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# **Evaluation of the Implementation of the Equality Act 2010:**

## **Report 1 - Organisational Approaches to Equality**

### **CRSP 619**

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# Executive summary

## Introduction

This report presents findings of a telephone survey of organisations' understanding of equality legislation which was conducted between November 2011 and January 2012. It is the first in a series of three topic reports that forms a key early stage of the Government Equalities Office (GEO) evaluation of the Equality Act 2010, which was primarily implemented in October of that year. This report investigates workplace equality structures and variations in organisations' ethos regarding equality. The second report focuses on awareness of the Act and its impact on practice. The third outlines the structures that organisations had in place for addressing employee claims of discriminatory or unequal treatment. It also explores the basis for recent disputes as well as outcomes.

The Equality Act consolidates the previous nine pieces of equality legislation based on protected characteristics to create, for the first time in Britain, unified equality legislation. The nine protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The first main objective of the Equality Act is to simplify legislation by removing anomalies and inconsistencies that had developed over time. The second objective is to strengthen legislation by extending protection from discrimination in certain areas and by introducing specific new measures.

The current topic report aims to give an overview of organisations' engagement with workplace equality legislation. Consequently, the primary research objective is to provide evidence of levels of engagement with, and understanding of, equality issues and to gauge how these vary by characteristics such as size and sector.

The telephone survey involved 1,811 establishments with two or more employees across England, Scotland and Wales. It encompassed the private and public sectors as well as the voluntary, community and social enterprise (VCSE) sector. At each establishment, interviews were conducted with the most senior person responsible for staff or personnel issues. Over-sampling was employed in Scotland and Wales and the final dataset was weighted to reflect the actual geographical distribution of organisations by nation and English region.

## Key Findings

The survey revealed widespread engagement with equalities and with equality legislation. The overwhelming majority of establishments had either a written policy relating to equality or an approach to discrimination issues that was known by their employees (Section 2.1). While a written policy was more prevalent in medium and large organisations, almost half of micro-enterprises (with between two and nine employees) also had one (Table 2.1).

Most organisations had a designated employee who was responsible for equality issues. Sometimes this was in addition to a written policy; sometimes not. The study provided evidence of a strong association between having a written policy and good practice (although it cannot attribute causation); however, there was no support for the idea that having a designated person alone promoted good practice.

Among organisations with an approach to equality issues, there was generally a number of motivating factors (Section 2.3). In small, medium and large enterprises alike, most respondents felt the approach derived from a sense of moral obligation on the part of the owners or managers as well as a concern to be in compliance with workplace equality legislation. An additional driver was the concern that the organisation should be viewed favourably by communities, customers and suppliers.

A large majority of written policies explicitly covered characteristics that had been protected by legislation prior to the Equality Act (Figure 2.1). They were less likely to refer to marriage and civil partnership or to gender reassignment; however, even in the small organisations, at least half of policies did so (Table 2.2). In the largest establishments (with 250 or more employees) more than 80 per cent included these protected characteristics.

In establishments with fewer than 50 employees, only a minority had become more aware of equality legislation over the previous two years whereas in medium and large enterprises this was the response of the majority (Table 4.1). Among large organisations, three-quarters had become more aware of their responsibilities in this area. In a similar vein, recent information seeking on equality related issues was strongly positively associated with organisation size (Table 4.2).

The proportion of respondents reporting that there is a moral reason for their organisation having an approach towards equality exceeds 90 per cent in every category of organisation. It could be that this reflects an element of lip service; however, even if this is so, the fact that this is seen as a required norm is significant.

Employers are concerned that their establishments are compliant with workplace equality legislation and are also concerned with how their organisation is perceived. Consequently, it appears that practice can be influenced by both legislation and the continued promotion of a social responsibility agenda. Having a written policy is associated with good practice while merely having a designated equality officer is not.

Most medium and small organisations, and most private enterprises, report no change in awareness of equality in the workplace issues over the previous two years. On the other hand, three-quarters of large organisations and just over half of public organisations do report having become more aware. This suggests that the widening scope of equality legislation may have had most impact on those with the highest level of prior engagement. Allied to this lack of change in awareness, newly protected groups have not been fully integrated into policies. A third of private sector organisations' policies do not mention marriage or civil partnership and nearly half do not mention gender reassignment.

Pressure to promote equality is not coming principally from staff but from external pressures or organisations' sense of moral or social responsibility. Even among large organisations, only a quarter mention pressure from staff or trade unions. This finding underlines the importance of external regulatory and moral pressures.

# I. Introduction

## I.1 Introduction

The Government Equalities Office (GEO) is conducting an evaluation of the Equality Act 2010 which will collect evidence on organisations' understanding of, and responses to, this landmark piece of legislation. As a key part of this evaluation, the Centre for Research in Social Policy (CRSP) at Loughborough University, in partnership with the International Centre for Public and Social Policy (IcPSP) at Nottingham University and BMG Research, was commissioned to undertake a telephone survey of British organisations.

The findings from this survey are presented in three topic reports. As the first in the series, the current report outlines the legislative background and this overview forms a backdrop to the other topic reports in the series. The empirical sections present establishments' understanding of, and engagement with, workplace equality legislation. They explore the structures in place for responding to equality issues, levels of support for underlying principles, awareness of protected characteristics and recognition of situations where workplace discrimination might occur. Details on the methodology are contained in the annexes.

The second report in the series focuses on awareness of the Equality Act and its impact on organisational practices. The third explores organisations' experiences of disputes and grievances relating to workplace equality and discrimination issues. An accompanying technical report gives greater detail of the methodology and outlines the sampling frame, achieved sample and design for weights. It also contains the questionnaire on which the three topic reports are based.

## I.2 The Equality Act 2010

In June 2008, following a commitment to introduce an Equality Bill to review, simplify and modernise discrimination law, the Government published the White Paper Framework for a Fairer Future - The Equality Bill. Most of the Equality Act became effective on 1 October 2010, with further provisions coming into force in April 2011. Not all the Act is currently in force. The Act covers Great Britain (England, Wales and Scotland), but not (except in a couple of specific cases) Northern Ireland where equal opportunities and discrimination are 'transferred matters' under the devolution settlement.

The two main stated objectives of the Equality Act are:

- To simplify the legislation by removing anomalies and inconsistencies that had developed over time in the existing legislation; and
- To strengthen the legislation by extending the protection from discrimination in certain areas and introducing a number of specific new measures.

The Equality Act consolidates the previous nine pieces of equality legislation based on protected characteristics to create, for the first time in Britain, unified equality legislation. The nine protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



The Act simplifies, extends and clarifies the definitions of direct discrimination (including association and perception), indirect discrimination, harassment and victimisation and extends a general equality duty to public authorities which must have due regard in the exercise of their functions to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different groups.

### **1.3 Report structure**

Throughout the three topic reports, primary distinctions are based on size and sector. The size categories used in the tables reflect the number of employees at the site. Establishments are classified as micro-enterprise (between two and nine employees) or small (10-49), medium (50-249) or large (250 and over) organisations. The sectors reflect whether establishments are classified as public, private or VCSE (voluntary, community or social enterprise).

The first empirical section of the report addresses organisational equality structures, such as whether the establishment had a written policy covering equality issues. This is followed, in Section 3, by an exploration of respondents' understanding of the parameters of workplace equality legislation and of situations where it is salient. This is highly relevant to the research as respondents were chosen on the grounds that they had the greatest responsibility for personnel issues such as recruitment and training. The report then considers whether establishments had recently sought information on equality issues from outside their organisation. Section 5 considers evidence of an ethos of organisational support for workplace equality legislation. The final empirical section discusses findings from multivariate analysis of selected indicators. The report concludes with a discussion of the findings within a social policy context.

## 2. Organisation' Equality Structures

The survey collected information on a range of subjects indicating the existence of workplace equality structures. This included whether the establishment had a written policy or whether, in the absence of a written policy, it had a conscious approach to equality matters with regard to recruiting and managing staff. Respondents were also asked whether there was an individual within the organisation who was responsible for equality matters.

### 2.1 Written policy

**Table 2.1 Whether has written policy on equality issues, by size and sector**

Column percentages

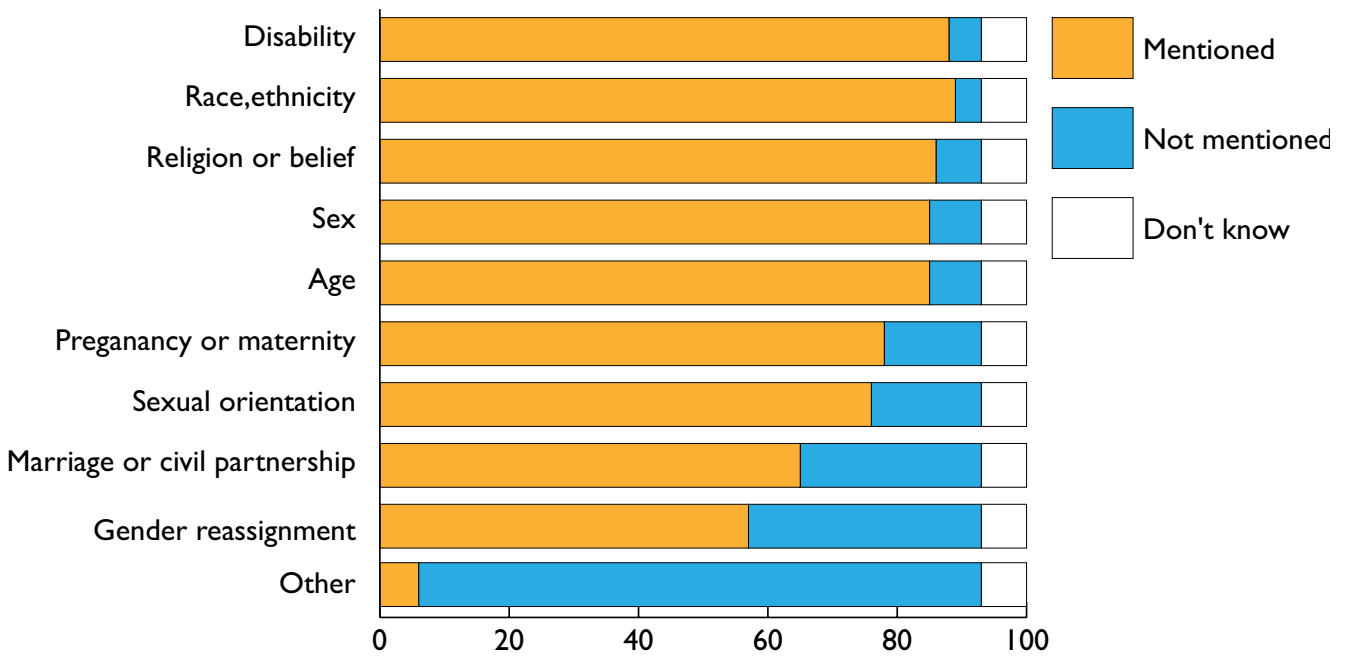
	Organisation size				Sector			
	2-9	10-49	50-249	250+	Private	VCSE	Public	Total
	%	%	%	%	%	%	%	%
Yes	48	83	92	96	53	89	86	59
No	52	17	8	4	47	11	14	41
Respondents	821	499	332	159	1369	170	272	100

Base: All respondents (1,811)

As Table 2.1 reveals, establishments with 10 or more employees were highly likely to have a written policy relating to equality matters as were organisations in the VCSE (voluntary, community and social enterprise) and public sectors. By contrast, among micro-enterprises (with between two and nine employees) and in the private sector, only about half of establishments had a written policy.

Among organisations that did not have a written policy, a large majority (89 per cent) indicated that there was, nevertheless, a conscious approach to equality matters with regard to recruiting and managing staff. The same percentage (89 per cent) stated that the organisation's approach to equality was widely known by staff. However, only a minority confirmed that a written policy was being prepared (three per cent) or was likely to be prepared (14 per cent).

**Figure 2.1 Characteristics included in written policy**



Base: All respondents with a written policy (1,811)

Where there was a written policy, respondents were asked whether it explicitly mentioned equality of treatment in relation to the nine protected characteristics. Seven per cent of respondents did not know the contents of their organisation’s policy. Of those who did know the contents, a large majority (76 per cent or more) confirmed the inclusion of seven of the nine characteristics. The exceptions were marriage or civil partnership (mentioned by 65 per cent) and gender reassignment (57 per cent).

**Table 2.2 Policy specifically covers marriage/civil partnership and gender reassignment, by size and sector**

Cell percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
Marriage or civil partnership	60	69	74	82	64	58	75	65
Gender reassignment	52	62	64	86	56	53	66	57
Don't know	10	4	3	0	8	5	5	7
Respondents	412	415	307	154	881	156	251	

Base: All respondents with a written policy (1,288)

Inclusion of these characteristics increased incrementally with organisation size although, even among micro-enterprises, at least half of written policies explicitly mentioned equality of treatment with regard to each of these characteristics. Coverage was greatest in the public sector, but in all sectors, more than half of policies covered these two protected characteristics.

**Table 2.3 When the policy was first adopted, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
Within last year	7	4	4	4	6	3	7	6
1-5 years ago	28	25	25	21	28	20	22	26
6-10 years ago	15	21	19	13	18	15	19	17
10+ years ago	25	23	27	29	23	36	20	25
Some years ago	14	18	15	25	16	14	17	15
Don't know	12	9	10	8	10	13	15	11
Respondents	412	415	307	154	881	156	251	100

Base: All respondents with a written policy (1,288)

Only a small minority of organisations with a written policy had first adopted it in the previous 12 months while around a quarter had done so in the period of between one to five years prior to interview (Table 2.3). Fieldwork for the survey began 14 months after the Equality Act came into force so it is possible that organisations had been prompted to adopt a policy in the months leading up to its implementation. However, the figures in Table 2.3 offer little support for the contention that organisations with no written policy responded to the introduction of the Act by creating one.

**Table 2.4 When the policy was last updated, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
Never	7	4	2	0	7	3	3	6
Within last year	54	59	67	62	56	66	56	57
1-5 years ago	17	17	17	29	16	21	20	17
6-10 years ago	1	1	0	0	1	0	2	1
some years ago	3	3	3	0	3	1	2	2
Don't know	18	16	11	10	18	9	16	16
Respondents	391	400	291	149	840	151	240	100

Base: All respondents with a written policy not adopted in past 12 months (1,231)

Across organisation sizes and sectors, more than half of policies had been updated in the previous 12 months. This may indicate a response to the introduction of the Equality Act. Perhaps surprisingly, there is no clear association with either size or sector. Table 2.1 identified that micro-enterprises and private sector establishments were substantially less likely to have a written policy than other types; however, Table 2.4 shows that, where policies existed, more than half had been updated in recent months.

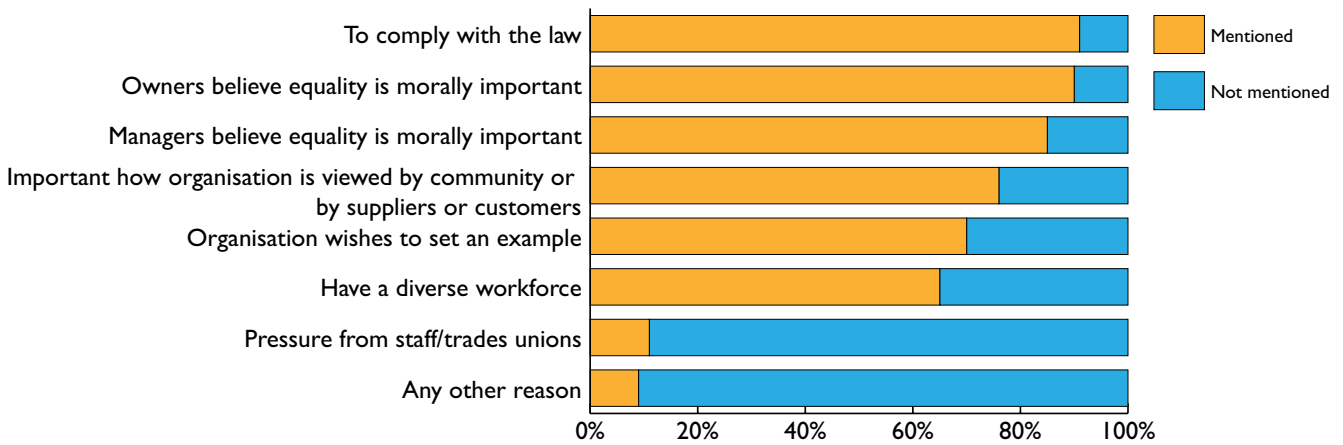
## 2.2 Designated equality role

Most establishments (60 per cent) had an individual on site who was specifically responsible for equality matters. This was more common where the organisation had a written policy than where it did not (68 per cent and 49 per cent, respectively). Among organisations with a written policy, the presence of a designated person with a responsibility for equalities issues was not associated with organisation size; that is to say, for micro, small, medium and large organisations alike, about two-thirds had an individual with a recognised equality role. Among organisations with no policy, a similar proportion of micro- and small enterprises (around half) had a designated employee (nearly all medium and large establishments had a policy).

## 2.3 Influences

Respondents were read a list of possible reasons for their organisation having either a written policy dealing with equality issues or a conscious approach to equality and discrimination matters.

**Figure 2.2 Reasons for having a policy (or approach) on equality matters**



Base: All respondents with a written policy or with a known approach, excluding don't know (1,756)

The vast majority (91 per cent) reported the organisation was concerned with complying with the law (Figure 2.2). A similar proportion said the owners (90 per cent) and managers (85%) felt it was morally important. Three-quarters (76 per cent) reported the organisation was concerned with how it was viewed by customers, suppliers and the wider community. Only 11 per cent were swayed by pressure from trade unions or staff.

**Table 2.5 Factors affecting policy or approach, by size and sector**

Cell percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
Moral reasons*	92	93	94	91	92	98	93	93
Important how viewed	74	79	84	91	73	95	87	76
Pressure from staff/ TU	11	10	9	26	10	9	18	11
Respondents	774	494	331	157	1316	170	270	

Base: All respondents with a written policy or with a known approach, excluding don't know (1,756)

\* Includes references to owners and/or managers

An overwhelming majority of organisations with an approach to equality matters are motivated by what could be called social responsibility (Table 2.5), that is, a concern to do what is morally right. This holds true across organisation size and sector. However, there is also a sense that organisations are concerned to be recognised as socially responsible with their image being important. This motivation is greatest for large establishments (with 250 or more employees) and least for private sector organisations. Pressure from trade unions and staff is an issue for a quarter (26 per cent) of large organisations but only around one in ten smaller establishments. It is more common in the public sector than in the private or VCSE sectors.

Only a tiny minority of respondents claimed that their organisation had neither a written policy nor a conscious approach. Just 42 respondents felt this accurately described their workplace<sup>1</sup>. In the light of this, the reasons why their workplace has no approach are presented in Table 2.6 as unweighted data and as actual respondent numbers.

<sup>1</sup> Of these, most were micro organisations with fewer than 10 employees (38 of 42).

**Table 2.6 Reasons for not having a policy or approach on equality matters**

**Multiple responses**

<b>Reasons</b>	<b>N</b>
Small business/workforce means not necessary	24
Know about this intuitively without needing to think about it formally in any way	12
Never thought about it/never raises its head	10
Don't think equality issues matter much/not interested	8
Stable workforce means not necessary	6
Too busy to worry about things like that	5
It's too much bureaucracy	5
Others mentioned	3
<b>TOTAL</b>	<b>42</b>

Base: Respondents with no written policy or known approach (42).

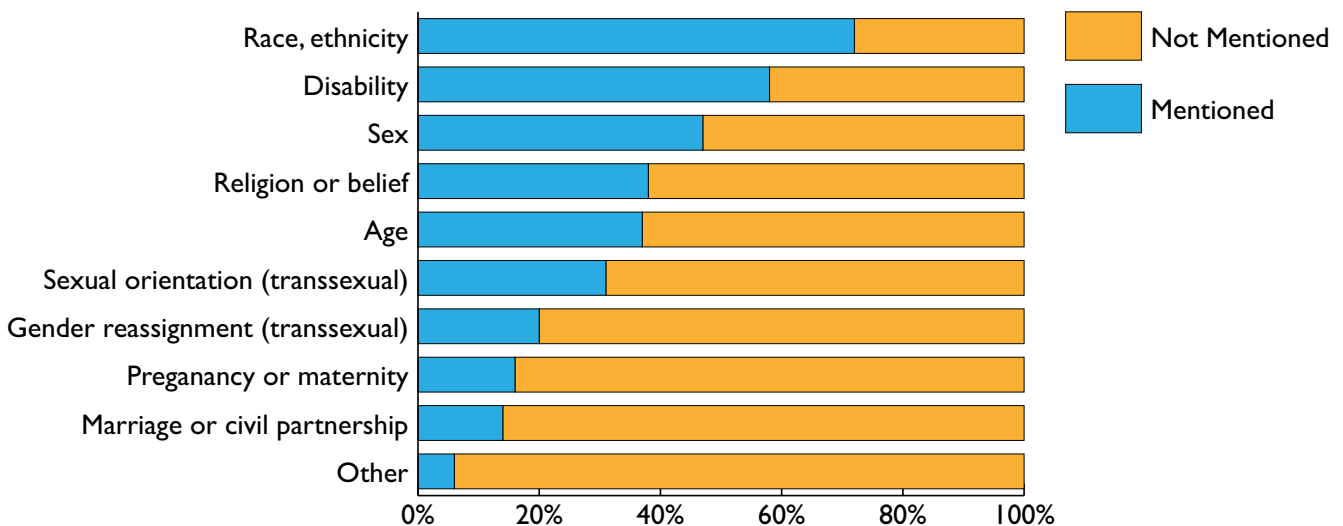


# 3. Recognition of Equality Domains

As reported in Section 2.1, when information was collected about the contents of written policies, respondents were asked about each of the nine protected characteristics. In a subsequent section of the survey, all respondents were asked to name groups of people that equality legislation applies to. Despite this earlier prompting, respondents' recognition of protected characteristics was limited.

## 3.1 Protected characteristics

**Figure 3.1 Characteristics identified as covered by equality legislation**



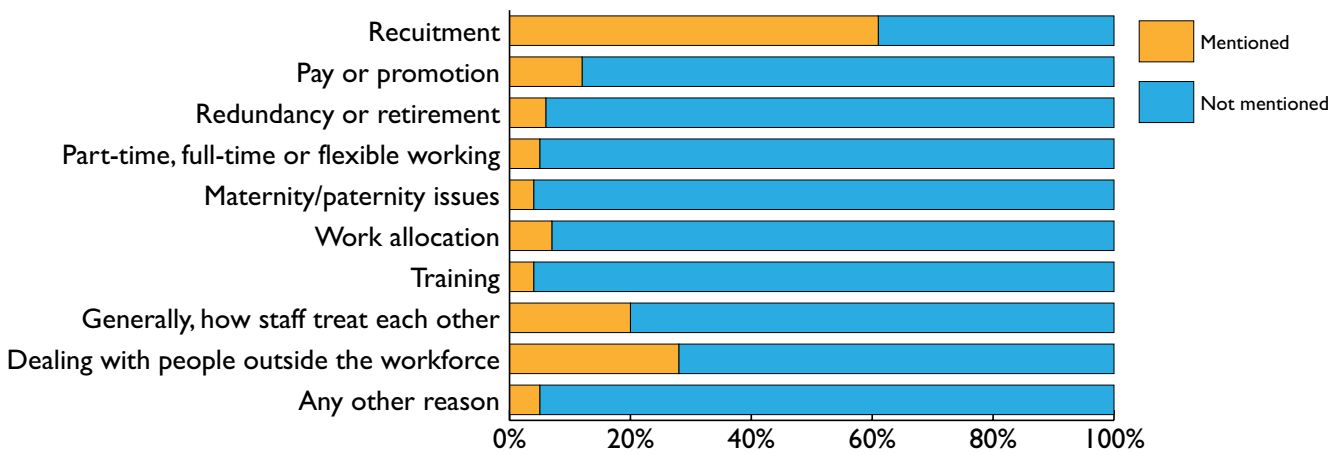
Base: All respondents, excluding don't know (1,633).

Twelve per cent of respondents said they did not know which characteristics were covered by equality legislation. Where at least one characteristic was named, only two characteristics (race and disability) were named by more than half of respondents (64 per cent and 52 per cent, respectively) (Figure 3.1). Sex was identified by 41 per cent. This is surprising given that Section 2.1 shows that 85 per cent of written policies explicitly mentioned sex. Among the subset of respondents who confirmed that their policy covered sex, fewer than half (47 per cent) subsequently recognised that equality legislation covered this characteristic. This inconsistency may reflect that some respondents are confused by what the term equality legislation covers; they may view it as complementing longstanding legislation such as the Sex Discrimination Act rather than replacing it.

### 3.2 Situations where equality issues arise

Respondents were asked about situations where organisations might have to deal with issues relating to equality and diversity. They were not prompted with a list of possible situations, although the preamble did give the example of ‘employing staff or providing services’.

**Figure 3.2 Situations where organisations have to deal with issues relating to equality and diversity**



Base: All respondents excluding don't know (1442)

Almost a quarter (24 per cent) were unable to suggest any circumstances where these issues may arise (Figure 3.2). Of those that offered suggestions, 61 per cent mentioned elements of the recruitment process while 28 per cent mentioned dealing with people outside the organisation. Only a small minority raised issues such as requests for part-time or flexible working hours or the treatment of pregnant women or new parents.

## 4. Changes in awareness and information seeking

Respondents were asked whether their organisation had become more or less conscious of equality in the workplace issues over the past two years.

**Table 4.1 Changes in awareness of workplace equality issues over the past two years**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
More conscious	34	46	58	78	36	48	58	39
No change	66	54	42	22	64	52	42	62
Less conscious	*	0	1	0	*	0	0	*
Respondents	821	499	332	159	1369	170	272	100

Base: All respondents (1,811)

Table 4.1 shows that many organisations had become more aware of legislation relating to equality and discrimination in the previous two years. Increased awareness was particularly apparent in the large establishments (with 250+ employees) with more than three-quarters (78 per cent) having become more aware.

**Table 4.2 If sought information or guidance on equality matters from outside the organisation in the past 2 years, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
	%	%	%	%	%	%	%	
Yes	16	36	49	67	19	41	38	23
No	69	45	30	17	65	33	44	60
Don't know	16	20	21	17	16	26	19	17
Respondents	821	499	332	159	1369	170	272	100

Base: All respondents (1,811)

Overall, fewer than a quarter of organisations could confirm that they had sought guidance or information from outside their organisation on equality matters; however, this varied considerably with size (Table 4.2). Only a small minority of micro-enterprises had sought information or guidance on equality issues compared with two-thirds of large organisations. Information seeking was least common in the private sector.

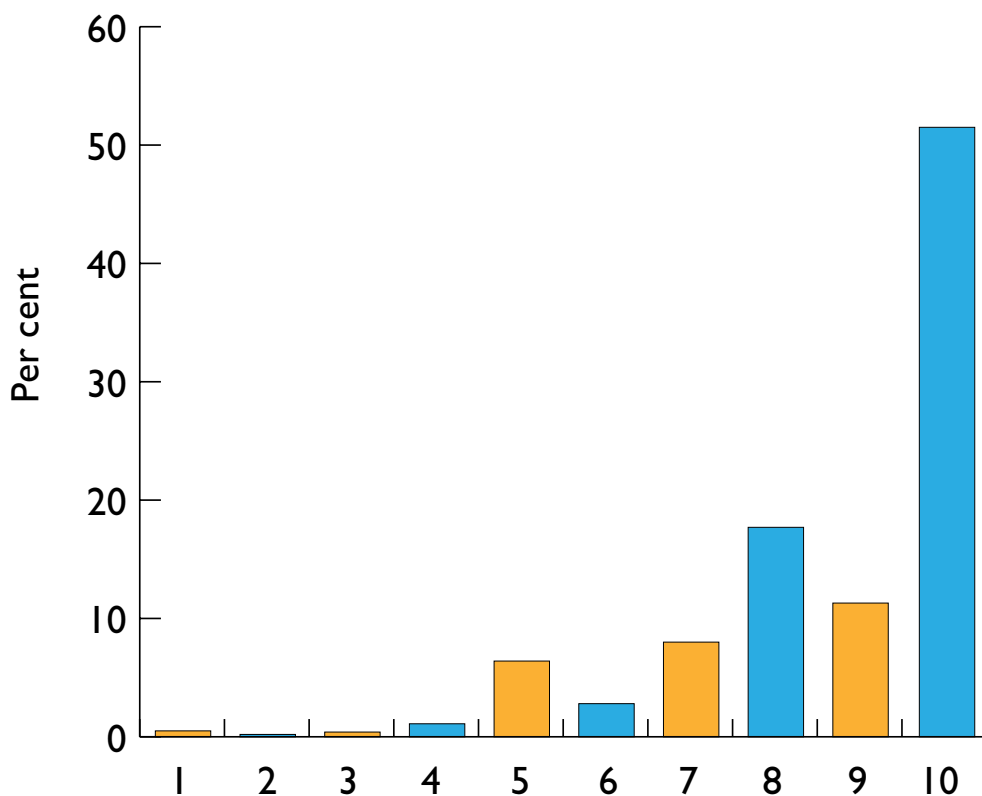
Among organisations that had sought information or guidance, the most common sources were specialist consultants (21 per cent), lawyers (17 per cent) and professional bodies (14 per cent). In addition, 17 per cent had accessed a government website while nine per cent had accessed a non-governmental website.

Where establishments had not sought information, 80 per cent said they would know where to go for guidance. In this situation, the most common formal sources named were specialist advisors and lawyers (12 per cent for each). In addition, 29 per cent would look on a government website while 33 per cent would access non-governmental websites.

# 5. Organisations' support for equality legislation

Respondents were asked how supportive their organisation was of legislation to promote workplace equality, on a scale of one to ten where one meant wholly opposed and ten meant wholly supportive.

**Figure 5.1 Organisations' support for workplace equality legislation**



Base: Respondents aware equality in the workplace is subject to legislation, excluding no response (1,700)

Scores were banded to reflect where organisations were very highly rated (9/10 or 10/10), moderately highly rated (7/10 or 8/10) or not highly rated (below 7/10).

**Table 5.1 Support for workplace equality legislation, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
Original score	%	%	%	%	%	%	%	%
1 - 6	14	7	4	4	13	4	10	11
7 - 8	26	26	21	17	27	19	19	26
9 - 10	60	67	75	79	60	77	71	63
Respondents	740	476	326	158	1265	167	268	100

Base: Respondents aware equality in the workplace is subject to legislation (1,700)

As Table 5.1 shows, ratings increased with organisation size. The highest rating was least common in micro-enterprises and in the private sector. A lack of support for equality legislation (i.e. a score of six or less) was most common in micro-enterprises (with between two and nine employees). A low score was rare in the VCSE (voluntary, community and social enterprise) sector.

A follow up question asked how much the respondent agreed that workplace equality legislation was needed on a scale of one to ten (with ten indicating total agreement). For the analysis, results were similarly banded.

**Table 5.2 Workplace equality legislation is needed in today's society, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
Original score	%	%	%	%	%	%	%	%
1 - 6	20	15	13	9	21	6	7	19
7 - 8	23	24	22	30	24	19	20	23
9 - 10	56	61	65	61	54	75	73	58
Respondents	740	476	326	158	1265	167	268	100

Base: Respondents aware equality in the workplace is subject to legislation (1,700)

Table 5.2 indicates somewhat lower levels of support for equality legislation; however, even in micro-enterprises there were still reasonable levels of support for legislation (with over half very highly rating this).

Respondents were also asked how much they personally agreed with the statement that the legislation was relevant to their organisation; again the scale responses were collapsed into categories.

**Table 5.3 Workplace equality legislation is relevant to own organisation, by size and sector**

Column percentages

	Organisation size				Sector			Total
	2-9	10-49	50-249	250+	Private	VCSE	Public	
Original score	%	%	%	%	%	%	%	%
1 - 6	37	22	16	9	37	5	13	31
7 - 8	17	20	17	17	17	19	17	18
9 - 10	47	58	67	74	46	75	70	51
Respondents	740	476	326	158	1265	167	268	100

Base: Respondents aware equality in the workplace is subject to legislation (1,700)

In this context, overall levels of support decline further but there was more variety in levels between different types of organisation (Table 5.3). As respondents are the most senior person to have responsibility for recruitment and training, this discrepancy may be viewed as cause for concern.

## 6. Multivariate analysis

In interpreting differences across size and sectors it should be recognised that different sectors contain organisations of different sizes, for example: large organisations are more common in the public sector than in the Private or VCSE sectors. This association between size and sector means that there is a risk that differences evident between sectors are in fact indicative of the effect of establishment size. In order to overcome this issue multivariate analysis was undertaken - this investigates whether a variable still has an impact on a particular outcome when the effect of other variables are taken into account. Whilst this was mainly employed to untangle the influences of size and sector, other variables have also been included to take the full picture into account. Further methodological details are included in Annex A.

The rest of this section reports the significant associations from the multivariate analysis, once all other variables are taken into account. The 'odds ratios' (OR) stated show the level of impact that a variable has: an OR of above 1.00 means that there is an increased chance of the outcome occurring for this category and an OR below 1.00 means that there is decreased chance of the outcome occurring.

### **Organisation has a written policy (under ten employees only) - Table B1**

Workplaces that were part of a multi-site organisation were much more likely to have a policy than those that were single site (OR 8.02). Compared with the private sector, policies were also much more common in the public sector (OR 3.99) and in the voluntary, community and social enterprise (VCSE) sector (OR 7.55).

### **Organisation has become more conscious of workplace equality issues in the previous two years - Table B2**

Increased awareness was positively associated with establishment size; compared with micro-enterprises, small organisations had an odds ratio of 1.37<sup>2</sup>, medium-sized ones had an odds ratio of 2.06 and large ones had an odds ratio of 5.19). Increased awareness was also more likely among workplaces that were part of a multi-site organisation (OR 1.57) and in the public and VCSE sectors (OR 1.76 and 2.19).

A supplementary analysis, including equality structures, was conducted for micro-enterprises. The presence of a written policy on equality issues was associated with a substantial increase in the likelihood of having become more conscious of equality issues in the previous two years (OR 3.47). Where there was a designated policy officer but no written policy, there was a somewhat elevated (but non-significant) likelihood of having become more aware of equality issues (OR 1.74 compared with workplaces with neither a written policy nor a designated equality person). It is not possible to establish causality as equality structures may be a cause and/or a consequence of increased awareness.

<sup>2</sup> This figure was not significant but is included to illustrate the more general trend.



## **Organisation has sought information on equality matters from outside the organisation - Table B3**

Establishment size was extremely strongly associated with the likelihood of information seeking (ORs ranged from 3.39 for small enterprises to 21.03 for large workplaces). In addition, information seeking was more likely in the VCSE sector than the private sector (OR 4.39) although the OR associated with the public sector was statistically non-significant (OR 1.59). This is surprising given that the Equality Act extended the general equality duty placed on public authorities.

Micro organisations which belonged to the VCSE sector were more likely to have sought information on equality matters compared to those belonging to the private sector (OR 3.99). Among all micro-enterprises, having a written policy was linked to a substantial increase in information seeking (OR 3.31); however, there was no link between having a designated equality officer and information seeking (OR 0.64).

## **Support for workplace equality legislation - Table B4**

In the multiple linear regression model, there was no significant association between workplace size and support for workplace legislation. However, levels of support were substantially higher where the workplace was part of a multi-site organisation. Support was also higher where approach to equality was influenced by a concern with how the organisation was viewed by the community, suppliers and customers.

# 7. Conclusions

## 7.1 Findings relevant for policy and practice

This first set of results reveals the extent to which organisations of different types engage in and support practices to promote equality. Overall, they show that some level of engagement is widespread. While this tends to be stronger in the public sector than in the private sector, and in larger rather than smaller firms, we should emphasise that this is a matter of degree. The majority of employers in all categories express strong support for workplace equality legislation.

Strikingly, the proportion of respondents reporting that there is a moral reason for their organisation having a policy, or an approach towards equality, exceeds 90 per cent in every category of organisation, including micro-enterprises with between two and nine employees. It could be that these responses are to some extent paying ‘lip service’ to an ethos that people feel unable openly to oppose, rather than one that they truly share. However, the very fact that such an ethos is seen as the required norm is significant, and shows that those who complain openly that action on inequalities amounts only to ‘red tape’ or ‘political correctness’ are in a minority.

This significant level of engagement in, and expressed support for, equality policies has important implications for strategies to spread equality practices throughout the British workforce. Employers are concerned that their establishments are compliant with workplace equality legislation and are also concerned with how their organisation is perceived. This highlights that policy makers have two valuable tools to influence practice, namely, legislation and the continued promotion of a social responsibility agenda.

Despite widespread support for workplace equality, allied structures are lacking in some establishments. The existence of written equality policies, though also widespread in medium and large organisations, is not yet the norm among very small employers. Just under half of those with between two and nine employees have such a policy, although nearly 60 per cent of them have a designated equality officer. This discrepancy is important, because the analysis in this report provides evidence that, among smaller organisations, having a written policy is associated with information seeking while having a designated officer is not. Specifically, smaller organisations with a policy are more likely than others to seek outside guidance on equality matters, but those with equality officers (and no policy) are no more likely to do so. Given that only one in six micro-enterprises report seeking such guidance, this is a potentially important finding.

The research design employed in this study does not allow the assertion that the introduction of a written policy precipitates activity such as information seeking. It may be that an a priori commitment to equality issues means that a written policy is frequently updated. However, the design does not undermine the observation that merely having a designated equality officer is not associated with actions that reflect an on-going commitment to equality issues. More research would be required to establish whether encouraging small businesses to write down their approaches to equality is an effective way of getting them to develop their practices.

Other interesting findings from this first set of results include:

- Most medium and small organisations, and most private sector enterprises, report no change in awareness of workplace equality issues over the previous two years. In contrast, three-quarters of large organisations, and just over half of public organisations, report an increase in awareness. This suggests that the widening scope of equality legislation may have had most impact on those with most prior engagement.
- To qualify the above observation, where establishments had a written policy, the majority of these had been revised or updated within the past year. This was found even in micro- and small organisations, and in the private sector. This suggests a high level of concern with compliance and, in particular, may indicate a direct response to the implementation of the Equality Act.
- Awareness of which groups are covered by equality legislation remains remarkably weak, and newly protected groups have not been fully integrated into policies. When asked who is protected by legislation, a majority mentioned race/ethnicity and half mentioned disability, but fewer than half named gender and only fewer than about a quarter named sexual orientation, religion, marriage or civil partnership or gender reassignment. Moreover, a third of private organisations' policies do not mention marriage or civil partnership and nearly half of all organisations do not think of gender reassignment. This shows that there is some way to go in adapting policies to include newly protected groups.
- Recruitment remains overwhelmingly the most common situation where organisations have to deal with equality issues. Nearly half report doing so, compared to fewer than a quarter for any other reason. On the other hand, the second most common reason given, 'dealing with people outside the workforce', suggests that the new application of legislation to the supply of services is having some impact.
- Pressure to promote equality is coming principally from a combination of legislation and organisations' sense of moral or social responsibility. Overall, only 11 per cent of organisations report that their approach is influenced by pressure from staff or trade unions, compared to 76 per cent who mention their external image and 93 per cent who identify a moral imperative. Even among large organisations, only a quarter mention pressure from staff or trade unions. This finding underlines the importance of external regulatory and the social responsibility agenda.

# Annex A: Methodology

A survey of 1,811 establishments was conducted by BMG Research using Computer-Assisted Telephone Interviewing (CATI) between November 2011 and January 2012. At each establishment, interviews were conducted with the most senior person responsible for staff or personnel issues. Single person enterprises were excluded from the study. Organisations were drawn from across the private and public sectors, as well as the voluntary, community and social enterprise (VCSE) sector. All standard industrial categories were covered with the exception of Agriculture, Forestry and Fishing and Mining and Quarrying. They included single-site establishments, branches and head offices across England, Scotland and Wales. Establishments were over-sampled in Scotland and Wales; consequently, the achieved sample comprised 354 organisations in Scotland, 353 in Wales and 1104 in England. The final dataset was weighted to reflect the actual geographical distribution of organisations by nation and English region. The accompanying technical report details the distribution of the achieved sample by establishment size and Standard Industrial Classification as well as by nation and region. The response rate was 44.5 per cent.

## A1.1 Presentation of the data

Percentages in the tables and charts are based on weighted data. These are accompanied by unweighted bases for each category of the grouping variable. These vary as not all questionnaire items are asked of all respondents. Percentages are presented as integers (i.e. they are rounded up or down) which may give rise to small rounding errors. In line with reporting convention, percentages that are greater than zero but less than 0.5 are denoted by an asterisk (\*). Where the 'don't know' category comprises less than five per cent of the responses, these cases are omitted from the tables.

Many of the tables in the topic reports present results broken down by organisation size and, separately, by sector; consequently, it is important to highlight that organisations within the different sectors tend to differ in size (Table A1)

**Table A1 Organisation size by sector**

Organisation size	Sector				Column percentages
	Private	VCSE	Public	Total	
	%	%	%	%	
2 - 9	71	76	53	70	
10 - 49	22	18	25	22	
50 - 249	6	5	16	7	
250+	1	1	6	1	
Respondents	1369	170	272	100	

Base: All respondents (1,811)

Establishments in the private and VCSE sectors have a broadly similar distribution by size. In these two sectors, a substantial majority (71 per cent and 76 per cent, respectively) are micro-enterprises with between two and nine employees while around one in five are small establishments with between ten and 49 employees. Just seven per cent of private enterprises, and six per cent of those in the VCSE sector, have 50 or more employees. By contrast, the public sector comprises fewer micro-organisations (53 per cent) and many more medium and large organisations, i.e. with 50 or more employees (22 per cent). This association between size and sector means that there is a risk that differences evident between sectors are in fact indicative of the effect of establishment size.

## Multivariate Analysis

Bivariate analysis presented in tables is complemented by (multivariate) binary logistic regressions which aim to establish the unique association between individual explanatory factors (such as sector) and the outcome variable (e.g. support for equality legislation) having controlled for potentially confounding factors (such as organisation size).

Binary logistic regression is employed where the 'outcome' has only two possible values, for example, does the organisation have a written policy, yes or no? Predictors are measures such as organisation size and sector which are theorised to be associated with the outcome. For each predictor, or 'explanatory' factor, logistic regressions produce an odds ratio (OR) for each category which allows comparison across categories<sup>3</sup>.

Every predictor or 'explanatory' factor has a designated reference category which is not shown in the results table but which is understood to have a coefficient (or  $\text{Exp}(B)$ ) of 1.00. All other categories are shown in the model table. Other categories are shown with ' $\text{Exp}(B)$ ' denoting the OR. These reflect the relative amount by which the odds of the outcome increase or decrease for this category compared with the reference category. Those with a coefficient above 1.00 have an increased odds (or likelihood) of the outcome occurring while a category with a coefficient below 1.00 denotes a reduced likelihood. For example, for the predictor 'sector' the omitted reference category is always 'private'. If 'public' had an OR of exactly 1.00 then the likelihood of the outcome occurring would be the same in the public sector as in the private sector. An OR of above 1.00 would indicate that the likelihood of the outcome occurring was greater in the public sector; below 1.00 would indicate a lesser likelihood in the public sector. Another example is whether micro-enterprises had formal procedures in place for addressing employee grievances (with 'Yes' coded 1 and 'No' coded 0). For sector, 'private' is the (omitted) reference category. An odds ratio of above 1.00 for the other category (public/VCSE) would indicate that formal procedures were more likely to be associated with that sector than with the private sector, having taken account of other factors in the model, such as organisation size. Asterisks denote where the difference between categories is statistically significant at  $p < 0.01$  (\*\*) or  $p < 0.001$  (\*\*\*). Only significant differences are reported in the commentary.

<sup>3</sup> The models presented throughout these topic reports use categorical predictors only.

Some analysis is performed on micro-enterprises only (i.e. establishments with between two and nine employees). For some outcomes (e.g. whether or not an organisation has a written equality policy) this reflects that the characteristic is almost universally present among larger organisations. The smallest organisations are of greater interest because it is clear that, for them, written policies are not yet the norm. The removal of larger organisations allows a clearer focus on those of greatest interest.

A multiple linear regression was needed to explore the characteristics associated with organisations' level of support for legislation to support workplace equality. In the linear regression, a high score indicates a high level of support for workplace equality legislation.

A number of predictors are included in all logistic regression models as well as the linear regression model. These are: establishment size; whether part of a larger organisation; sector; nation; per cent of workforce that is female; per cent of workforce that has a black or minority ethnic background; and whether the organisation has been established for three or more years.

In interpreting differences across sectors, it must be recognised that the sectors tend to contain organisations of different sizes, with large organisations more common in the public sector than in the private or VCSE sectors.

A multiple linear regression analysis was undertaken to investigate organisations' support for equality legislation in a workplace context.

Three additional factors are included in the linear regression model. Two of these are discussed in detail in the first topic report in this series.

1. Reasons for the organisation having a conscious approach to equality matters: "because it's important how the organisation is viewed by the community or by suppliers or customers"
2. Reasons for the organisation having a conscious approach to equality matters: "because of pressure from staff or from trades unions".

# Annex B: Multivariate analysis results

**Table B1 Organisation has written policy on equality matters (micro-enterprises only)**

Independent variables	Exp (B) odds ratio
Part of multi-site organisation (Reference category - not)	8.02***
Sector (Reference category Private)	
VCSE	7.55***
Public	3.99**
Nation (Reference category - England)	
Scotland	0.87
Wales	1.44
Per cent workforce female (Reference category 0 - 5)	
6 - 25	1.80
26 - 50	1.31
51 - 100	1.33
Per cent workforce BME (Reference category 0 - 5)	
6 - 25	2.28
26 - 50	0.77
51 - 100	2.07
Established 3+ years (Reference category less than 3 years)	0.88

\*\* significant at  $p < 0.01$  \*\*\* significant at  $p < 0.001$

Base: All respondents in establishments with between two and nine employees (753)

**Table B2 Organisation has become more conscious of workplace equality issues in last two years**

Independent variables	Exp (B) odds ratio	
	All respondents	2 - 9 employees
Size (Reference category 2 - 9 employees)		
10 - 49	1.37	--
50 - 249	2.06***	--
250+	5.19***	--
Part of multi-site organisation (Reference category - not)	1.57**	1.16
Sector (Reference category Private)		
VCSE	1.76	1.32
Public	2.19**	1.80
Nation (Reference category - England)		
Scotland	1.05	1.00
Wales	0.98	0.99
Per cent workforce female (Reference category 0 - 5)		
6 - 25	1.89	1.79
26 - 50	1.67	1.73
51 - 100	1.47	1.21
Per cent workforce BME (Reference category 0 - 5)		
6 - 25	1.29	1.28
26 - 50	1.21	1.23
51 - 100	1.26	1.07
Established 3+ years (Reference category less than 3 years)	1.10	1.06
Equality structures (Reference category no policy, no equality officer)		
Written policy		3.47***
Equality officer only		1.74

\*\* significant at p<0.01 \*\*\* significant at p<0.001

Base: All respondents (1,621); 2 - 9 employees (730)



**Table B3 Organisation has sought information on equality matters from outside organisation**

Independent variables	Exp (B) odds ratio	
	All respondents	2 - 9 employees
Size (Reference category 2 - 9 employees)		
10 - 49	3.39***	--
50 - 249	6.75***	--
250+	21.0***	--
Part of multi-site organisation (Reference category - not)	1.21	0.84
Sector (Reference category Private)		
VCSE	4.39***	3.99***
Public	1.59	1.14
Nation (Reference category - England)		
Scotland	1.05	0.99
Wales	1.18	1.27
Per cent workforce female (Reference category 0 - 5)		
6 - 25	1.28	1.10
26 - 50	1.02	0.88
51 - 100	1.70	1.68
Per cent workforce BME (Reference category 0 - 5)		
6 - 25	1.52	2.19
26 - 50	1.12	0.62
51 - 100	1.25	0.95
Established 3+ years (Reference category less than 3 years)	0.93	0.83
Equality structures (Reference category no policy, no equality officer)		
Written policy		3.31***
Equality officer only		0.64

\* significant at p<0.01 \*\*\* significant at p<0.001

Base: All respondents (1,363); 2 - 9 employees (635)


**Table B4 Support for workplace equality legislation (high score is high support)**

Independent variables	Beta	Std. Error
Constant		.29***
Size (Reference category 2 - 9 employees)		
10 - 49	.04	.12
50 - 249	.03	.15
250+	.02	.19
Part of multi-site organisation (Reference category - not)	.12	.11**
Sector (Reference category Private)		
VCSE	.05	.14
Public	-.01	.23
Nation (Reference category - England)		
Scotland	-.02	.13
Wales	-.03	.14
Per cent workforce female (Reference category 0 - 5)		
6 - 25	-.03	.24
26 - 50	.01	.21
51 - 100	.10	.19
Per cent workforce BME (Reference category 0 - 5)		
6 - 25	.04	.15
26 - 50	.03	.21
51 - 100	-.01	.29
Established 3+ years (Reference category less than 3 years)	.05	.21
Influenced by how viewed (Reference category not)	.14	.16***
Influenced by staff/unions (Reference category not)	-.03	.22

Adj. R2 = .070

\*\* significant at  $p < 0.01$  \*\*\* significant at  $p < 0.001$

Base: All respondents (1,518)



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