

DON'T ASK, DON'T TELL

Barriers to career progression for talented LGB & T
individuals in the UK Civil Service

March 2015

'I'm certain I wouldn't be as senior as I am now if I'd been openly gay at work during the last 15 years. That makes me slightly sad, almost every day.'

Male SCS

'We think of ourselves as a very outward-looking department but it's as if the whole of business is seen as white, and Oxbridge, and male, and straight. I was recently told in a mid-year review that I was a bit "too gay".'

Female SCS

'Sexual orientation equality in the Civil Service is a bit like a car with the choke out the wrong amount, fits and bursts, with gaps in-between.'

Female EO

'I am aware of a trans person who delivers the mail, or something.'

Male SCS

All quotations in this report are from civil servants interviewed for this research, unless otherwise sourced

Foreword

No one doubts that the UK Civil Service will continue having to do more with less in the years ahead. That means unlocking the full potential of every one of its people. In 2015, the very best workplaces acknowledge that this means listening to your people carefully, and listening in particular to groups who may not have been heard before.

There have been evident Civil Service successes in the areas of sexual orientation and gender reassignment in recent years. Some departments and agencies have demonstrated leadership and innovation both in people management and service delivery. But while much of the Civil Service was ahead of the curve in delivering 'equalities' outcomes twenty years ago, it's arguably now in a median position in relation to other major employers. Its risk is that, without change, it may fall behind the wider labour market in the next twenty.

The evidence outlined here does suggest that too many lesbian, gay, bisexual and transgender (LGB & T) civil servants still feel overlooked. They often perceive that they'll not be able to unlock their full potential at work. While current policy intent in this area is clear, it lacks ambition and drive.

There also remain real, unpleasant difficulties for too many LGB & T staff engaged in public service delivery across Britain. For some, Whitehall departments appear similar to agreeable chateaux – inhabited by officers and well behind the front line.

The updated *Civil Service Reform Plan* notes that 'transparency and self-criticism is uncomfortable'. Some of the reading here might feel uncomfortable too. However, it's refreshing that ministers have asked for it. It's intended to help them and officials deliver their stated vision of a 'world-leading' workplace, rather than a median one.

This report's recommendations, quite deliberately, do not suggest the Civil Service 'considers' matters that it might still be 'considering' in three or five years time. They are largely managerial, rather than poetic, and are intended to provide an accelerant to an acknowledged direction of travel.

I'm grateful to all those who've assisted in the delivery of this work to a tight timescale. They're determined to make the UK Civil Service not just a better workplace for thousands of lesbian, gay, bisexual and transgender colleagues but a better provider of public services for millions of taxpayers and citizens too.

Ben Summerskill

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Key findings

Leadership & accountability

- 1 Who's in charge?** There's huge vagueness of accountability for delivery of Diversity & Inclusion (D&I) outcomes across the Civil Service, including those around sexual orientation and gender reassignment. It's frequently unclear to both internal and external stakeholders who is responsible for delivery, and how success might be measured.
- 2 Who's delivering?** The delivery of D&I outcomes in the Civil Service is structurally dysfunctional. No FTSE-100 company would have allowed Strategy (Cabinet Office), Policy (GEO/DCMS reporting into DfE), Delivery (DWP) and Scrutiny (EHRC) to sit within four different management frameworks. Many pockets of good practice around D&I are not publicised or leveraged.
- 3 A 21st century approach to diversity** There appears to be too little awareness that a strong business case for D&I can be led by its potential contribution to improved and more cost-effective public services, and not just HR impacts. Variation of delivery of diversity outcomes around sexual orientation and gender reassignment between departments is marked.

Culture

Too many LGB & T Civil Service staff are still anxious about being able to be themselves at work

- 4 What people see...** Many Civil Service people and management processes make LGB & T people feel undervalued or invisible. Mystery shopping has demonstrated that some Civil Service recruitment vehicles, for example, are rudimentary from the perspective of LGB & T potential recruits in comparison with private sector competitors. Similar anxieties are exacerbated for those aspiring to join the Senior Civil Service by a paucity of senior role models.
- 5 What people feel...** Too many LGB & T Civil Service staff are still anxious about being able to be themselves at work, in spite of hard evidence that this enhances both their productivity and the effectiveness of teams they work in. Too many still feel that being open at work compromises their chances of promotion.

It turns out that the Civil Service has had hard evidence for some years of de-motivation and bullying of LGB & T civil servants, but this has not been addressed

6 Gender reassignment Much of the Civil Service is ambiguous about the distinction between sexual orientation and gender reassignment, making it more difficult to deliver effective outcomes on either. Staff from both cohorts often resent this and it confuses implementation of good practice. While trans people may comprise a small part of the CS population, the infrastructure that has been successfully developed over some years to support trans service users, staff and potential recruits is very fragile.

7 Network groups Employee network groups – LGB, T and LGB & T – have often delivered significant positive low-cost gains where they've been encouraged and focused. They can be innovative, understanding the organisational ecologies in which they operate. In contrast to many parts of the private sector these networks, and the staff engaged in running them, are insufficiently valued in relation to the business outcomes – for both public service-users and staff – that they can deliver.

Talent processes & career development

8 Using data wisely Staff across the Civil Service are already being surveyed, sometimes in a slightly lacklustre way, about their sexual orientation. However these metrics are not being used, encouraging disillusionment about the Civil Service's motives and effectiveness. It turns out that the Civil Service has had hard evidence for some years of disturbing levels of bullying and de-motivation of LGB & T civil servants but this has not been appropriately addressed, or even organisationally acknowledged.

9 Middle managers Managers – who have significant impact on career progression (through networking, training and promotion recommendations) – appear to have insufficient appropriate guidance, training or supervisory 'nudge' on unconscious bias around sexual orientation and gender reassignment.

10 Talent management There's bewilderment and frustration among too many Civil Service staff about the active exclusion of LGB & T staff from some talent programmes, and the perception of their exclusion from others. Similarly, they don't understand why the recently-published Talent Action Plan could not easily have 'read across' some of its gender proposals to sexual orientation and gender reassignment, and to all levels of the Civil Service, not just the Senior Civil Service.

Background: The last 30 years

The Civil Service is unrecognisably different as an employer for LGB & T people from three decades ago. As recently as the 1980s the Foreign & Commonwealth Office accepted that male homosexuality was a 'character defect' exposing a person to undue influence by a hostile intelligence service. Those thus afflicted were, if discovered, required to resign.

In 1991, a new Prime Minister dropped the automatic bar on homosexuals having 'access to high security posts or classified papers'. In 1999, transgender people secured employment protections in Britain. In 2003, similar regulations gave all lesbian, gay and bisexual people workplace protections – from sacking, bullying and discrimination in recruitment or promotion – too. For the first time many of the 1.7 million LGB & T people in the UK labour market felt emboldened to be open about themselves at work.

The Civil Service responded to the 1999 and 2003 changes, like many employers, by focusing initially on compliance. But in the intervening decade many parts of it have moved well beyond compliance, developing significant pockets of good practice. Positive recognition for this work by some departments and agencies has come from Stonewall in its annual Workplace Equality Index. Recognition has come too from the Trans Equality Index.

However, thoughtful employers recognise that it's what happens across workplaces, not just in pockets of good practice, that matters. And with little chance of public sector pay rising materially in the next decade, perceived non-economic benefits will increasingly be central to Civil Service recruitment and retention. People engage with their employers not just rationally, but emotionally.

Alongside that imperative, the wider world has changed starkly too. The private sector – from retailers to investment banks – is now actively engaging LGB & T recruits, staff and potential leaders in a way that would have been unthinkable even ten years ago. Consequently, the Civil Service can no longer expect people from minority communities to remain loyal to it on the basis of a – now-outdated – assumption that in the public sector they will inhabit a more benign working environment than elsewhere.

That's the labour market context in which this report examines current Civil Service practice and delivery.

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Background: The Business Case

Until recently the evidence base around both workplace diversity, and issues of sexual orientation and gender reassignment in particular, was thin.

Stonewall first outlined the – intuitive – business case for supporting LGB employees in 2005 when it developed the legend: 'People perform better when they can be themselves.' It's an insight now oft-cited by the Civil Service's recently-retired Lead Non-Executive Director. If any employee feels compelled to disguise who they are, or with whom they spent their weekend or holiday, they are almost inevitably less operationally effective than they would be otherwise.

People perform
better when they
can be themselves
Stonewall

Further compelling evidence about productivity was published by Stonewall in 2007. In *Peak Performance* a range of lesbian, gay and bisexual staff from across the public and private sectors identified, almost universally, a positive correlation between a benign workplace climate and their own productivity. 'You'd have to pay me a lot more than I get paid here to go somewhere else,' explained one employee of a gay-friendly enterprise. 'I just feel very comfortable and I feel very accepted. I feel very loyal to the organisation.'

As Stonewall researchers noted: 'Staff who can be open about their sexuality at work are more likely to enjoy going to work, feel able to be themselves, form honest relationships with their colleagues, are more confident, and ultimately more productive. Lesbian and gay equality at work evidently makes good business sense.'

'Being included at work isn't just about promotion. It's about wellbeing, feeling valued, doing what you're doing in your grade well, feeling able to develop. That's not necessarily always promotion but it is career progression.'

The bottom-line benefits derived by employers from embracing sexual orientation and gender identity issues are signalled by analysing what corporates are doing in America, where there has been no federal requirement to engage in such work. By 2011, 96 per cent of the Top 50 Fortune 500 companies had included sexual orientation in their non-discrimination policies, and 70 per cent had included gender identity. These were entities acting solely out of commercial self-interest.

There's more recent hard evidence of the benefits of 'inclusive' workplaces too, where attempts are made not just to encourage diversity – the presence of difference – but to make those who are different feel valued and included at work. This is of particular importance to those, such as gay and trans people, who may not have felt valued historically.

In 2012, Deloitte Australia demonstrated that in a business where just one in ten employees feel more 'included', work attendance increased by almost one day per year. Deloitte noted: 'To feel highly included, a person would not only say that they are treated fairly and respectfully but that their unique value is known and appreciated.'

'When the Perm Sec and the minister, the Home Secretary, have been all over the issue [prejudice against LGB & T people] it does build confidence and make it easier for people encountering difficulties.'

'I've never had a problem in my office, even with the public. The managers stamp down on it [homophobia] and that's that. It's reassuring. So I feel good.'

Globally, employers have noted that where LGB & T personnel are made to feel visibly welcome in a working environment that gives licence to other staff who perceive themselves to be different from their workplace's cultural norm to feel more comfortable too. They might include fathers who want to take advantage of family-friendly working, people with an invisible disability or people from less represented socio-economic backgrounds.

EY is a leader in publicly supporting LGB & T staff and including them in its management vision. It explains: 'Diversity is about differences. Inclusiveness is about leveraging those differences to achieve better business results.'

Among its own 175,000 staff, EY has established that where employee engagement on D&I is highest – demonstrated by agreement with the statement 'EY provides a working environment where I feel free to be myself' – teams deliver £76,500 per person of marginal income a year.

It's perhaps worth noting that if as a consequence of feeling better included at work each of the DWP's 80,000 (full time equivalent) staff also delivered a marginal annual contribution of £76,500, a plausible proposition, the public purse would benefit to the tune of £6.1bn per annum.

Background: Hard evidence

The Civil Service People Survey, now carried out annually on a sample base of more than 230,000 employees, is a hugely rich resource that appears to have been insufficiently mined in the past. In 2013, the last year available for detailed analysis, it identified 9,000 non-heterosexual staff.

Since its inception in 2009, groups representing trans staff have asked that the Survey not include them as they feel their very small numbers in some departments or agencies still risk the possibility of personal identification.

It should be a matter of very considerable concern that this trend data was available for five years and yet no material remedial action was taken

Civil Service People Survey 2013

Results of the 2013 Survey around sexual orientation, not included in the widely-publicised portmanteau presentations, would make disturbing reading for any concerned employer:

- On 61 of 62 metrics, non-heterosexual staff were less positive working for the UK Civil Service than their heterosexual counterparts. Some of these discrepancies are small, but it is stark that all except one is negative.
- Non-heterosexual staff were 75 per cent more likely to want to leave the Civil Service 'as soon as possible' than heterosexuals (14 per cent compared to 8 per cent).
- Non-heterosexual staff were 68 per cent more likely to have 'personally experienced bullying or harassment at work' than heterosexuals during the past 12 months (16.8 per cent compared to 10 per cent).
- More than 3,000 non-heterosexual UK Civil Service staff had 'personally experienced discrimination at work' in the last 12 months.

Review of past Surveys made available for this research found that similar data has been identifiable for some years.

Civil Service People Survey 2010

- On 56 of 56 metrics, non-heterosexual staff were less positive working for the UK Civil Service than their heterosexual counterparts.
- Non-heterosexual staff were 68 per cent more likely to want to leave the Civil Service 'as soon as possible' than heterosexuals (*rising to 75 per cent in 2013*).
- Non-heterosexual staff were 67 per cent more likely to have 'personally experienced bullying or harassment at work' than heterosexuals during the previous 12 months (*rising to 68 per cent in 2013*).
- 2,969 non-heterosexual UK Civil Service staff had 'personally experienced discrimination at work' in the previous 12 months (*rising to 3,100 in 2013*).

Meanwhile, according to the Survey, the proportion of non-heterosexual respondents across the Civil Service *fell* from 5.4 per cent in 2010 to 3.9 per cent in 2013. This might have been because the number of those staff had fallen; it might have been because they were no longer sufficiently engaged to complete the survey. Either decline should be worrying to their employer.

It should be a matter of very considerable concern that this trend data was available to the UK Civil Service for five years and yet no material remedial action was taken.

In November 2014, the Cabinet Office commissioned the Hay Group to survey online a smaller sample, of 799 lesbian and gay and 175 bisexual civil servants. Although the survey was self-selecting among those with concerns about barriers to success, it confirmed among a significant cohort of LGB staff many similar anxieties to those already identified by the Civil Service People Survey.

Barriers to Success Survey 2014

- Only half of LGB staff said they were 'comfortable initiating discussions about diversity and inclusion related issues in my department'.
- Only two in five LGB staff agreed that 'When it comes to valuing diversity and inclusion senior leadership's actions are consistent with their words'.
- Just a third of LGB staff said that if they'd encountered discrimination, bullying, harassment or victimisation at work in the past 12 months they'd reported it.
- Fewer than one in five of those who had reported discrimination, bullying, harassment or victimisation at work in the past 12 months were satisfied with the action taken by the Civil Service in response.
- Just 23 per cent agreed with the statement 'I believe that promotion decisions are made fairly'.

Marked discrepancies exist between the perceptions of Grade 6/7 staff and their SCS colleagues

One arresting finding of this survey is that the confidence and positivity of Senior Civil Service staff and less senior personnel is markedly different.

- Lesbian, gay and bisexual SCS staff are 60 per cent more likely than their AO/AA counterparts to say that they're 'comfortable expressing my views at work'.
- LGB SCS staff are almost twice as likely to agree that 'employees are recognised for their contributions in a fair and equitable manner'.
- LGB SCS staff are almost a third more likely to agree that 'The Civil Service is committed to Diversity' than their AO/AA colleagues.
- And LGB SCS staff are almost 80 per cent *less* likely to say they have personally experienced 'discrimination, harassment, victimisation or bullying at work' during the last 12 months than their AO/AA counterparts.

Those tasked with recruiting to the Senior Civil Service might note that marked, although not quite such wide, discrepancies exist between the perceptions of Grade 6/7 LGB staff – those in the so-called 'feeder' categories for the SCS – and their SCS colleagues.

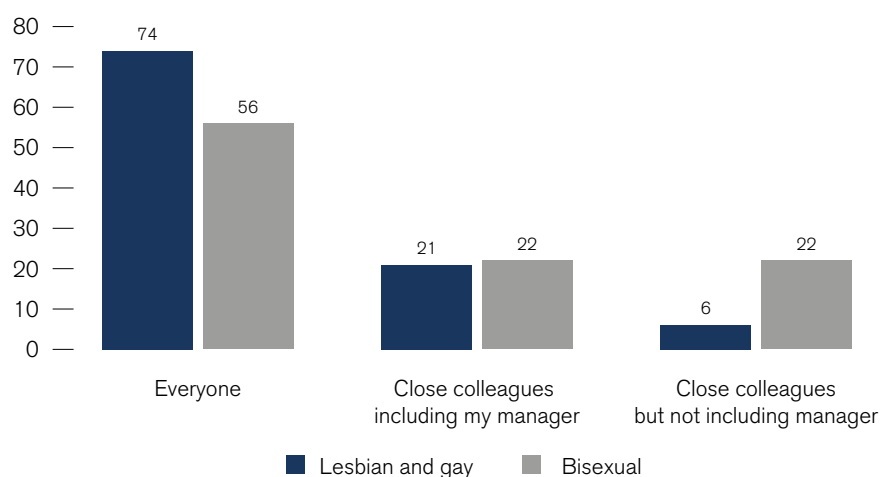
Not feeling able to be out at work is a significant proxy for discomfort

- 83 per cent of SCS LGB staff think: 'I believe I can achieve my personal career objectives at the Civil Service'. Only 59 per cent of those in Grades 6/7 agree.
- 58 per cent of SCS LGB staff say: 'I believe that promotion decisions are made fairly'. Only 32 per cent of those in Grades 6/7 agree.

Eighty four per cent of the total lesbian and gay sample said they were open about their sexuality at work. One in four of those did not feel able to be open to everyone in their workplace, an important indicator of relaxedness.

However, lesbian and gay staff are more than twice as likely to be out at work than bisexuals (39 per cent) and also significantly more likely than bisexuals to be out to everyone in their workplace.

Who are you open to at work?



Not feeling able to be out at work is a significant proxy for discomfort. The Civil Service People Survey has found that bisexuals declare lower levels of positive response to their working environment than their lesbian and gay counterparts on other indicators too.

This may be because bisexuals who are in relationships with partners of the opposite sex are more likely to be 'invisible' to those in majority populations who simply assume them to be heterosexual. If thus invisible they're both more likely to feel unacknowledged and also more likely to hear homophobic or biphobic abuse or asides that might, in 2015, no longer be expressed in the presence of known gay people.

'If you're not out [as bisexual], you're privy to a lot of conversations that make your hair stand on end. I've heard mainstream conversations about people that are awful.'

'With a male partner why would I risk coming out as bisexual? The possible aggro wouldn't be worth it.'

'I'm bisexual. But there's a prevailing need to conform in order to succeed.'

1. Who's in charge?

It has been perplexingly difficult to discover who's ultimately responsible, and therefore *accountable*, for the delivery of diversity outcomes in the Civil Service. To frame the enquiry in Whitehall terms: 'Who would a Select Committee ask to appear before it?' if it perceived there to be a problem.

The question was posed almost 40 times to interviewees and focus group participants during this research. One senior civil servant finally ventured the politic explanation: 'At the end of the day, the Cabinet Secretary is responsible *for everything*'.

Senior officials have responded to this by saying that the recent Talent Action Plan 'is clear – it is the Cabinet Secretary'. But regardless of whether all civil servants saw the September 2014 TAP when it was published, it's a plan whose details are limited to gender, not diversity across the whole Civil Service. Answering this question might need higher profile communications on issues beyond gender.

That there is not a clearer answer might also speak to wider issues – alluded to in the *Civil Service Reform Plan* – about accountability. If no senior individual can ultimately be identified by their staff as responsible for delivery of an important area of a business's activities, it's unsurprising if the outcomes turn out over time to be sub-optimal.

An online 'mystery shop' executed for this research – *as a 45-year old gay man being headhunted by the Treasury from an investment bank, let's call him MSA* – did exactly what such a candidate might do while considering a Senior Civil Service career. He sourced the performance objectives of 18 Permanent Secretaries to identify the current operational priorities of his potential employer.

Five Permanent Secretaries – volunteers to act as, or to assist, 'diversity champions' – saw reference made to their specific roles in their performance objectives. Remaining Permanent Secretaries' performance objectives – including those of the Cabinet Secretary and the Permanent Secretary at the Treasury, where **MSA** is being asked to work for significantly less than his current salary – made no mention whatsoever of delivering diversity outcomes across their area of responsibility. Yet **MSA** already works at a bank where many of the most senior staff have diversity outcomes included in their own performance objectives. *What impression does this give MSA? Why would he risk moving to a workplace which appears to take diversity & inclusion so much less seriously than his own?*

'I've heard a "Diversity Champion" speak. He was massively uninspiring, like he'd been sitting around and someone said "Do you mind doing diversity?"'

'Permanent Secretaries often have blogs noting weddings and engagements, but I've never seen a civil partnership mentioned.'

If no one senior can be identified by staff as responsible, it's unsurprising if outcomes turn out to be sub-optimal

The private sector increasingly links operational diversity outcomes to performance management of senior staff

The Civil Service Reform Plan: One Year On, published in July 2013, referred to an aspiration to 'sharpen accountability of Permanent Secretaries'. Arguably, diversity delivery is an area in which that sharpening needs to take place.

The private sector increasingly links operational diversity outcomes to performance management of senior staff. *Forbes Insights* – surveying 321 executives of businesses worldwide with a turnover of more than \$500m – reported that by 2011 accountability for delivering diversity outcomes was being 'measured by performance reviews (66% of businesses), bonuses (51%), business/department reviews (48%), salary increases (42%) and promotions (41%)'. There seems to be no compelling reason why performance objectives for Civil Service Permanent Secretaries – and their annual bonus payments – should not be linked to diversity outcomes too.

'There's something about diversity being seen as a corporate add-on, the commitment not being authentic.'

'Where things have slipped on diversity is that there aren't structures in place which ensure accountability, and clear roles and responsibilities.'

Recommendations

Either the Cabinet Secretary or the Civil Service Chief Executive should be identified as individually responsible for delivering diversity outcomes across the whole Civil Service. This responsibility should feature explicitly in their performance objectives.

All Permanent Secretaries, and agency Chief Executives, should have measurable delivery of diversity outcomes – both in service delivery and HR – included in their performance objectives. Their appraisals and any discretionary part of their remuneration should be linked to these as with other key deliverables, as increasingly in the private sector.

2. Who's delivering?

The Diversity Delivery team for the Civil Service currently sits in DWP, the Diversity Strategy team sits in the Cabinet Office, Diversity Policy for legislation is the responsibility of the Government Equalities Office (located in DCMS but reporting to the Secretary of State in the DfE) and Scrutiny, as of all employers, sits with the Equality & Human Rights Commission. No FTSE-100 company would have allowed such a structurally dysfunctional management arrangement to develop.

This is not a *geographic* observation. It is an observation about management alignment, and consequent potential inefficiencies. (The Government Equalities Office has, however, been moved so often physically in the last decade as a consequence of machinery of government changes that it appears to have a Pickfords van on stand-by. This is something that has caused staff across the wider Civil Service, understandably, to consider if equalities is not a priority).

My understanding is that the GEO's function has been 'external facing' and that it does not impact on Civil Service recruitment/progression. If there is a body of expertise, however, it's surprising that it's not been drawn on. (It's fair to say that if a private sector consultancy came up with innovative payroll solutions for external clients, for example, it would always seek to apply them to its own payroll too.)

Examination of outcomes does suggest a dissipated diversity function with insufficient – knowledgeable – senior direction and drive from government. Just one example is that briefings delivered to Permanent Secretaries about sexual orientation and gender reassignment – copies of which were volunteered to assist this research – contained legal and statistical vagueries and inaccuracies.

'I'd forgotten about the GEO. Years ago they were quite visible but in the last year or so I haven't heard anything from them. I guess they're busy implementing equal marriage.'

'Since the diversity lead in the Civil Service was allocated to DWP, it's almost dropped off the radar. If you're at the sharp end in education, it's almost impossible easily to find assistance.'

Too often also there is a failure to publicise good practice around sexual orientation or gender reassignment issues. At the October 2014 Civil Service Diversity Awards, a well-resourced event attended by a number of Permanent Secretaries, Prison Officer Sharon Drewell won an award for her work at Parkhurst and other prisons.

Ms Drewell had been, and continues to be, engaged in providing and developing quite remarkable assistance to high security and other prisoners in supporting their gender reassignment, with consequent and very material benefits for rehabilitation. This real triumph of service delivery, with all its benefits for the wider public too, was not widely promoted within the Civil Service. Moreover, no effective attempt was made to promote this story to national news outlets either; they would undoubtedly have covered it.

No FTSE-100 company would have allowed such a structurally dysfunctional management arrangement to develop

Too many pockets of good practice around Diversity & Inclusion appear not to be publicised or leveraged

Such promotion would have demonstrated not just to taxpayers, but to pools of potential recruits too, efficient public service delivery to gay and trans people in a twenty-first century Civil Service. Too many other pockets of good practice around D&I appear not to be publicised or leveraged, something that involves little material cost.

Another 'mystery shopper' – *a successful lesbian considering applying for a public appointment, let's call her MSB* – engaged in senior public recruitment exercises where monitoring forms asked detailed questions about gender, ethnicity and disability but failed to include sexual orientation or gender reassignment. There's now evidence that where organisations trouble to monitor some potential recruits, but exclude other specific categories, people in the omitted categories can be deterred from applying. *What is MSB to think when she sees this? What's a young LGB or T person investigating the Civil Service's recruitment shop window to conclude?*

This omission has been raised previously with the Commissioner for Public Appointments. His explanation was that he was 'guided' by those departments commissioning appointments. However in November 2014 the Ministry of Defence explained, on the contrary, that it was required to provide monitoring information 'to the Commissioner for Public Appointments on the *age, ethnicity and gender* of all people appointed'. While both parties blame each other for this exclusion, potential LGB & T candidates may well be lost to public service, and aspirants to senior positions with the Civil Service are themselves deterred.

'When I see monitoring for non-exec posts that doesn't include sexual orientation, what message is that meant to give me about my chances of getting on to our department's Board?'

Recommendations

Diversity strategy, diversity delivery and diversity policy should be located in the same place in government, reporting to the same Minister and the same Permanent Secretary, and with sufficiently strong leadership to have pan-government impact.

The Civil Service D&I function, wherever it be located, should develop a communications strategy so that good practice is effectively shared and promoted internally and externally. A strategy focussed on diversity outcomes needs to be targeted as much at majority populations as to minority, or under-represented, ones.

Monitoring of public appointments and non-executive departmental appointments should be across the statutory protected characteristics, and reported annually.

3. A 21st century approach to diversity

Demonstrable pockets of Civil Service good practice in public service delivery to LGB & T people have been developed in recent years. The Disclosure and Barring Service (where keeping people's gender history confidential has been addressed), the Crown Prosecution Service (which has effected pioneering work on homophobic hate crime) and the Border Force (where dealing with LGB asylum-seekers and managing transsexual people has been markedly improved) are examples.

There's a strong business case for diversity in terms of delivering better – and thus more cost-effective – public services

However, many – well-disposed – senior civil servants still think that diversity outcomes for sexual orientation and gender reassignment are solely matters of HR. There is insufficient understanding that there's a strong business case for diversity in terms of delivering better – and consequently more cost-effective – public services.

A limited appreciation by these personnel reflects, perhaps, an approach to 'equalities' current at the beginning of their careers. But increasingly across the private sector diversity functions now report into CEOs. This is because their businesses recognise that D&I can contribute as much to operational, as to HR, outcomes.

This perspective – that diversity has little to do with service delivery – may explain why too many LGB & T staff working in public-facing working environments across the country, from border control to benefits offices, still routinely face deeply offensive articulations of homophobic or transphobic prejudice from members of the public while at work. They often feel that their managers, both on-site and nationally, ignore these.

| 'They don't think any gay people work here, so they say what they like.'

| 'In a macho environment like mine, you'll sometimes catch it from colleagues, but by far the biggest problem is the public.'

These insults don't just demean staff. If not addressed, they undermine their confidence both in themselves and in their employer. Many understand that managers and senior managers can't stop members of the public expressing unpleasant prejudices. It's how they're dealt with that matters. Encouragingly, some individual staff in a range of workplaces also say that – with on-site management support – this can be done.

| 'You have to live with it [homophobia from service users] but the good thing is I know I would be supported, and I am, by managers if it happens. But I also know I'm very lucky. It's pot luck and I'm grateful for it.'

| 'Although the public can be difficult, we do have a culture of respect here that's been forced through by senior managers that you will not express your hatred just because somebody's different. It's stamped on very hard here, whether it's racism or sexism or transphobia.'

Thirty years ago, those involved in delivering public services often suggested that, when staff faced abuse from the public on grounds of race or gender, there was regrettably little that could be done either. Properly, that approach has since been reversed. It's clear that a similar 'zero tolerance' approach to homophobia and transphobia should be adopted across the Civil Service, particularly in large operational departments.

There also remain marked discrepancies in delivery of good practice across the Civil Service on issues of sexual orientation and gender reassignment. This is evidenced by the widely varying performance of departments and agencies who enter Stonewall's annual benchmarking exercise. The Workplace Equality Index has established an evidential link between the range of good practices it promotes, and are implemented, and levels of declared staff satisfaction among LGB staff. It also focuses on service-user and customer satisfaction.

Recommendations

Diversity & Inclusion should henceforth be regarded by the Civil Service as a core issue of service delivery, as well as an HR issue. The Civil Service D&I function should in future report to whichever senior official (be it the Cabinet Secretary or the CS CEO) is deemed responsible for delivering pan-government D&I outcomes.

There remain marked discrepancies in delivery of good practice across the Civil Service

All departments and agencies should be required to make clear with immediate effect that expressions of homophobia or transphobia by those using public services across the country will be treated in the same 'zero tolerance' way now applied, properly, to similar expressions of racism. Implementing this should be part of performance appraisal for managers.

All departments and agencies should be required to enter Stonewall's (cost-free) Workplace Equality Index in 2015 and every three years thereafter to help develop healthy competition. Successful departments and agencies should then mentor the less successful.

4. What people see...

Senior staff identify the Civil Service variously as a 'benign' employer for LGB & T people, 'relatively progressive' and 'welcoming'. However, in the wider labour market customers – inevitably – judge a shop rather more by what's in the shop window than by the sentiments privately expressed by the shopkeeper.

'Senior managers may well be cool about it, but they never give that signal that it's ok.'

'Time and again you read things internally and externally that claim to be about our "diverse workforce" and yet they don't include you. What are you meant to think?'

A 'mystery shop' to the Civil Service Fast Stream portal in August 2014 by a lesbian graduate – *let's call her MSC* – found a diversity page with a curt reference to sexual orientation and transgender status in a legal list. However there was extensive detail of what the Civil Service does to support women, staff from minority ethnic backgrounds and those who are disabled.

MSC then explored further and found the *Civil Service Fast Stream: Annual Report 2013* which made explicit reference to 'educational background, gender, ethnicity, disability and socio-economic status' of new recruits. It said nothing about opportunities for LGB or T recruits. When **MSC** eventually found a claimed '*Detailed Analysis*' of the 2013 Fast Stream intake online, that made no mention either of sexual orientation or gender reassignment.

MSC – open-minded about where she wants to work – then sourced the graduate recruitment portals of investment bank Goldman Sachs, management consultancy Oliver Wyman and major law firm Herbert Smith Freehills. All made highly positive references to the support they offer LGB & T employees and introduced successful staff from those communities and unembarrassed statistical detail of the diversity of their businesses. These employers all pay more than the Civil Service.

MSD – a white, male, heterosexual mystery shopper who wants to work in an open-minded 'twenty-first century' workplace – goes through exactly the same recruitment investigation as **MSC**. He finds exactly the same. *To which of these workplaces will MSC in particular, and also MSD, feel an emotional pull? Who will they end up working for?*

Anxieties about visibility are exacerbated – particularly among those aspiring to join the Senior Civil Service – by a paucity of senior role models, especially those who've felt able to be openly-gay or openly-trans throughout their careers. A recent guide to LGB & T role models published by the pan-government Civil Service Rainbow Alliance was rightly praised. However, it actually highlighted how few senior openly-LGB & T personnel there were in an organisation employing more than 400,000 people.

'I've seen positive role models in recent years. That's what's changed, but there are painfully few.'

Anxieties about visibility are exacerbated – particularly among those aspiring to join the SCS – by a paucity of senior role models

A 'comprehensive' new e-learning package for Civil Service managers on unconscious bias omits sexual orientation and gender reassignment

'In this culture ministers are role models too and, of course, there's a dearth of lesbian and gay ministers in government.'

'I work in a department where the Permanent Secretary is [openly] gay. I've seen a big demonstration that this makes a difference.'

Existing staff also look at how an employer presents itself internally. Civil Service Learning has recently identified that 'micro-inequities', a small range of oversights that occur on a cumulative basis, can be just as undermining to individual or collective staff morale as more flagrant acts of discrimination. Such micro-inequities cited by staff include:

'Unconscious Bias', the newly-required e-learning package for Civil Service managers, includes in its case studies issues of age, gender, ethnicity, physical ability, parenting responsibilities (for both fathers and mothers), faith and educational background. Sexual orientation and gender reassignment are overlooked. (Perhaps the omission was unconscious?)

As of December 2014, Civil Service Learning guided managers to a range of discretionary training packages on its dedicated page *'Managing in the modern Workplace – The skills you need to carry out your management responsibilities'*. The skills recommended include 'Unconscious Bias' (as above) and 'Disability Awareness', but not a parallel package on supporting LGB & T colleagues and service-users.

LGB and T staff also say that they have great difficulty in sourcing appropriate advice and support for themselves, not just within departments but across the Civil Service as a whole.

'If you dig around for long enough on the intranet you'll find information and advice for LGB & T people but it takes a lot of fishing around and there's no visible presence at site level.'

'If you're trans and wanting to transition it's very unclear where you'd go in your own department for advice, let alone anywhere else.'

'There's a lack of visible information. It's in the backwaters of the intranet. Trying to find people you might get reassurance from and build confidence is very difficult.'

Recommendations

Civil Service Learning should be professionally reviewed and refreshed with a proper 'cross-strand' diversity lens throughout.

An elementary review of Civil Service recruitment portals – comparing them to good practice in businesses such as Oliver Wyman, Herbert Smith Freehills and Goldman Sachs – should be executed to ensure they are appealing to LGB & T staff.

A pan-Civil Service exercise in publicising successful LGB & T role models should be executed.

5. What people feel...

Emotional connection to a workplace – rather than just a monetary one – is increasingly important, and particularly among young people. So engagements with a wide range of staff sought better understanding of their personal perspectives about career progression. That's why detailed below are individual insights into what many LGB & T Civil Service staff perceive about their employer.

Far too many express anxieties that they are pressured to fit a conventional mould and, if they don't, their professional development will be compromised. Some have been told so explicitly.

| 'It's like: Don't ask, don't tell.'

| 'I was recently told in a mid-year review that I was a bit "too gay".'

| 'Being "too gay". I hear it time and time again. I'm apparently not "too gay" but I've probably conformed for most of my career.'

| 'It's still a straight white male boys club. If you're not all three of those things you'll find it difficult.'

| 'If you don't feel able to articulate your sense of self or take part in team discussions about our private lives, you don't feel that sense of attachment or confidence. You don't feel able to apply for jobs that other people can.'

| 'If you're straight-acting – quote, unquote – then it's fine but if you're anywhere outside that, a bit camp or a bit butch as a woman, if you deviate outside their norms in any way you come across problems.'

Fast Streamer, resigned

Far too many staff express anxieties that they are pressured to fit a conventional mould

Many LGB & T staff aspiring to join the Senior Civil Service voice similar anxieties to those expressed among their contemporary women civil servants – they perceive they don't have the 'fit' demanded by the SCS.

| 'We have a pyramid and there's greater tolerance of diversity and variability the lower down the pyramid you are. Once you get closer to the top people are more and more uniform.'

| 'Quite a few people go back into the closet in order to get into the SCS.'

| 'One barrier for me is lack of confidence on the basis that you're not the right fit. A lot of the SCS almost see it as a corporate achievement to be un-gay.'

| 'I look around at those on the steep upward trajectory, relatively senior or fast-progressing people, I can't think of that many gay people. I can't think of any examples of camp gay people or butch girls doing well.'

| 'I've had in an appraisal feedback that I was very collaborative and collegiate, but perhaps my softer skills [as a gay man] made other people feel uncomfortable.'

Quite a few people go back into the closet in order to get into the SCS

'I had a colleague who was told he was rather shrill and excitable. If that's not a euphemism for being too camp I don't know what is. He's now a partner in a magic circle law firm so what didn't work for the Civil Service is clearly ok for the private sector.'

'I don't think my career has been disadvantaged but senior colleagues still ask how is my search for a wife coming along.'

'I talk to female colleagues about the challenges they face in getting to senior positions. I sometimes feel similar. I recognise that being confident and hard-edged and pushy is not incompatible with being gay but I do feel it's: "You should behave more like a straight man".'

'A lot of senior civil servants think *all* our external stakeholders are straight.'

Potential next generation leaders who happen to be LGB & T should certainly have the same access to mentoring opportunities from the Top 200 available to other under-represented groups. However, a 'reverse mentoring' programme would both expose future LGB & T leaders to very senior – non-LGB & T – personnel, but also enable those senior personnel to develop an understanding of the professional realities of their gay and transsexual subordinates.

Recommendations

As well as providing access to mentoring by senior staff, the Civil Service should develop a programme of 'reverse mentoring' for the Top 200, enhancing the knowledge of senior non-LGB & T staff while exposing next generation leaders to potential mentors too.

The Civil Service should affirm – through performance management and promotion processes – that considering LGB & T staff or service users to be "too gay" or "too butch" is as organisationally unacceptable as considering them to be "too black" or "too Jewish".

6. Gender reassignment

Transgender people are one of the smallest groups in the Civil Service family. They're in a uniquely different position from other groups too; often the individual ambition of a trans man or woman is to complete their journey of gender reassignment and thereafter not to differentiate themselves at all from the majority population.

'Most trans people have a very very simple objective in life. It's to be the woman they know they are, or the man they know they are.'

Forensic understanding of gender reassignment in public service delivery can have very positive impacts

The Civil Service has historically elided gender reassignment or gender identity issues (which it refers to in a range of other ways too) with those of sexual orientation. The summary results of the Civil Service People Survey relating to sexual orientation, for example, are headlined 'sexual identity', evidence of an absence of clarity between sexual orientation (being LGB) and gender identity (being transgender). This exacerbates confusion.

'Gender reassignment is added on for convenience to LGB. That means Civil Service people think that T is about sexuality and not gender. It confuses them.'

'When I joined less than a decade ago, there was a diversity form which included transgender as a sexual orientation.'

However, a forensic understanding of gender reassignment issues in public service delivery can have very positive impacts. As noted on page 14, the Disclosure and Barring Service has made significant positive changes so that trans people who require criminal records checks for professional or volunteering purposes do not risk having their gender history disclosed. As noted on page 12, HM Prison Service has been engaged in pioneering work supporting prisoners seeking gender reassignment.

Many trans Civil Servants say, understandably, that their transition preoccupies them for some years at some point in their lives. However, they don't see why a period in which their career may consequently plateau for a while should be held against them in relation to future promotions, and they often feel that it does.

'Transition starts, career's on hold, and then it's difficult to get going again.'

'I'd like to find out what career progression is like, thank you.'

High quality advice is needed in such individual HR situations, but given the number of trans people across the Civil Service this will not always be best delivered by individual departments. A:gender, the pan-civil service network supporting staff and service delivery issues around gender reassignment, has previously won an Inspiration award for its effectiveness. Individual members have received honours. However its governance and funding has been perilously fragile. Discussions have taken place in order to secure support from large departments to sustain the network.

A high profile report – *The Business Case for Equality and Diversity* – published by BIS in 2013 with a ministerial introduction and funded by the GEO – omitted to include gender reassignment in the ‘types of diversity’ it identified. It similarly failed to include ‘gender reassignment’, ‘trans’, ‘transgender’, ‘transsexuality’, ‘gender identity’ or any similar terms in the lengthy list of parallel key terms it considered researching as part of its ‘literature review’. This omission might have been slightly embarrassing in the diversity function of a major business. In a report commissioned by government equality experts it was an uncomfortable exemplar of the way in which gender reassignment all too often remains almost invisible in the Civil Service.

Another example of invisibility is illustrated by Mystery Shopper E – *let’s call her MSE, a 25-year old trans woman with a good degree considering a Civil Service career*. Just like her lesbian contemporary MSC, MSE finds no material reference to gender reassignment on the Civil Service Fast Stream recruitment portal or a range of reports about Fast Stream recruitment that she sources online. Across many parts of the private sector recruitment market however, she notes that she will be warmly welcomed. *To which future employer will MSE feel an emotional pull?*

| ‘Ministers promised a Transgender Action Plan. Whatever happened to that?’

Recommendations

Throughout its HR and service delivery processes, the Civil Service should adopt the expression ‘Gender Reassignment’ – a ‘plain English’ expression reflecting the provisions of the Equality Act and emphasising a practical and policy difference from sexual orientation.

High quality advice
is needed in individual
HR situations

The pan-Civil Service network group for trans people – a:gender – should be assured of secure central government funding for a 3–5 year period, subject to delivery of measurable outcomes aligned to business objectives. Its existence should be much better signposted across the Civil Service.

General briefing for promotion panels on unconscious bias should note that those who have had a career plateau – such as parents returning to the labour market or those with spent convictions – might also include trans people and that any such plateaux are not material in any way to future effectiveness.

7. Network groups

Network groups – of LGB & T employees as well as of other staff cohorts – are now regarded by many major employers as a uniquely valuable resource. It's not difficult to see why.

In many parts of the Civil Service they bring together individuals who are already working for individual departments or agencies – or across the Civil Service, in the case of the Rainbow Alliance and a:gender – and who have a mature understanding of the organisational ecologies in which they operate. Uniquely, they also often understand exactly what levers to pull and what buttons to press in order to drive change.

It's conspicuous that many of the departments and agencies that have scored best recently in Stonewall's annual Workplace Equality Index benchmark of good practice, such as the Home Office and the Environment Agency, are those where networks have been embedded over many years. These networks often support isolated LGB & T staff but – frequently – they've unlocked significant potential in improving service delivery too.

'The first few years was all about raising awareness, demonstrating why we need a network group... after that it's been more formal, with structures, a mission statement and business *outcomes*.'

Clydesdale Bank, Stonewall Workplace Equality Index 2014

The slightly sceptical approach to network groups taken by some departments may have arisen because they've not appreciated the contribution that effective networks might make to high quality service delivery. Some successes across the Civil Service are detailed on page 14 above. At the Environment Agency too, a matrix of effective regional networks has been established, supporting staff and service outcomes across the country.

Networks have a mature understanding of the organisational ecologies in which they operate

In the private sector Barclays' LGB & T network, Spectrum, has been helping shape the bank's consumer offer to LGB & T customers for almost a decade, encouraging staff to contribute further and securing plaudits for helping to enhance the company's bottom line. At Goldman Sachs the LGB & T Network, now regarded as a Resource Group, is routinely engaged in the business's university recruitment efforts. At EY, the staff network has been regarded for some time as a powerful vehicle for unlocking potential client relationships.

Some confusion still exists about what network groups can contribute to the business of the Civil Service. For example, it's little more than a year ago that one major agency agreed to no longer classify its LGB & T staff network group as a sports and social committee.

'If you deliver a business contribution to diversity through a network, it's not recognised as of the same value for promotion as other innovative thinking.'

Occasionally such groups have been too process, rather than goal, driven. (This might, of course, simply have mirrored their own departmental cultures.) Occasionally too, such groups have spent rather too much time debating

governance issues such as terms of reference, or cosmetic issues such as a new logo. And network groups have also sometimes been perceived, unhelpfully, by senior civil servants as an extension of a trade union (although trade unions themselves have expressed exactly the opposite anxiety, that network groups are an extension of Civil Service management).

| 'Networks shouldn't just be turning up at meetings.'

| 'People think networks are like the unions, and they're not like the unions at all.'

In the private sector, it's increasingly recognised that employee networks add value to a business

But across the private sector, it's increasingly recognised that employee networks add value to a business. In such businesses, their management is understood to be a valued part of an individual employee's day job, rather than the voluntary activity – or 'hobby' – that Civil Service staff engaged in LGB & T networks often feel their contribution is perceived to be.

Consequently, many such companies now regard staff time made available to network groups as an investment, not a cost. Senior sponsors in such businesses are coaching network committees on their corporate agenda, and how they might align their work to it. Senior civil servants might well benefit from doing the same.

Recommendations

All LGB & T Networks within departments and agencies, and also the pan-government Civil Service Rainbow Alliance and a:gender, should be charged with contributing to *business outcomes* – involving both people and service delivery. In return for demonstrating a commitment to business outcomes, appropriate time and resource should be provided to lead those networks.

Network activity contributing to Civil Service *business outcomes* should be acknowledged as such and properly recognised in appraisals and promotion panels.

Across the Civil Service, Facility Time provided for the support of staff networks should – for the avoidance of doubt – be re-named Network Time in order to avoid confusion with trade union activity.

8. Using data wisely

The Civil Service, and most departments and agencies within it, is already monitoring sexual orientation among staff. However, this is often in a less than productive way.

‘If people don’t see anything done with data, their view is why fill this out?’

Hundreds of major UK employers now regard strictly confidential monitoring of sexual orientation and testing the workplace perceptions of LGB & T staff – certainly not the same thing as requiring or expecting people to come out – as an essential vehicle for delivering diversity & inclusion outcomes. It’s also a useful way of testing the perceptions of staff who may not be out at work and can be a valuable tool in targeting public services cost-effectively. It’s regarded as almost commonplace by most younger participants in the labour market.

When such data is used wisely, it’s not in order to enforce quotas. It’s for organisations to get a better understanding of trend and effectively unpick what might have gone well, or less well, over time. This means simply that they can do more of the former in future, and less of the latter.

Barclays, for example, now monitors sexual orientation at all points of career progression. Data is publicised internally and shared by division. This is regarded as an essential tool in understanding what’s gone well, and why. Baker & McKenzie reviews appraisal grades annually by diversity characteristic to identify, and address, deviance from business norms.

‘If I don’t have data, I can’t track what’s going on and therefore I can’t hold people to account.’

Some departments are using such data fruitfully. The Department of Health is already slicing its own staff survey by sexual orientation in order to identify pockets of bullying or harassment so that they can be addressed.

Too often the Civil Service’s – weak – explanation for not providing data about sexual orientation, by grade or in training programmes, is that levels of declaration are ‘statistically insignificant’. But there is much evidence that if you communicate authentically the reason for gathering such data, and report on what you’ve done with it, then reporting rates rise sharply. Low current levels of response in some departmental diversity exercises may well be a consequence of an absence of confidence that follow-up will be effected.

‘The DWP is reluctant to use anything except their poor official self-declaration data to show how many LGB & T people we have... that results in not having any progression schemes or confidence-building training for LGB & T staff.’

The Civil Service People Survey (see page 7) is currently in a ‘perfect storm’ situation. It has sought data for five years about sexual orientation and has over that period, it now emerges, recorded concerning levels of disengagement among – and bullying of – LGB staff. Yet the problem that has been evidenced has not been acknowledged or addressed. This is a recipe for staff resentment.

If you communicate the reason for gathering data, and report on what you’ve done with it, then reporting rates rise sharply

| 'It's not just getting more data; it's using what we've already got.'

Stonewall's pocket guide to monitoring for service users – *What's It Got to do with You? – Ten reasons you should fill in those funny box things at the end of forms* – has since 2009 been re-printed more than 600,000 times by public service providers. They recognise that if you convey such messages in straightforward plain English, engagement in monitoring exercises rises sharply and – armed with better data – improvements to service delivery can follow.

The Civil Service People Survey is currently in a 'perfect storm' situation. This is a recipe for staff resentment

Recommendations

People systems across the Civil Service should be adjusted, as they're renewed, to reflect all diversity strands for purposes of constructive management analysis – of progression, performance management and talent programmes – on the same basis as many major businesses.

If stated aspirations for a Senior Civil Service that reflects Britain within 20 or 30 years articulate the ambition that half its members, appointed on merit, should be women and that black and minority ethnic and disabled people will be proportionately represented too, they should also suggest similarly that six per cent of that cohort might be LGB & T.

9. Middle managers

Many LGB & T civil servants still regard it as a matter of luck to have a supportive manager. They often feel they inhabit a working environment where managing difference well appears to be discretionary rather than mandatory. This is inimical to people feeling comfortable at work or having confidence in long-term career progression. (And, of course, LGB & T people have to come out once again every time their reporting line changes too.)

Even well-disposed managers are often unclear where to find good quality advice

'There seems to be a culture among many middle managers of "that's not my problem". It's finding ways not to do something to support staff as opposed to recognising something that's essential.'

'You have to get through to managers that the fact they haven't got anyone declaring they're a particular group doesn't mean they're not actually there.'

'There's a huge contrast between different parts of the Civil Service. The team I'm on is good but I know of a friend's team which certainly isn't.'

Anxiety tends to be exacerbated for staff who work outside London or in specialist fields. These individuals face having to move long distances to work somewhere else within the Civil Service if they feel uncomfortable or unsupported.

Some staff express further considerable anxiety about managers not understanding their concerns about the location of their work. LGB & T FCO employees, who properly worry about some overseas postings, say that it is too often considered to be an individual officer's problem to determine whether a potential posting is appropriate. They perceive that a single woman being considered for a posting in a country such as Saudi Arabia, for example, would receive much more support and advice than a gay person.

Other staff express concern about being required to move within the UK to sites where they would not feel comfortable or safe.

'I don't want to go to some of the places where the department that owns me says. I want to feel safe on the streets where I live. I may leave if I can't get my department to let me stay in London.'

'We might have children. We'd want to do that in London where we'd be comfortable being seen on the street and together.'

As noted on page 17, managers – who have significant impact on career progression (through networking, training and promotion recommendations) – often also have insufficient appropriate guidance, training or supervisory 'nudge' on unconscious bias around sexual orientation and gender reassignment. Even well-disposed managers are often unclear where to find good quality advice on such issues – either departmentally or centrally.

'With e-learning, or any training, if it's voluntary it's voluntary. You only get one group along to it and that's not the group you need to target.'

| 'If I wanted to tell everyone in my department I'm bi, I'd tell my manager.'

| 'Where I've seen things go wrong it's been more about lack of detailed technical knowledge, people being well-meaning but misguided, without advice.'

| 'Things are stamped on very hard here if you go down the route to racism and sexism and transphobia. They *can* do it.'

It's difficult to escape the conclusion that delivery of diversity outcomes needs to be introduced as part of every manager's performance appraisal and as an explicit, rather than an implicit, part of such assessment. It would be quixotic to suggest these outcomes would be around every 'strand' of diversity. However such a change would inevitably drive managerial behaviour and would require managers to take ownership of diversity issues that arise for staff in their teams.

CFO: 'What happens if we invest in developing our people, and they leave?'

Such outcomes in a performance timeframe might include supporting a staff member through a promotion process, better engaging service users from particular under-represented groups or providing evidence of resolving reasonable adjustment issues. The detail will never be effectively mandated from the top of a 400,000-strong organisation but should expect to include measurable evidence across protected characteristics over time.

CEO: 'What happens if we don't, and they stay?'
www.peterbaeklund.com

Recommendations

Delivery of *measurable* diversity outcomes should become part of every managers' performance appraisal and feature in interviews for promotion.

All managers should be required to commit half a day of their proposed five days annual training and professional development to a rolling – online – series of learning modules that focus individually on ethnicity, disability, sexual orientation, gender reassignment etc. as well as on understanding diverse customer needs. Every two years they would thus refresh their 'cross-strand' learning.

The Civil Service should build a high profile, easily accessible and navigable IT architecture to provide high quality advice to managers on sexual orientation and gender reassignment – and other diversity – issues both at work and in service delivery.

10. Talent management

Structured professional development is a critical part of maximising pipeline talent. Yet vehicles developed by the Civil Service to support future leaders are insufficiently accessible to LGB & T people.

Many LGB & T staff are understandably frustrated, and in some cases distressed, that the Positive Action Pathway – specifically developed by the Civil Service in recent years to support career development among under-represented groups – has excluded LGB & T personnel. They have been instructed not to apply to the programme unless they are also female, disabled or from a black or minority ethnic background.

As detailed on page 7, the Civil Service has for some years had hard evidence of the disadvantage faced by LGB & T staff. Consequently there's a material risk that it may in future face employment litigation from staff who have been refused access to this programme and feel at some point their promotion prospects have thus been compromised.

'When you're told not to apply [for the Positive Action Pathway] it reinforces a sense of hierarchy among staff who are wanting to progress below and into SCS. Talented people will go.'

There is a material risk that the Civil Service may in future face employment litigation from staff

A range of other support programmes for next-generation leaders such as the Future Leaders Scheme or the Senior Leaders Scheme either have no data at all about the diversity of their participants or survey them in such a lackadaisical way that the published data is meaningless. (The cohorts are large enough for such data to protect confidentiality if surveys were carried out professionally.)

The Major Projects Leadership Academy (which aimed to identify 340 entrants by the end of 2014) is certainly a proxy for future leadership. It has been unable to identify any diversity details for its participants and has suggested that mine was the first such enquiry. Many businesses would find it incomprehensible that significant investment of this sort was taking place, with a stated intention of building capacity and enhancing the number of people from under-represented backgrounds in a future SCS, but that no one was measuring success.

There is also a sense among too many LGB & T staff, including those aspiring to join the SCS, that competent applicants to such programmes are still being edged out by those perceived to be of a traditional Civil Service 'fit' – white male heterosexuals with Oxbridge backgrounds. This perception, which is damaging, can only be challenged by the Civil Service with reliable data.

'Ninety five per cent of the time you're interviewed by two men. If the culture in the team is "hetero-normative", white and male it's going to recruit in their own image.'

Staff similarly don't understand why the recently-published Talent Action Plan could not very easily have 'read across' some of its gender proposals both to sexual orientation and gender reassignment. They recognise that, practically,

recruitment and promotion panels will not ever be able to look 'representative' of all minority groups but the presence of a woman on all such panels, mandatory in parts of the private sector, is an indicator of an employer seeking to recruit and promote from a wider talent base.

Many businesses would find it incomprehensible that this investment was taking place, but that no one was measuring success

Recommendations

The Positive Action Pathway should be opened immediately to LGB & T participants.

Other programmes which are a proxy for future success, from the Future Leaders Scheme to the Major Projects Leadership Academy, should be required to publish transparent data about participation of under-represented groups. Performance management of those leading such programmes should include delivery of recruitment cohorts that better reflect Britain in 2015.

The Civil Service should develop a continuing next-generation leadership programme for talented LGB & T staff. This would be a significant demonstration of seriousness of intent.

Proposals to include a woman on promotion panels, except in exceptional circumstances, for the SCS should be extended throughout the Civil Service so they impact throughout the talent pipeline. Having someone from another under-represented staff cohort should be encouraged.

Action Plan 2015–2018

The Action Plan detailed below summarises the recommendations made within this report – some are strategic, some are 'catch-ups' for LGB & T employees with other Civil Service personnel and some are specific to LGB & T staff.

They are each categorised as 1, 2 or 3 year actions. This doesn't indicate a degree of importance; it recognises what it is practicable to implement within typical Civil Service delivery timeframes.

- 1** Either the Cabinet Secretary or the Civil Service Chief Executive should be identified as individually responsible for delivering diversity outcomes across the whole Civil Service. This responsibility should feature explicitly in their performance objectives. ①

All Permanent Secretaries, and agency Chief Executives, should have measurable delivery of diversity outcomes – both in service delivery and HR – included in their performance objectives. Their appraisals and any discretionary part of their remuneration should be linked to these as with other key deliverables, as increasingly in the private sector. ②
- 2** Diversity strategy, diversity delivery and diversity policy should be located in the same place in government, reporting to the same Minister and the same Permanent Secretary, and with sufficiently strong leadership to have pan-government impact. ①

Monitoring of public appointments and non-executive departmental appointments should be across the statutory protected characteristics, and reported annually. ②

The Civil Service D&I function, wherever it be located, should develop a communications strategy so that good practice is effectively shared and promoted internally and externally. A strategy focussed on diversity outcomes needs to be targeted as much at majority populations as to minority, or under-represented, ones. ③
- 3** Diversity & Inclusion should henceforth be regarded by the Civil Service as a core issue of service delivery, as well as an HR issue. The Civil Service D&I function should in future report to whichever senior official (be it the Cabinet Secretary or the CS CEO) is deemed responsible for delivering pan-government D&I outcomes. ①

All departments and agencies should be required to make clear with immediate effect that expressions of homophobia or transphobia by those using public services across the country will be treated in the same 'zero tolerance' way now applied, properly, to similar expressions of racism. Implementing this should be part of performance appraisal for managers. ①

All departments and agencies should be required to enter Stonewall's (cost-free) Workplace Equality Index in 2015 and every three years thereafter to help develop healthy competition. Successful departments and agencies should then mentor the less successful. ①

4

A pan-Civil Service exercise in publicising successful LGB & T role models should be executed. ①

An elementary review of Civil Service recruitment portals – comparing them to good practice in businesses such as Oliver Wyman, Herbert Smith Freehills and Goldman Sachs – should be executed to ensure they are appealing to LGB & T staff. ①

Civil Service Learning should be professionally reviewed and refreshed with a proper 'cross-strand' diversity lens throughout. ②

5

The Civil Service should affirm – through performance management and promotion processes – that considering LGB & T staff or service users to be “too gay” or “too butch” is as organisationally unacceptable as considering them to be “too black” or “too Jewish”. ①

As well as providing access to mentoring by senior staff, the Civil Service should develop a programme of 'reverse mentoring' for the Top 200, enhancing the knowledge of senior non-LGB & T staff while exposing next generation leaders to potential mentors too. ②

6

The pan-Civil Service network group for trans people – a:gender – should be assured of secure central government funding for a 3–5 year period, subject to delivery of measurable outcomes aligned to business objectives. Its existence should be much better signposted across the Civil Service. ①

Throughout its HR and service delivery processes, the Civil Service should adopt the expression 'Gender Reassignment' – a 'plain English' expression reflecting the provisions of the Equality Act and emphasising a practical and policy difference from sexual orientation. ②

General briefing for promotion panels on unconscious bias should note that those who have had a career plateau – such as parents returning to the labour market or those with spent convictions – might also include trans people and that any such plateaux are not material in any way to future effectiveness. ③

7

All LGB & T Networks within departments and agencies, and also the pan-government Civil Service Rainbow Alliance and a:gender, should be charged with contributing to business outcomes – involving both people and service delivery. In return for demonstrating a commitment to business outcomes, appropriate time and resource should be provided to lead those networks. ①

Network activity contributing to business outcomes should be acknowledged as such and properly recognised in appraisals and promotion panels. ②

Across the Civil Service, Facility Time provided for the support of staff networks should – for the avoidance of doubt – be re-named Network Time in order to avoid confusion with trade union activity. ②

- 8 If stated aspirations for a Senior Civil Service that reflects Britain within 20 or 30 years articulate the ambition that half its members, appointed on merit, should be women and that black and minority ethnic and disabled people will be proportionately represented too, they should also suggest similarly that six per cent of that cohort might be LGB & T. ①

People systems across the Civil Service should be adjusted, as they're renewed, to reflect all diversity strands for purposes of constructive management analysis – of progression, performance management and talent programmes – on the same basis as many major businesses. ③

- 9 Delivery of measurable diversity outcomes should become part of every managers' performance appraisal and feature in interviews for promotion. ②

All managers should be required to commit half a day of their proposed five days annual training and professional development to a rolling – online – series of learning modules that focus individually on ethnicity, disability, sexual orientation, gender reassignment etc. as well as on understanding diverse customer needs. Every two years they would thus refresh their 'cross-strand' learning. ②

The Civil Service should build a high profile, easily accessible and navigable IT architecture to provide high quality advice to managers on sexual orientation and gender reassignment – and other diversity – issues both at work and in service delivery. ②

- 10 The Positive Action Pathway should be opened immediately to LGB & T participants. ①

Proposals to include a woman on promotion panels for the SCS, except in exceptional circumstances, should be extended throughout the Civil Service so they impact throughout the talent pipeline. Having someone from another under-represented staff cohort should be encouraged. ①

Other programmes which are a proxy for future success, from the Future Leaders Scheme to the Major Projects Leadership Academy, should be required to publish transparent data about participation of under-represented groups. Performance management of those leading such programmes should include delivery of recruitment cohorts that better reflect Britain in 2015. ②

The Civil Service should develop a continuing next-generation leadership programme for talented LGB & T staff. This would be a significant demonstration of seriousness of intent. ②

What people say...

These are some further compelling quotations from civil servants of all grades across the country.

'I have children.
So of course I'm
not gay because
your womb falls out
if you're a lesbian'

'It's emotionally exhausting coming out all the time. You have to continually explain. And I have children too. So of course I'm not gay because your womb falls out if you're a lesbian.'

'At senior meetings I feel I'm taken less seriously because I don't present how they expect a man to present.'

'In a performance management context it was said she's different to the other girls. She's not as engaging and friendly as the other women.'

'A few years ago my manager told me to take my earring out and tone down the colour of my tie. How was I to interpret that?'

'One manager said to me you're the acceptable face of homosexuality.'

'It makes you feel, I'll fit in with what you want. I'll just behave the way you want me to behave.'

'It's not a particularly dramatic movement but year on year it all seems to be a bit more relaxed and confident.'

'The shortage of role models in the department does add up to a slight sense of otherness.'

'It's important for [gay and trans] members of the public to see LGB & T people in public-facing roles and in supervisory roles so if they have a problem they'll feel more confident in raising it.'

'Too often it's assumed that it's only senior civil servants who create a department's ethos. I've seen ministers, of both this and the last government, give the signal that gay people aren't really valued.'

The online survey commissioned by the Cabinet Office in November 2014 (see page 8) also elicited a range of comments consistent with those detailed in this report.

'No one in my office who is gay has ever passed a promotion board in the 20 years it's existed.'

'The Ambassador was more inclined to offer opportunities to particular favoured staff, and they tended to be like him, i.e. married with kids.'

'Even the word "lesbian" scares people. I have a huge range of skills and experience but am continually passed over for promotion and watch others rise and rise and do not believe these are more talented people. My age and sexuality count against me.'

'There are very few out gay men in this centre and I know of no open lesbians.'

'The Ambassador was more inclined to offer opportunities to particular favoured staff like him, i.e. married with kids'

'I feel I'm treated less favourably by a certain manager because of her faith and my sexual orientation.'

'Inappropriate comments from a Minister related to my sexuality.'

'The departmental anti-bullying champion told me to "stop being so obviously gay" rather than take the bully to task.'

'I don't find there to be any barriers really.'

'Comments regarding me needing a day off to sort out childcare issues with our daughter... have included "did you give birth to it?... no well it's not your child".'

'[After] asking the department to accommodate new styles of working (e.g. a gay dad with kids who is primary carer and works part time) I feel I've been badly let down.'

'I am surprised at how casual homophobia and other forms of bullying flourish in my current department.'

'Complaints would not be looked at impartially as the governors are all drinking buddies.'

'Where I work people are gay but don't come out for fear of reprisal and lack of career succession.'

'Although there are certain boxes to tick before someone is promoted, it's still very much a "job for mates" culture.'

'This department does not promote people who are different – our SCS is very pale stale male. We now have a few women in there but nobody LGBT or T, nobody from a non-white background and certainly nobody who has a visible disability.'

'I've been in the prison service eight years, I'm still at the same rank I started at and I'm chronically undervalued and unfavourably treated. If I've not been able to secure promotion by the time my 10 years service comes round I will be resigning and leaving.'

'Networks play a crucial role in giving staff a safe space to learn from peers, explore difficult issues and progress their personal development.'

'Networks provide a sense of community, however their effectiveness is patchy.'

'My department's LGBT network is based in a different city and, in general, hardly has any women in it.'

'The last time I applied for a promotion, the [panel] carrying out the interview seemed to be "stunned" when I, a trans woman, entered the room.'

'My face has never fitted into the stipulated Civil Servant model. As a trans man currently in transition I am clearly overlooked as I don't fit anywhere in their world.'

'The only way to progress would be to leave and take my skills to the private sector.'

The research

1 The brief

- To provide a hard-hitting diagnosis of the barriers that prevent the most talented LGB & T people succeeding in the Civil Service
- To provide an action plan to address the specific barriers that this group faces, and help us understand why they continue to be underrepresented at senior levels

2 Summary of commissioned work

- Interview key senior stakeholders to establish current intent, direction and speed of travel and their perceptions of these
- Survey existing LGB & T staff – through interviews and focus groups – to establish their perception of direction and speed of travel and also to establish existence/perceptions of current and future barriers to individual progress
- Identify good practice in other major workplaces which could be effectively replicated, particularly from the private sector

3 Interviewees

Minister for the Cabinet Office and Special Adviser
Permanent Secretary, DCMS (CS Champion, Sexual Orientation & Gender Reassignment)
Director of Corporate Affairs, Equality & Human Rights Commission
CS Rainbow Alliance Chair and Deputy Chair
Government Departments Client Manager, Stonewall
A:Gender Vice Chair and Business Manager
Permanent Secretary, Cabinet Office
Director of Workplace and Client Group Manager, Stonewall
CS Director of Diversity & Equality
CS DG for Human Resources
Education Secretary & Minister for Women and Equalities
Representatives FDA/PCS
Fast Stream Male x 2
Fast Stream Female
SCS male, not out
SCS female outside London, not out
Former fast-stream female, resigned
SO male outside London
EO female outside London
Director, GEO
Special Adviser, Education Secretary & Minister for Women and Equalities
DG HR, Ministry of Justice

4 Focus groups

Range of grades London and nationwide
Departmental network contacts
Fast stream London and nationwide

Useful reading

Civil Service Reform: One Year On – HM Government (2013)

Economic Motives for Adopting LGBT-Related Workplace Policies – Williams Institute (2011)

Forbes Insights: Fostering Innovation Through a Diverse Workforce – Forbes (2011)

Global Human Capital Trends 2014 – Deloitte University Press (2014)

Maintaining Network Group Momentum – Stonewall (2013)

Peak Performance: Gay people and productivity – Stonewall (2008)

Politics and the English Language – George Orwell (1946)

Role Models: Inspiring LGB* People in the Civil Service – Civil Service Rainbow Alliance (2014)

Sexual Orientation Employer Toolkit – Stonewall (2014)

Stonewall Top 100 Employers – Stonewall (2014 & 2015)

Talent Action Plan: Removing the barriers to success – Cabinet Office (2014)

The Civil Service Reform Plan – HM Government (2012)

The Power of Many: How Companies use teams to drive superior corporate performance – EY (2013)

The Workplace and Gender Reassignment: A Guide for Staff and Managers – a:gender (2013)

Using Monitoring Data – Stonewall (2011)

Waiter, is that inclusion in my soup? A new recipe to improve business performance – Deloitte & Victoria Equal Opportunity and Human Rights Commission (2012)

What's It Got To Do With You? – *10 reasons why you should fill in those funny box things at the end of forms* – Stonewall (2009)

Never use a foreign phrase, a scientific word or a jargon word if you can think of an everyday English equivalent

George Orwell

Thanks

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Author

Ben Summerskill was the Chief Executive of Stonewall from 2003 to 2014.

During his tenure, membership of Stonewall's Diversity Champions programme – offering advice and support to major employers on diversity and inclusion – grew from 35 to 650. Members now employ more than six million people in Britain, making it the largest non-governmental intervention of its kind in the world.

Between 2003 and 2013 the proportion of women employed at Stonewall rose from 35 to 55 per cent, the proportion of black and minority ethnic staff in London rose from 6 to 20 per cent and the proportion of disabled staff rose from 5 to 11 per cent. These staff were employed at all levels.

Prior to working at Stonewall, Ben was a Fleet Street journalist – latterly he was Assistant Editor at *The Observer*. Before that he was Operations Director of a publicly-quoted restaurant and hotel company.

DON'T ASK, DON'T TELL

Barriers to career progression for talented LGB & T
individuals in the UK Civil Service