data from an intersectional perspective.

A “one size fits all” approach to narrowing inequality leaves people behind, especially where multiple inequalities intersect. An intersectional approach can capture the more specific and nuanced experiences of discrimination and inequality helping an employer to understand the barriers and dismantle them.

¹⁹ [Equality Act 2010 Code of Practice – Employment Statutory Code of Practice](#) (paragraph 3.14)

²⁰ [Equality Act 2010 Code of Practice – Employment Statutory Code of Practice](#) (paragraph 3.10)

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Data would help employers to be more confident in addressing barriers faced by workers in their organisation or gaps in organisation workforce profiles. Employers should begin to think of their data collection from an intersectional perspective. Lack of data should not hinder employers from taking action. Other data sets are available such as the national level labour market data. Analysis of this is included in the Analysis of Labour Market Outcomes of Scotland's Minority Ethnic Population paper that accompanies this strategy.

Scottish Government's Race Recruitment and Retention Action Plan aims to address barriers, including intersectional barriers, facing racially minoritised groups. Where the data allows, we conduct intersectional analysis and we take an intersectional approach to the delivery of the Plan. For example, when we completed our equality impact assessment for the Plan, our data allowed us to identify crossovers in barriers to retention and recruitment which affected more than one protected characteristic. From this work, we ensured that some of the actions identified looked at addressing barriers for these intersections.

Even at a national level, we recognise that Scotland's equality data needs to be improved and the Scottish Government has embarked on a programme of work to strengthen the equality evidence base through its [Equality Data Improvement Programme](#).

Through gender pay gap reporting, employers understand intersectionality within the context of racialised minority women workers i.e. where race and gender intersect. One intersectional analysis that is reported for the labour market is:

The employment rate gap between white women and minority ethnic women (23.1 p.p.) in Scotland is significantly higher than the gap between white men and minority ethnic men (-1.5 p.p.). The gap for women is driven by a much lower employment rate for minority ethnic women than white women (48.9% vs 72.0% respectively).²¹

There may be multiple factors impacting racialised minority women to explain this gap such as cultural barriers (which is highlighted in the example below by Sikh Sanjog) and the consistency in hiring racialised minority women into low-paid roles such as cleaning.

While we may be limited in any further break down of this data such as the specific ethnicity of racialised minority women, work is progressing to develop more intersectional analysis such as the analysis provided in the Analysis of Labour Market Outcomes of Scotland's Minority Ethnic Population paper.

²¹ [Annual Population Survey, Jan-Dec 2021, ONS](#)

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Within the Analysis paper, it shows that the employment rates for black men and black women in the UK are relatively close but there is a very large gap between the employment rates for men and women from a Pakistani or Bangladeshi background in the UK.

Intersectional analysis and challenges in the workplace

The examples provided show intersectional analysis of challenges within the workplace for different intersectional groups. They also show the experience of those with multiple barriers.

Race and faith/belief are two different protected characteristics as defined within the Equality Act (2010). While it is important to appreciate the intersectional relationship between faith and race, it is equally important to recognise that some religious identities are also ethnic identities, for example: Sikhism and Judaism.

1.

Close the Gap's report, 'Still Not Visible', highlights the challenges in employment for racialised minority women through an intersectional lens:

“In the focus groups, participants felt that typical recruitment practices disadvantage BME women in direct and indirect ways. One participant argued that practices such as psychometric testing and assessment centres are laden with racial and gender bias and can therefore be alienating to BME women. These tools are often not equality-proofed, can be Westernised, can reward stereotypically male traits and are therefore inherently exclusionary to some BME women. This therefore particularly disbenefits some migrant BME women.”²²

²² [Policymakers \(closethegap.org.uk\)](#)

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2.

Research from **Equate Scotland** used an intersectional approach to understand the experiences of women working in or studying science, technology, engineering and maths (STEM) and the built environment. The research found that women with intersecting protected characteristics, including disabled women, LGBT women, minority ethnic women, women with caring responsibilities and women aged over 35, faced a number of barriers in STEM, including discrimination and harassment.

“In our survey, completed by over 400 women in STEM across Scotland, we encountered several examples of overlapping discriminations based on age and gender. Sexism and ageism were reported as the highest forms of discrimination experienced at work, college or university.”

“It was difficult to be taken seriously in construction project site meetings, where I was the only female, the only young person and the only non-Scottish person. Whenever I asked a serious question about my work, it would typically be laughed at. Being referred to as a ‘young lady’ may have been well intended but instantly diminished any sense of respect.”²³

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3.

Sikh Sanjog's report *Sikh Women Speak* is one example out of many that demonstrates the impact of intersectional marginalisation. Other groups may face their own barriers which may be similar or unique. The report can help employers be aware of multiple barriers when considering an intersectional approach to addressing racial inequality. The report found that:

Sikh women face a number of cultural barriers both in seeking work and the workplace. From a young age many Sikh women have had a different upbringing compared to their male counterparts. Women and girls also face disproportionate pressure to maintain family “honour” – commonly referred to in communities as “izat”.

Some of these pressures are further amplified due to the gendered roles in some Sikh families where men do not necessarily take on household and child rearing duties, so women are left to juggle both domestic life and work commitments which can cause a great strain on mental health.

In many cases, women will leave work or, find it even more difficult to find employment because they have to find “appropriate” work which not only satisfies themselves but also their families. Some Sikh women also have language or literacy barriers which either prevents them from seeking work or requires them to be selective with their choices. These barriers also tended to affect their understanding of company policies/rules and vice versa.

“It’s easier to work as a cleaner... you do not need to talk to anyone.”

Although many of these barriers can be identified as internal community barriers, employers can support women through providing flexible working. They can also build cultural awareness through training by specialist Sikh organisations to better understand and accommodate individual circumstances.

Staff who are from a particular background should not be given the burden of training others on their culture.²⁴

²⁴ [Sikh Sanjog – Sikh Women Speak](#)

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4.

In a report by the **Parliamentary Cross-Party Group on Tackling Islamophobia**, it found that

“Participants fear abuse and discrimination in the workplace due to their faith, encompassing concern about finding a job, the longevity of their current employment due to Islamophobic hiring practices of senior managers, and being abused in the workplace by colleagues or members of the public.

“86% of Muslims and 88% of participants overall state that in Scotland Islamophobia has an impact on Muslims’ (and those perceived to be Muslim) employment opportunities.”²⁵

5.

The Scottish Government has learned of lived experience of people from racialised minorities and where this intersects with religion. The lived experience of one person describes how she had applied for a teaching position and as part of the interview process, was asked to give a lesson that would be observed. During the observation she experienced Islamophobia in the classroom. This adversely affected her and she felt disadvantaged from the start because she had to deal with Islamophobia and this took away from the opportunity to demonstrate her teaching skills in her qualified subject area.

An intersectional approach to recruitment practice would help an employer to recognise (in this example) how the intersection of race and religion and the discriminatory issues associated with each can impede a worker’s progression in the workplace. Employers should consider how their recruitment processes can be adjusted to ensure that a potential candidate has equal opportunity and to create those conditions in order for the person to demonstrate their skills.

²⁵ [Islamophobia-public-inquiry-report-1.pdf \(secureservercdn.net\)](#)

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6.

Evidence suggests that people from racialised minorities with a faith/belief face a greater level of challenge in the workplace than those belonging to majority religions.

“It is often minority religious practices which are less easily compatible with standard working rules, so that a refusal to accommodate religious practice at work can have very unequal impact as between different religious groups. Those of minority religion report higher levels of religious discrimination in the workplace than majority faiths.”²⁶

The **Equality and Human Rights Commission** (EHRC) launched a call for evidence²⁷ in 2014 on religion or belief in the workplace which gathered a wide range of both positive and negative experiences of religion or belief in the workplace.

The responses included issues covering recruitment processes, working conditions, including the wearing of religious clothing or symbols, promotion and progression, and time off work for religious holidays and holy days. Some reported that particular beliefs were mocked or dismissed in the workplace, or criticised unwelcome “preaching” or proselytising, or the expression of hurtful or derogatory remarks aimed at particular groups.

7.

In its report, the **Young Women Lead Committee** highlighted systemic barriers for young minority ethnic women moving from education into employment:

- Lack of knowledge and resources for BAME women in career guidance
- Family aspiration (i.e. to undertake certain career pathways)
- A lack of representation in the labour market
- Unconscious bias in the hiring process and lack of cultural knowledge in the workplace²⁸

²⁶ [Vickers.pdf \(equalrightstrust.org\)](#)

²⁷ [call_for_evidence_report_executive_summary.pdf \(equalityhumanrights.com\)](#)

²⁸ [Young Women Lead 2019/2020](#)

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8.

The Gypsy Traveller community is another adversely racialised minority community that is marginalised and experiences inequality in employment. These challenges highlight how racialised minority groups can differ in their experience of inequality and the impact this has on their employment.

Research continues to show that young Gypsy Travellers experience inequalities from an early age which significantly impacts their chances of securing fulfilling employment. As a result of where they live, the relevance of service provision and/or their experiences of discrimination, children and young people often face:

- A lack of access to pre-school, out-of-school and leisure services.
- Low participation in secondary education with negative experiences/bullying given as the reason for leaving at an early age, with this affecting girls more so and can be due to negative perceptions among Gypsy/ Traveller parents.
- Poor and declining educational attainment with low levels of literacy and numeracy – these impact on competing equally in the labour market.
- Uncertainty around their accommodation and potentially their relationship with people living in the vicinity.
- A sense that their needs and identities are not being reflected or met within mainstream services.

In general, the adult Gypsy/Traveller population are less inclined to secure stable employment as a result of negative attitudes they face because of their culture.

Employers should work in partnership with Gypsy/Traveller communities to increase cultural awareness to stamp out any discrimination or negative attitudes.

[Improving the lives of Gypsy/Travellers: 2019-2021 – gov.scot \(www.gov.scot\)](http://www.gov.scot)

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Poverty, is another wider social factor that needs to be taken into account when taking an intersectional approach – particularly when considering improving access to good jobs by employers adopting fair work practice, as well as progress in the organisation.

In its publication, *Ethnicity, Poverty and Data in Scotland*,²⁹ the Joseph Rowntree Foundation states that:

“The labour market for minority ethnic people in Scotland is one of comparatively low pay, high-underemployment and high job insecurity compared to white people, as well as high in-work poverty. It culminates in a worrying 3 in 10 minority ethnic people being in poverty despite at least one person in the family working.”

It goes on to say that:

“There is limited data and research on why a higher proportion of minority ethnic women are economically inactive in Scotland. Improving the data around this would give us more opportunity to address and understand what is causing this lower activity rate.”

Economic participation in the labour market can go some way to reducing the drivers of poverty for people from racialised minorities. Whilst there is evidence to show that some people from racialised minorities are over-represented in professional and well-paid occupations, most commonly, however, they tend to be over-represented in poorly paid jobs; for example in the distribution sector and in hotels and restaurants.³⁰

Another factor to be included when undertaking intersectional analysis is migration. We know that the employment and pay gaps faced by migrant groups can be disproportionately higher than those who have settled and been educated in the UK. One reason behind this could be that qualifications and skills obtained overseas are often not fully recognised or utilised resulting in unemployment and under-employment of migrant workers. The Scottish Government is encouraging and supporting employers to recognise the skills and experience of internationally qualified migrants so that they can access fair work.

Migrant women from racialised minorities with children report facing additional barriers because of a lack of informal networks for childcare, such as family and friends in the local area, which make it more difficult to access employment.

²⁹ [Ethnicity, poverty and the data in Scotland](#)

³⁰ [Ethnicity, poverty, and the data in Scotland | JRF](#)

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Another factor to consider when taking an intersectional approach is caste and the impact of caste discrimination. Caste discrimination manifests itself in a similar way to race discrimination; it is based on prejudicial views and is targeted at those considered belonging to a lower or inferior caste. The discrimination can cut across all aspects of life. In the workplace caste discrimination can manifest in bullying, exploitation and exclusion of “lower caste” colleagues. This can happen in colleagues’ native language and is less easily detectable by other members of staff.

Why take an intersectional approach?

An intersectional approach will lead to an outcome where people feel comfortable in their own identity in the workplace and where employers recognise an individual’s unique experiences, strengths and skillsets. This is closely linked to a human rights-based approach and it helps to build trust and security in employees. This is needed to create good practice and workplace culture change. For employers, this also means benefiting from a satisfied workforce that provides a diverse range of skills and a workforce that is representative of the communities it serves and the specific experiences and intersections that comprise it.

By taking an intersectional approach, an employer can begin to understand specific issues that arise as a result of intersecting inequalities. For example, violence against women (VAW) is an issue that is perpetrated at epidemic levels, which is a cause and consequence of gender inequality and where racialised minority women’s experiences are inflected by racism and sexism. Racialised minority women’s unequal position in the labour market is caused, and sustained, by the intersecting inequalities they face. This reduces their financial independence, restricts their choices in employment, and creates a conducive context for violence and abuse. Racialised minority women are more likely to be in low-paid jobs, are twice as likely to be in insecure work as women who are not impacted by racialisation, and more likely to be living in poverty. Financial dependence and poverty make it harder for racialised minority women experiencing violence or abuse to move on, and access and maintain employment. Addressing the intersecting inequalities racialised minority women face in the labour market is therefore necessary to end VAW.

VAW has a profound impact on racialised minority women’s capacity to work, and victim-survivors are often targeted in and around the workplace by their abusers. Racialised minority women report experiencing trauma, stress, anxiety, and depression as a result of men’s violence and routinely struggle to find appropriate support in the workplace. They face additional barriers to accessing culturally competent support, and may be unwilling to seek help because of a fear of racism. VAW can also affect victim-survivors’ capacity to work with men, particularly in situations where there is an existing gender or power imbalance. Racialised minority women in precarious work are more vulnerable to sexual harassment. When racialised minority women on zero hour contracts are reliant on securing shifts, especially when shifts need to accommodate their caring responsibilities, they feel less able to report sexual harassment when it happens for fear of being denied work. Racialised minority women’s experiences of sexual harassment are often bound up with racial harassment.

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Research undertaken by Glasgow Disability Alliance on participation of disabled people also highlights the importance of taking account of intersecting characteristics with disabilities:

“Disabled people’s life experiences vary and are further diverse because of other ‘intersectional’ identities, such as their gender, race, and class. BAME disabled people, and LGBTQ+ disabled people experience additional barriers to participation.”³¹

This report highlighted the need for more racialised minority disabled people to be employed in social care and other public services to help address barriers to participation. In a further report, ‘Ending Poverty and Removing Barriers to Work for Disabled People in Glasgow beyond Covid-19’, published in April 2022, the importance of intersectionality and personalisation of employment interventions was highlighted again when looking at employment. This report drew on evidence on the even greater disparity in employment rate between disabled people from racialised minority groups and racialised minority groups. For example, disabled people from racialised minority groups have a lower employment rate (39.8%) than people from racialised minority groups who are not disabled (62.7%). The report also emphasised the need for employers to consider the diversity within each protected characteristic and to personalise employment interventions to remove access barriers.³²

To help employers take an intersectional approach in any equality, diversity and inclusion work, diversity analysis needs to include key questions in relation to racially minoritised staff. While not an exhaustive list, some questions that employers will wish to consider are:

- What is the ethnicity profile of the organisation? Does this reflect the local population? Are we missing out on skills and experiences and insight from not having a more ethnically diverse and representative workforce?
- Are some racialised minority staff Muslim? Do adjustments to work tasks or shifts need to be considered during Ramadan?
- Who could I, as an employer, engage with on other considerations such as food, spiritual and/or pastoral care.
- Are there more racialised minority women than men or vice versa? Are we enabling flexible working because of the evidenced likelihood that racialised minority women will have additional caring responsibilities?

³¹ [Transforming participation for disabled people in Glasgow beyond Covid 19 • Glasgow Disability Alliance \(gda.scot\)](#)

³² [Ending Poverty and Removing Barriers to Work for Disabled People in Glasgow beyond Covid-19 • Glasgow Disability Alliance \(gda.scot\)](#)

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Case Study: Flexible working – building on lessons learned during the pandemic

A large local authority where under 2% of its workforce are minority ethnic staff, describes its experience of developing new ways of working which were accelerated because of the pandemic. A key focus of this has been and continues to be on staff wellbeing.

The Council have had a flexible working policy for many years which is open to all employees and has a range of options including reduced hours, compressed working week, flexible start and finish times, term-time working, and job share.

During the pandemic, when many non-essential services were suspended the employer had to move quickly to transition many of their staff to working from home. This gave them the opportunity to explore flexibility in a way that would have been difficult to achieve at pace before.

Of course, many staff worked throughout the pandemic delivering and supporting essential services. However, for various reasons some were unable to attend work as normal because they were isolating, had health concerns or caring responsibilities. The employer had to react quickly to these circumstances and supported staff through increased flexibility or time off where appropriate.

The local authority are now using what they have learned to develop a new set of workstyles. Given that the range of services provided, the day-to-day activities and experiences of council staff are very different. They've mapped every job to one of six categories so they can develop a package of tools and support relevant to each role. They are exploring what's possible and fair for everyone in terms of flexibility, choice, access to technology and wellbeing.

The local authority recognise that offering flexibility to employees and potential employees makes them more attractive as an employer with people more likely to want to work for them and stay working for them. They have a steady turnover rate (6.84% – 1st November 2019 to the 31st October 2020) and their average length of service is 12.14 years (1st November 2020).

Providing opportunities for flexible working helps them to be more inclusive and they currently have a gender pay gap of 1.80% (1st June 2021).

They also have a generous range of support for when staff experience difficult times including, compassionate leave, parental bereavement leave (including those experiencing pregnancy loss), and neonatal leave. There are various wellbeing policies and supports in place including mental wellbeing support, a Menopause Policy, and a wellbeing strategy.

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Staff surveys show that employees really do value flexibility, but there are also some key learnings to be had from both the internal workforce and the potential workforce in the wider community. The local authority are currently engaging with partner organisations to explore how they can better learn from experiences of people, including specifically those from ethnic minorities.

Offering a greater degree of flexible working will help attract and retain minority ethnic women who have a higher propensity to have caring roles.

Case Study: Skills Development Scotland – Ethnic Intersectionality Incentive

The Ethnic Intersectionality Incentive (EII) was created in response to feedback from Modern Apprenticeship learning providers, contracted by Skills Development Scotland (SDS), that it was difficult to recruit BME apprentices due to a range of complex reasons. BME apprentices tend to be in the older age groups (25+) which attract lower levels of apprenticeship funding, many have English as a second language and qualifications lower than SCQF Level 4.

In 2018, SDS decided to pilot EII to test if additional funding would increase participation. Learning providers were offered a top up payment of £500; this was later increased £1,000, based on feedback.

The pilot offered between 30 and 40 places per year and, since EII was introduced, there has been an increase of between 0.1 and 0.2% in BME starts each year. Though it is difficult to attribute the increase to EII directly, there is some evidence that it has contributed to additional numbers participating.

Apprentices who have accessed EII are also more likely to sustain their apprenticeship with a snapshot analysis in 2020 showing that 81% of EII apprentices had achieved their apprenticeship qualification, compared to a whole population sustainment rate of 77%, and 70% for other BME candidates.

As this incentive is based on addressing multiple barriers, not just racial inequality, we have been able to gather a range of intersectional data which is helping us to better understand how to target future interventions. EII is largely used by individuals over the age of 25, women, and those for whom English is a second language.

Feedback from learning providers has been overwhelmingly positive in our recent evaluation of the incentive, as well as other surveys and consultations conducted during the pilot. SDS is currently reviewing EII and our other incentives, investigating ways that we could mainstream our learning from EII, particularly the intersectional nature of the fund.

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	Strategic Objectives for the Anti-Racist Employment Strategy
NPF	Take further steps to remove barriers to employment and career advancement for disabled people, women, those with care experience, and people from minority ethnic groups.
Fair Work Objective	By 2025, create more diverse and inclusive workplaces where workers have security of pay and contract, can develop and utilise their skills and have an effective voice in the workplace, Making Scotland a Fair Work Nation.
Fair Work Action Plan headline actions	<p>We will lead by example on the Fair Work agenda, including sharing and learning of practice, by 2025.</p> <p>We will continue to embed Fair Work in all public sector organisations, setting out clear priorities in the roles and responsibilities of public bodies.</p> <p>We will continue to use conditionality to further embed Fair Work in all forms of financial support.</p> <p>We will support employers to utilise the resources and support available to embed Fair Work in their organisations. We will work collaboratively to develop these resources to support and build capability among employers, employability providers and partners.</p> <p>We will work collaboratively to develop resources to support workers to access, remain and progress in Fair Work.</p> <p>We will work collaboratively across government with employers and partners to promote and embed fair work practice across the Scottish economy.</p> <p>We will continue to build and review the evidence base to identify and address barriers to Fair Work.</p>
Anti-racist employment strategy outcomes	<p>The number of people entering the labour market and staying in and progressing in an organisation being closer to and representative of the population it serves.</p> <p>An increase in the number of intersectional barriers addressed by employers to help all people realise their potential in the labour market.</p> <p>Employers creating more safe, diverse and inclusive workplaces where all staff are comfortable in providing their ethnicity information and other Diversity and Inclusion information for monitoring as part of Fair Work First criteria.</p> <p>Employers are taking more actions that are being informed by evidence and data gathered, disaggregated and analysed from the workforce which sees an increase in positive impacts on the entire workforce.</p>

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Establish a platform for exchanging learning and good operational practice among employers – practice that is anti-racist and intersectional in its approach.	Our Ask of Employers and Support Available	<p>By the end of 2023 we will work with partners to join up provision of advice and support for employers by establishing a central Fair Work resource, making it as simple and efficient as possible for employers to use. This would enhance and consolidate existing material to ensure employers have a clear route to access guidance, support and advice on Fair Work. It will involve:</p> <ul style="list-style-type: none"> • Advice and tools to promote the benefits of Fair Work and workplace equality • Good practice case studies • Advice on networking and establishing peer support groups • Collaboration with existing trusted business support services and partners 	<ul style="list-style-type: none"> • Increased knowledge and skills among employers in implementing Fair Work practices as well as taking action on workplace inequalities. • Assisting in the creation of advice networks for employers to access peer support. 	<ul style="list-style-type: none"> • Fair Work practices are implemented in a more informed way. • Improved business performance.

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Undertake evaluation of the ME Recruitment Toolkit to ensure it remains fit for purpose (anti-racist and intersectional) and is applied across the public sector. Consider augmenting the toolkit to include other accessible support sources, including those for retention and progression.	As above	As above	As above	As above
Promote and disseminate learning and practice that shows positive change in employers' end to end processes to increase ME representation.	As above	As above	As above	As above

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Develop an intersectional and anti-racist training framework for public and private sector employers by which to assess their training needs and improve the quality of training offered in the organisation.	Our Ask of Employers and Support Available	Working with employers, equality stakeholders and training providers, develop and implement an intersectional and anti-racist training framework by 2025.	<ul style="list-style-type: none"> • Framework developed that includes intersectional perspective. • Employers better able to assess their needs and access relevant and high quality anti-racist training. 	<ul style="list-style-type: none"> • Greater number of employers are accessing good quality training which means they are able to make positive changes to workplace practices and cultures including by taking account of intersectionality.
Produce guidance on positive action to support employers across the public sector and promote this guidance through a series of engagement sessions.	Our Ask of Employers and Support Available	We will develop and promote good practice guidance for employers to showcase successful application of positive action measures as per the Equality Act 2010, giving particular attention to sex, pregnancy, race, age, and disability by end 2024.	<ul style="list-style-type: none"> • The guidance has been promoted, generating increased awareness of positive action measures and their applications to the different equalities groups. 	<ul style="list-style-type: none"> • Greater application of positive action measures across employers/ more diverse workforce recruited.

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By the end of 2025 we will review and disseminate learning and best practice on the conclusion of the 2024 Workplace Equality Fund.	Our Ask of Employers and Support Available	By the end of 2025 we will review and disseminate learning and best practice on the conclusion of the 2024 Workplace Equality Fund.	<ul style="list-style-type: none"> • Increase in numbers of employers improving their equality and diversity policies • Increase in numbers of people in priority groups recruited and retained • Learning from fund is disseminated to more employers 	<ul style="list-style-type: none"> • Employers more able to recruit the right people, with the right skills, at the right time • More diverse workforces which leads to increased productivity and, in turn, increased economic output for Scotland • A better informed approach can be taken on recruitment and retention and progression practices
Oversee pilot to improve engagement of employers and employability services with ME communities. Includes work to support EQIA process among employers. To improve the quality of assessments and how the practice can be embedded at the start of a process or policy development.	Support for People to Access and Sustain Fair Work	The Scottish Government's Employability Delivery will continue to work with Fair Start Scotland providers, within the timescales of the current contract until March 2023, to implement a continuous improvement approach to enhance delivery and outcomes for disabled people and those furthest from the labour market, including people from racialised minorities and women. This will include drawing upon learning from Pathfinders/test and learn projects being delivered by Disabled People's Organisations in 2022/23 and the pilot project on community engagement being delivered by CEMVO Enterprises CIC.	<ul style="list-style-type: none"> • Appropriate and tailored access to support for disabled people, women, the over 50s, and people from racialised minorities to enter employment. • Better data is collected and analysed on employability programmes and their impacts, including for those experiencing labour market inequalities. • Where data and sample sizes allow, there is improved consideration of intersectional data 	<ul style="list-style-type: none"> • People from all backgrounds receive appropriate advice and support to be able to consider what route to employment is the right route for them, and employment outcomes are improved • Better data enables employability programmes to be tailored appropriately to deliver tailored support

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We will work with Labour Market Analysis colleagues to run a series of dissemination sessions when labour market statistics on ethnicity are published to make employers (and stakeholders) aware of data that is available and to support them to use national data to help inform their practice.	Building on the Evidence Base	We will work with the Scottish Government's analysts to run a series of official statistics dissemination sessions with interested stakeholders to help inform their understanding of the labour market landscape in relation to fair work. Where available data allows, this will include considering intersectionality.	<ul style="list-style-type: none"> Increase in stakeholder awareness and understanding of labour market data, the intersectional nature of labour market inequality and the role of Fair Work. 	<ul style="list-style-type: none"> Increased use by stakeholders of labour market data to inform their practice to deliver change.
We will continue to press the UK Government to mandate ethnicity pay gap reporting, legislate for the prohibition of caste discrimination under the Equality Act 2010.	N/A	Part of the aggregated action narrative – “We will also lobby the UK Parliament for key changes to reserved legislation to address racialised systemic inequity, including mandating employers to report their ethnicity pay gap.”	N/A	N/A

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Work with partners to establish senior leadership networks to build capability and understanding of racism and racial inequality in the workplace by the end of 2023.	Public Sector and the Role of Leadership	Work with partners to establish senior leadership networks to build capability and understanding of racism and racial inequality in the workplace by the end of 2023.	<ul style="list-style-type: none"> • The network is established, public sector leaders feel more confident in taking actions to address racial inequality due to increased knowledge, including taking an anti-racist approach and challenging racism in the workplace • Increase understanding and awareness of institutional racism • A platform is established for public sector leadership to discuss addressing racial inequality and anti-racism • Public sector leaders feel more confident in taking actions to discuss and address racism 	<ul style="list-style-type: none"> • Leaders better able to take forward or advocate practices that would address racial inequalities • Leaders take and promote an anti-racist and intersectional approach to decision making in their organisations • Employers create more safer, diverse and inclusive workplaces • Employees at all levels in the organisation take an anti-racist approach • All staff benefit from more inclusive workplaces

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Co-deliver a series of engagements with the public sector by end of 2023 to support employers to address the recommendations of the Scottish Parliament's Equalities and Human Rights Committee's inquiry report into race equality, employment, and skills which recommended employers assess their organisations' understanding of racism and structural barriers; employers subject to the Public Sector Equality Duty as a minimum, voluntarily record and publish their ethnicity pay gap and produce an action plan to deliver identified outcomes.	Public Sector and the Role of Leadership	Work with equality organisations and public sector employers to co-deliver a series of engagements with the public sector by end of 2023 to support employers to address the recommendations of the Scottish Parliament's Equalities and Human Rights Committee's inquiry report into race equality, employment and skills which recommended employers assess their organisations' understanding of racism and structural barriers; employers subject to the Public Sector Equality Duty as a minimum, voluntarily record and publish their ethnicity pay gap and produce an action plan to deliver identified outcomes.	<ul style="list-style-type: none"> Engagement held, engaged with public sector leaders, supported and encouraged those leaders to take actions on inequalities faced by people from racialised minorities 	<ul style="list-style-type: none"> Organisations better able to implement policies that take account of intersectional barriers, improve business performance and enable diverse and more inclusive workplaces

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Ensure messaging around anti-racism and intersectionality is taken account of in Fair Work First guidance as used in procurement and grand funding processes.	Public Sector and the Role of Leadership	By 2023 update the Fair Work First criteria to better reflect priority action required to address labour market inequalities faced by women, racialised minorities, and disabled people, ensuring people can enter, remain and progress in work	<ul style="list-style-type: none"> • More employers implement Fair Work practices with a specific focus on addressing workplace inequality for women, people from racialised minorities, disabled people, and the over 50s 	<ul style="list-style-type: none"> • Improved business performance • Workplace diversity and inclusion is improved
New action from Fair Work Action Plan.	Public Sector and the Role of Leadership	The Scottish Government to undertake an equal pay audit examining pay gaps by gender, disability, race, and age by March 2024. We will act on findings to review and refresh our recruitment and retention policies to address workplace inequalities by end of 2025.	<ul style="list-style-type: none"> • Findings from the audit are published. • Findings from the audit have been published. We have better data on SG pay gaps to inform our actions to reduce pay gaps, improve access to progression and decrease occupational segregation 	<ul style="list-style-type: none"> • There is parity of pay and skills recognition across all workers • A better informed approach can be taken to our recruitment and retention and progression practices