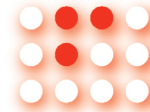
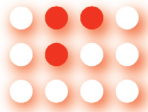


FACT

S E R V I C E



- 17 Racism at work
- 18 Economy grows but there's a shortfall
Advice on gender pay gap from Acas
- 19 Tories offer no solution on discrimination
- 20 Eight assaults a day in Welsh schools

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Racism at work

Employers need to take urgent action to identify and stamp out racist behaviour in the workplace, according to a report from the University of Manchester.

The report, *Equality, diversity and racism in the workplace: a qualitative analysis of the 2015 Race at Work Survey*, investigated accounts from 24,457 workers of racist harassment or bullying at work, and how their employers promote equality, diversity and fairness.

The report's authors, Dr Stephen Ashe and Professor James Nazroo of the University of Manchester, were commissioned by business-led charity Business in the Community (BITC) to examine the survey responses. Their findings highlighted that ethnic minority workers are frequently subjected to racism by their colleagues, managers, customers, clients and service users, which can also have a severe impact on their emotional and psychological wellbeing.

Racism was also reported to have a negative impact on ethnic minority workers' careers in terms of recruitment and reducing opportunities for additional training and promotion.

The researchers also found that some white British employees suggested that activities promoting equality and diversity provide ethnic minority

employees with preferential treatment, suggesting that there is still much to be done to demonstrate the longstanding nature of racial inequality, how this is reinforced by racism and why race relations legislation and associated equality and diversity duties are still necessary. Indeed, the report also finds that the promotion of equality and diversity is at best inconsistent, and in some cases non-existent.

The report's authors called for employers across all sectors to deliver an unequivocal zero-tolerance approach to racism in both policy and practice.

"I defy anyone not to be saddened and shocked by the University of Manchester's findings. The UK needs to sit up, listen and take action," said Sandra Kerr, race equality director at BITC.

The researchers presented their findings to the All-Party Parliamentary Group on Race and Community, chaired by David Lammy MP, and urged them to deliver ring-fenced funding to support the Equality and Human Rights Commission (EHRC), as well as to scrap financial legal costs for employees seeking to challenge racism through employment tribunals.

They also called for employers across all sectors to deliver an unequivocal zero-tolerance approach to racism in both policy and practice.

Lammy said: "Evidence of racism of any kind is totally unacceptable, so this report is very concerning. Discrimination has absolutely no place in

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our workplaces. I'm pleased to be able to hold this meeting to shine a light on some difficult issues, and it is important that government and employers act to ensure equal treatment and equal opportunities for all."

<http://race.bitc.org.uk/news-opinion/news/major-new-report-workplace-racism-calls-employers-take-urgent-action>

www.manchester.ac.uk/discover/news/workplace-racism/

Economy grows but there's a shortfall

The economy has grown over the last three quarters of 2016, but with no change in pace.

UK gross domestic product (GDP) was estimated to have increased by 0.6% during the final quarter of 2016 compared with the third quarter.

The 0.6% figure is the same rate of quarter-on-quarter growth posted in the previous two quarters.

TUC general secretary Frances O'Grady said: "GDP growth is stuck in the slow lane. And people are still feeling the financial crisis in their pockets.

"This isn't a time for government complacency. 2017 will be a challenging year, so ministers can't let us sleep walk into another living standards crisis.

"Working people mustn't be forced to pay the price for Brexit. March's Budget must set out a plan to boost wages, and seriously invest in developing our infrastructure and public services."

Growth in the fourth quarter was dominated by services with a 0.8% rise following on from growth of 1.0% in the third quarter.

Following falls in third quarter, construction and production provided negligible positive contributions to GDP growth in fourth quarter of last year. Construction saw 0.1% growth in the fourth quarter, while production posted no change in output. Manufacturing, which accounts for most of production, posted a 0.7% increase in the fourth quarter after a 0.8% fall in the third.

GDP in the fourth quarter was 2.2% higher than the same quarter 2015. Services growth was 3.0%. Production was 1.5% higher and, within production, manufacturing was 1.0% higher.

On annual basis GDP was 2.0% higher in 2016 than the previous year, which posted a 2.2% increase

Geoff Tily, senior economist at the TUC, said: "Taking a longer-term perspective, this is a poor outcome, continuing a run of poor outcomes since the financial crisis. Average growth since 2010 (the first year of recovery after the crisis) has been just 2% a year."

The Office for Budget Responsibility (OBR) was created in 2010 to provide independent and authoritative analysis of the UK's public finances. And the OBR's first forecast outcomes under the Conservative-Liberal Democrat coalition government was that they expected growth to be well above this, at 2.4% a year – and this, according to Tily, was still pretty conservative.

Reduced growth is cumulative in effect and means the economy (and incomes) are much smaller than expected when the coalition took office.

Tily said that it's possible to estimate the impact of this by projecting GDP figures forwards in cash terms from 2009. The economy has increased in size from £1,520 billion in 2009 to an estimated figure of £1,930 billion in 2016. But, according to the OBR's original projection of growth of the economy in cash terms, it should have grown to £2,150 billion.

That amounts to a shortfall of £220 billion over the period, said Tily.

www.ons.gov.uk/economy/grossdomesticproductgdp/bulletins/grossdomesticproductpreliminaryestimate/octodec2016

www.tuc.org.uk/economic-issues/gdp-figures-shows-economy-vulnerable-challenges-2017-says-tuc

<http://touchstoneblog.org.uk/2017/01/lost-200bn-gdp/>

Advice on gender pay gap from Acas

Useful guidance on the new gender pay gap regulations has been published by the employment relation service Acas.

The gender pay reporting legislation requires employers with 250 or more employees to publish statutory calculations every year showing how large the pay gap is between their male and female employees. For example, it may show that on average men earn 10% more pay per hour than women, that men earn 5% more in bonuses a year than women, or that the lowest paid quarter of the workforce is mostly female.

However, Acas says that employers of all sizes should consider the advantages of publishing gender pay gap data.

These results must be published on the employer's website and a government site. This means that the gender pay gap will be publicly available, including to customers, employees and potential future recruits. As a result, employers should consider taking new or faster actions to reduce or eliminate their gender pay gaps.

Subject to the approval of Parliament, the regulations are likely to commence on 6 April 2017, from which point employers will have up to 12 months to publish this information.

Employers are required to publish six metrics:

- the difference between the mean hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees (mean gender pay gap);
- the difference between the median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees (median gender pay gap);
- the difference between the mean bonus pay paid to male relevant employees and that of female relevant employees (mean gender bonus gap);
- the difference between the median bonus pay paid to male relevant employees and that of female relevant employees (median gender bonus gap);
- the proportions of male and female relevant employees paid bonus pay (proportions of men and women getting a bonus); and
- the proportions of male and female relevant employees in the lower, lower middle, upper middle and upper quartile pay bands (proportion of men and women in each of four pay quartiles).

Draft regulations requiring public-sector employers to report on their gender pay gap were published on the 20 January 2017.

The *Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017* will come into force on 31 March 2017.

The requirements for the public sector largely mirror those for the private sector, but two key differences are that the public-sector requirements are being introduced as part of the existing public-sector equality duty, rather than as a stand-alone requirement, and that the annual "snapshot" date on which the pay information is collected is 31 March for public sector employers, as compared to 5 April for private and voluntary sector employers.

Employers have 12 months from the snapshot date in which to publish the pay information. This means that public-sector employers must publish their first figures by 30 March 2018.

The information will have to be published on the public authority's website and will be provided on a government website which is currently under development.

While the aim is to make the reporting requirements consistent across the public and private sectors, the public sector already has specific duties on equality, which the regulations have to reflect.

There are also differences between the public sector equality duties in Wales and Scotland as compared to England, and it remains to be seen how these differences will work out in practice. Scotland has already said it will require all public authorities with more than 20 employees to publish their pay gap every two years and an equal pay statement every four years.

www.acas.org.uk/index.aspx?articleid=5768

www.equalpayportal.co.uk/gender-pay-gap-reporting/

www.legislation.gov.uk/ukdsi/2017/9780111152010

Tories offers no solution on discrimination

The government's long overdue response to the Women and Equalities Select Committee report on pregnancy and maternity discrimination has been slated by the TUC.

The government has said will give further consideration to the select committee's proposal that greater protections from redundancy should be given to pregnant women and mothers.

However, as TUC equality officer Scarlet Harris points out on the Touchstone blog: "We already have protections from discrimination and a right to be offered any available suitable alternative work if made redundant during maternity leave.

"Yet in spite of these protections, research by the Equalities and Human Rights Commission (EHRC) found that around one in nine mothers (11%) reported that they were either dismissed; made compulsorily redundant, where others in their workplace were not; or treated so poorly they felt they had to leave their job."

The gaps in maternity protection for women who are workers rather than employees, such as lack of paid time off for antenatal appointments for agency workers have been pointed out by the trade unions and women's rights groups. However, rather than take action to close this gaping loop-

hole, the government's rather lukewarm response simply refers to the fact that the government will be reviewing employment practices as part of the Taylor review.

The EHRC's research into pregnancy discrimination did not suggest that the cause of widespread pregnancy discrimination was a lack of robust law to protect pregnant women at work. The simple fact is that many employers are routinely flouting the law, presumably feeling safe in the knowledge that less than 1% of women will take a tribunal claim against their employer for pregnancy discrimination.

And that is the glaring omission, according to Harris. Both the Women and Equalities Select Committee report and the government's response fail to address the impact that employment tribunal fees have had on access to justice.

Since the introduction of employment tribunal fees in 2013, the number of sex discrimination claims going to employment tribunal has fallen by over 70%. Hardly surprising given that the fee for a discrimination claim comes in at a hefty £1,200.

The government's response to criticisms that the fee system is pricing workers out of justice is usually to point to the remissions scheme – a system whereby some low paid claimants pay a lower fee.

However, there is a £3,000 disposable capital test which makes a pregnant worker/new mother ineligible for the remissions scheme. So this test further disadvantages pregnant women who may be saving for maternity leave or for the high costs of starting a family.

The select committee could not quite bring itself to suggest scrapping tribunal fees which give a free rein to bad bosses. Instead they called on the government to increase the time limit for bringing pregnancy discrimination claims and to reduce the fees in such cases.

The government's response makes it clear that they won't even concede these minor improvements to what is fundamentally a discriminatory system.

www.parliament.uk/documents/commons-committees/women-and-equalities/Government-response/Pregnancy-and-maternity-discrimination.pdf

<http://touchstoneblog.org.uk/2017/01/pregnancy-discrimination-government-action-long-overdue-misses-point/>

Eight assaults a day in Welsh schools

Teachers and other school staff in Welsh schools have been the victims of over 4,700 physical and verbal attacks by pupils over the past three academic years – or eight assaults a day – according to the National Union of Teachers (NUT).

NUT Cymru made a Freedom of Information (FoI) request to 22 local authorities in Wales. The FOI Request asked: "How many incidents of violence were recorded against primary school teachers or staff by pupils in your council area in each of the last three full academic years?" and "How many incidents of violence were recorded against secondary school teachers or staff by pupils in your council area in each of the last three full academic years?"

The responses were mixed with some local authorities only recording physical violence, while others made no distinction between verbal and physical violence. Five local authorities (Bridgend, Caerphilly, Ceredigion, Conwy and Denbighshire) either did not, could not, or refused to respond to the FoI request.

At the other 17 authorities, a total of 4,711 physical and verbal assaults took place over the three academic years; that averages out to 1,570 a year. And dividing the 1,570 figure by 195 – the number of teaching days in a school year – means there were an average of eight assaults a day.

www.teachers.org.uk/news-events/press-releases-wales/physical-and-verbal-attacks-wales

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