



Establishment Committee

Date: THURSDAY, 17 SEPTEMBER 2020

Time: 11.00 am

Venue: VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)

Members:

Randall Anderson	Deputy Jamie Ingham Clark
Deputy Keith Bottomley	Deputy Edward Lord
Alderman Sir Charles Bowman	Jeremy Mayhew
Henry Colthurst	Sylvia Moys
Karina Dostalova	Deputy Richard Regan
Deputy Kevin Everett	Deputy Elizabeth Rogula
Tracey Graham	Ruby Sayed
The Revd Stephen Haines	Deputy Philip Woodhouse
Sheriff Christopher Hayward	

Enquiries: John Cater
tel. no.: 020 7332 1407
john.cater@cityoflondon.gov.uk

Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link:
<https://youtu.be/qfpxsaEJkCo>

This meeting will be a virtual meeting and therefore will not take place in a physical location following regulations made under Section 78 of the Coronavirus Act 2020. A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **ORDER OF COURT OF COMMON COUNCIL**
To receive the Order of the Court of Common Council appointing the Committee dated 16th July 2020.

For Information
(Pages 1 - 2)
4. **ELECTION OF CHAIR**
To elect a Chair in accordance with Standing Order 29.

For Decision
5. **ELECTION OF DEPUTY CHAIRMAN**
To elect a Deputy Chair in accordance with Standing Order 30.

For Decision
6. **MINUTES**
To agree the public minutes of the meeting held on 8th July 2020.

For Decision
(Pages 3 - 10)
7. **JOINT P&R AND ESTABLISHMENT COMMITTEE MEETING MINUTES**
To agree the public minutes of the joint Policy & Resources and Establishment Committee meeting of 20th July 2020.

For Decision
(Pages 11 - 12)
8. **APPOINTMENT OF THE JOINT CONSULTATIVE COMMITTEE**
To appoint four Members, in addition to the Chair, Deputy Chair and representative of the Finance Committee, to the Joint Consultative Committee.

For Decision

9. **APPOINTMENT OF THE SENIOR REMUNERATION SUB COMMITTEE**
To appoint the following Members to the Senior Remuneration Sub-Committee:
- Chair of the Establishment Committee (Chair)
 - Chair of the Policy and Resources Committee (Deputy Chair)
 - Deputy Chair of the Establishment Committee
 - A Deputy Chair of the Policy and Resources Committee
 - Chairman of the Finance Committee
 - Chairman of the General Purposes Committee of Aldermen
 - Up to 3 additional members of the Establishment Committee

For Decision

Strategic Business

10. **INTERIM REPORT ON TACKLING RACISM**
Report of the Town Clerk.

For Decision
(Pages 13 - 48)

11. **TACKLING RACISM TASKFORCE - STAFFING UPDATE**
Report of the Director of Human Resources.

For Information
(Pages 49 - 56)

12. **RETURN TO THE WORKPLACE**
Joint Report of the City Surveyor, the Director of Human Resources and the Director of Information Technology.

To Follow.

For Discussion

13. **BREXIT UPDATE**
The Director of Human Resources to be heard.

For Information

For Formal Decision

14. **BAN THE BOX**
Report of the Director of Human Resources.

For Decision
(Pages 57 - 64)

15. **ANTI BULLYING HARASSMENT POLICY**
Report of the Director of Human Resources.

For Decision
(Pages 65 - 90)

For Information

16. **ANNUAL WORKFORCE PROFILE REPORT 2019-20**

Report of the Director of Human Resources.

For Information
(Pages 91 - 136)

17. **REVENUE OUTTURN 2019-20**

Joint Report of the Town Clerk, the Chamberlain, and the Comptroller & City Solicitor.

For Information
(Pages 137 - 142)

18. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

19. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

20. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

For Decision

Part 2 - Non-Public Agenda

21. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 8th July 2020.

For Decision
(Pages 143 - 144)

22. **FLU VACCINATIONS - COMMUNICATIONS FOR AUTUMN/WINTER**

Report of the Town Clerk.

To Follow.

For Discussion

23. **STAFF CHRISTMAS LUNCHEONS**

Chair to be heard.

For Information

24. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

25. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

Part 3 - Confidential Agenda

26. **CONFIDENTIAL MINUTES**

To agree the Confidential minutes of the last meeting held on 8th July 2020.

For Decision

27. **JOINT P&R AND ESTABLISHMENT COMMITTEE MEETING CONFIDENTIAL MINUTES**

To agree the confidential minutes of the joint Policy & Resources and Establishment Committee meeting of 20th July 2020.

For Decision

For Formal Decision

28. **MARKET FORCES SUPPLEMENT (1)**

Report of the Chamberlain.

For Decision

29. **MARKET FORCES SUPPLEMENT (2)**

Report of the Town Clerk.

For Decision

For Information

30. **TOWN CLERK'S UPDATE**

The Town Clerk to be heard.

For Information

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RUSSELL, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 16 th July 2020, doth hereby appoint the following Committee until the first meeting of the Court in April, 2021.
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ESTABLISHMENT COMMITTEE

1. **Constitution**
A Non-Ward Committee consisting of,
 - one Alderman nominated by the Court of Aldermen
 - 15 Commoners elected by the Court of Common Council at least two of whom shall have fewer than five years' service on the Court the time of their appointment
 - an appointed representative of the Finance Committee

2. **Quorum**
The quorum consists of any four Members.

3. **Membership 2020/21**

ALDERMAN

- 2 Sir Charles Edward Beck Bowman

COMMONERS

- 4 (4) Keith David Forbes Bottomley, Deputy
- 2 (2) Tracey Graham, *for two years*
- 3 (3) Christopher Michael Hayward, Sheriff *for three years*
- 12 (4) Sylvia Doreen Moys, M.B.E.
- 8 (3) Kevin Malcolm Everett, Deputy
- 10 (3) The Revd. Stephen Decatur Haines
- 12 (3) Edward Lord, O.B.E., J.P., Deputy
- 6 (2) Randall Keith Anderson
- 8 (2) Richard David Regan, O.B.E., Deputy
- 10 (2) Elizabeth Rogula, Deputy
- 4 (2) Ruby Sayed
- 6 (2) Philip Woodhouse, Deputy
- 1 (1) Henry Nicholas Almroth Colthurst
- 1 (1) Karina Dostalova
- 1 (1) Jamie Ingham Clark, Deputy

together with the appointed Member of the Finance Committee referred to in paragraph 1 above.

4. **Terms of Reference**

- (a) The Establishment Committee has specific authority to deal with or make recommendations to the Court of Common Council where appropriate on all matters relating to the employment of City of London Corporation employees where such matters are not specifically delegated to another Committee. These matters include:-
 - Conditions of employment;
 - Local Government Pension Scheme (apart from investments);
 - Workforce planning;
 - Wages, salaries structure, job evaluation, staff grading and remuneration of Senior Officers;
 - Organisation reviews;
 - Employee relations;
 - Joint consultation;
 - Learning and employee development;
 - Recruitment and selection;
 - Discipline, dismissal, redundancies in line with the appropriate stages in policy etc;
 - Occupational health, safety and wellbeing.

NB. The exception to this rule is, whilst the support staff in the City of London Police come within the purview of this Committee, the uniformed Police come under the Police Authority Board.

- (b) To approve:-
 - (i) Reports of Heads of Departments recommending changes to senior management posts of Grade I and above which need the approval of the Court.
 - (ii) The structure and application of Job Evaluation Schemes and any amendments thereto.
- (c) To approve and promulgate Human Resources policies and practices so that the City of London Corporation can recruit, retain and motivate its employees and carry out its functions to the highest standards of quality and cost effectiveness;
- (d) To instigate and promulgate organisational reviews of departments and to approve their reports and comments on proposed changes in organisation to ensure that staff resources are deployed in an efficient and effective manner.
- (e) To make amendments to:-
 - (i) the general terms and conditions of employment which are contained in the employee handbook, such as working hours, annual leave, pension, leave of absence, allowances, family friendly provisions, and sick pay;
 - (ii) those procedures which form part of the contract of employment to include the grievance, disciplinary, capability, and appeals procedures, motor car, and motorcycle assisted purchase scheme.
- (f) To appoint seven members (including the representative of the Finance Committee):-
 - (i) to act as the Employer's side of the Joint Consultative Committee when meeting 8 members of the recognised unions, UNITE and GMB for the purpose of collective consultation and negotiation on general matters relating to salaries and terms and conditions of service etc. of City of London Corporation employees up to and including Grade G but excluding teachers and City Police Officers;
 - (ii) to act as the Employer's side of the Senior Management Joint Consultative Committee when meeting representatives of senior management of grades H and above, including High and Table Officers, for the purpose of collective consultation and negotiation on general matters relating to salaries and terms and conditions of service, etc;
- (g) To increase Judges' salaries if they follow the recommendations of the Top Review Board and are approved by the Lord Chancellor.
- (h) To increase the salary of the Coroner if it follows the recommendations of the Joint Negotiating Committee for Coroners.
- (i) To consider submissions of the Board or Boards of Governors relating to teaching staff, which, inter alia, may have to be finally submitted to the Court of Common Council.
- (j) To approve any increase in the salaries for teachers at the three City Schools if they are in excess of that recommended by the School Teachers' Review Body and any proposed changes to the basic salary structure or restructuring of the common pay spine for teachers.
- (k) To approve:-
 - (i) the learning and employee development policy, strategy and budget;
 - (ii) the Health and Safety and Occupational Health and Wellbeing policies and strategies.
- (l) To be the service Committee for the following Departments:-
Town Clerk's (Policy and Democratic Services, including Corporate HR)
Comptroller and City Solicitor's
- (m) To be responsible for the appointment of the Coroner (and see (h) above).
- (n) In accordance with the Scheme of Delegation, to receive details of:
 - (i) redundancies and early retirements
 - (ii) Market Forces Supplements
- (o) To be responsible for the monitoring and control of overtime, sickness absence, recruitment and retention changes to staffing resources, workforce profile, job evaluation and the termination of employment.
- (p) To have oversight of the City of London Corporation's policies and practices in respect of equality and inclusion, including the implementation of the Equality Act 2010 and other relevant legislation.
- (q) dealing with requests for grants to support staff welfare initiatives from funds under the Committee's control, as allocated by the Resource Allocation Sub (Policy and Resources) Committee

ESTABLISHMENT COMMITTEE Wednesday, 8 July 2020

Draft Minutes of the meeting of the Establishment Committee held virtually on
Wednesday, 8 July 2020 at 11.00 am

Present

Members:

Deputy Edward Lord (Chair)
Deputy Kevin Everett (Deputy Chairman)
Randall Anderson
Deputy Keith Bottomley
Alderman Sir Charles Bowman
Tracey Graham
The Revd Stephen Haines
Sheriff Christopher Hayward
Deputy Jamie Ingham Clark
Sylvia Moys
Deputy Joyce Nash
Barbara Newman
Deputy Elizabeth Rogula
Ruby Sayed
Deputy Philip Woodhouse

Officers:

John Barradell	- Town Clerk and Chief Executive
Angela Roach	- Assistant Town Clerk
John Cater	- Committee Clerk
Bob Roberts	- Director of Communications
Chrissie Morgan	- Director of Human Resources
Janet Fortune	- Town Clerk's Department
Tracey Jansen	- Department for Human Resources
Amanda Lee-Ajala	- Department for Human Resources
Neeta Shah	- Department for Human Resources
Tim Fletcher	- Town Clerk's Department
Emma Cunnington	- Town Clerk's Department
Paul Chadha	- Comptroller and City Solicitor's Dept
Charles Griffiths	- City of London School
Grace Rawnsley	- Chamberlain's Department
Marion Afoakwa	- Department for Human Resources
Chloe Rew	- Town Clerk's Department
Bukola Soyombo	- Chamberlain's Department
Antoinette Duhaney	- Town Clerk's Department

1. APOLOGIES

There were no apologies.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations of interest.

3. **MINUTES**

RESOLVED – That the public minutes of the meeting held on 28th May be approved as an accurate record.

4. **TACKLING RACISM TASKFORCE**

The Committee received a Report of the Town Clerk concerning the Tackling Racism Taskforce.

The Chair welcomed Caroline Addy and Andrien Meyers to the meeting; Ms Addy and Mr Meyers were appointed co-Chairs of the Taskforce earlier in July, and provided the Establishment Committee with an update on both the initial setting up of the Taskforce and a summary of the discussion and output from its first meeting.

As a starting point, the Chairs emphasised to the Committee that the Taskforce was practically focused; as well as capturing the proposals and formulating policies specific to the City, it would gather best practice from other local authorities, and consult with appropriate external specialists.

It was critical that the momentum of recent months was not allowed to dissipate and, as such, the Taskforce would look to deliver an interim report in September, with a finalised version ready by December.

The Taskforce have identified seven areas/workstreams that will inform its output over the coming months, namely;

- Governance
- Education
- Staff- career progress
- Business
- Police
- Livery
- Health and wellbeing

The Taskforce wants to avoid “developing endless policies” or “replicating work which had already been carried out”; the overarching aim was to, at pace, develop policies that would bring about effective organisational change, in essence, racism is a structure, not an event, and it was the Taskforce’s role to advocate for and support the Corporation in trying to dismantle this structure.

Mr Meyers provided a summary of a recent meeting in which the Co-Chairs addressed the BAME Staff Network, this was attended by 120 members of staff. Initially setting out the purpose of the taskforce, they then went into “listening mode”; six broad themes emerged:

1.The need for a safe space to voice concerns with regard for any form of racism - The sense they got was that members of staff did not know about the Corporation's whistleblowing policy.

2.The need to review the Corporation's recruitment and retention policies, as well as the appraisal process. There needed to be a greater effort around transparency and driving up numbers. In addition, some suggestions were made on closing the pay gap and on blind applications, as well as providing greater support for staff to progress.

3. Training and mentoring – unanimous support for mandatory training on unconscious bias, as well as need for specific training. Members and Chief Officers could play a part in helping staff with the progression ladder.

4. The need to provide greater support for Health and Wellbeing of our staff

5. Providing a greater focus on work experience initiatives

6. The need to boost support programmes such as Future Leaders Programme

Members expressed their congratulations to Ms Addy and Mr Meyers on their becoming co-chairs.

In response to a query on governance, the Chair of the Establishment Committee confirmed that depending on the recommendations in the final Report, aspects of implementation can be settled at P&R (and Establishment), other aspects may need to go on to the Court of Common Council; the aim, however, was to bring a Report back at pace.

A Member commended the early work of the Taskforce and encouraged the Committee to be steadfast in its political support for the work of the Taskforce and its eventual implementation.

It was confirmed that voting rights will be extended to officers as well as Members.

In response to a query about how frequently the BAME staff network had met previously, the Director of Human Resources confirmed that the Diversity and Inclusion Board was set up in 2016 – the BAME network was established via the Board, it didn't have a great attendance record up until recently. Following the BLM movement gaining prominence, the meetings have been opened to everyone and has seen 150-200 participants in recent months.

The Chair of the Establishment Committee added that they also attended the recent meeting and simply listened. There were some powerful voices and it was deeply regrettable that some of the Corporation's staff reported that they had not been treated in the way that we hoped they would be treated. It was imperative to identify these issues through the work of the taskforce and set about making long term changes to ensure there was no repeat.

A Member welcomed the news that invitations would be extended to experts in this area to address the Taskforce; he cited the Deputy Mayor of London as one specific example of someone who could bring a valuable contribution.

Both Co-Chairs welcomed any referrals from Members and confirmed that the existing list of experts could be added to.

A Member asked about the previous work undertaken in this area and why recommendations may not have “landed” in the past – was it due to a lack of political support and/or resources? Did we have enough of both to ensure this time round the recommendations would be fully inculcated?

In response, the Co-Chairs confirmed that in-depth resourcing conversations had taken place. Suffice-it-to-say, further resources are required and discussions were ongoing with everyone hopeful of a resolution by the end of July.

In response to a query about the Taskforce co-ordinating with the other staff networks and the Corporation’s volunteers (often found in the Open Spaces), the Co-Chair’s confirmed that work was ongoing to reach out to volunteers. Separately, discussions have been held with the Police to talk more about these issues and a focussed session with CoLP is scheduled at the next meeting of the Taskforce.

A Member asked the Co-Chairs about how they base lined the current position and how “were we going to measure success”. In response, the co-Chairs confirmed that work was currently being carried out on data gathering and the mission throughout has been to focus on outcomes; whilst there are some quick wins, e.g. blind CVs, others which might take some more time (e.g. 360 mentoring)

They added that, in terms of words and commitments to staff, there can be a disparity between the values we espouse and what the reality is. A cultural shift is required with Members at the vanguard. As part of that shift, it was critical to get beyond the usual caveats about “but this is what we have always done”. In addition, the Taskforce needed to revisit previous recommendations on these issues, as every time these were not implemented, or were significantly watered down, you “lose a bit more trust”.

It was also important to stress that this was about inclusivity – whilst the impetus has been driven by the Black Lives Matter protests; “if we get this right, it will benefit all groups”.

The Director of Human Resources added that given the networks were set up in 2016, we had to question why the BAME network wasn’t as well represented as others. Whilst this is now changing and new policies have been/are being implemented (e.g. Blind CVs and branding), on the whole the record of success is still mixed. HR are keen to work with the Taskforce to drill down on these issues.

An officer added that the make-up of the BAME staff network was a combination of people of all backgrounds. The ethos of the network is that everyone is welcome, and it was really encouraging to see that several colleagues from different backgrounds thanking the organisers for opening up the meetings. The recent meeting was very well received and over 250 staff members were in attendance. the officer added that “probably for the first time, staff feel that this new impetus will bring about positive changes for all those with protected characteristics”; ultimately, the taskforce has been a “good thing for bringing staff hope”.

The co-Chair welcomed these comments, whilst the Corporation had specific challenges, we should recognise that this is a wider societal issue and discussions on racism was so important to making progress.

The Chief Commoner regarded this as a hugely important initiative, and asked if the target of 15% BAME candidates for the next City elections realistic?

The co-Chairs responded that 15% is the aspiration. The Corporation was doing lots to examine ways in which this could be achieved and talking to various groups to help in this endeavour. Ultimately, it was down to business and residents as to how that voting goes, but, “we were doing our part” in terms of encouraging individuals to stand – a big part of that process is showing the Corporation has good policies and a positive internal culture.

The Chair of the Establishment Committee concluded by emphasising that as someone who has been passionately talking about diversity and inclusion for a very long time, it is a great pleasure to see the work the Taskforce is doing and they had every confidence this will lead to significant change in the organisation going forward.

RESOLVED – that the Committee noted the Report.

5. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Questions were raised as follows:

Prior to the meeting a Member of the Court had emailed the Chair asking for an update on where we had got to with introducing “Ban the Box”.

The Director of Human Resources responded that a roll-out of Ban the Box was in progress (with certain caveats around those requiring a CRB check) and it should be ready for final sign off in the coming weeks.

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

The following item of urgent business was raised –

On behalf of the Committee, the Chair formally thanked the departing Joyce Nash and Barbara Newman for their sterling contributions to the Committee for the past 33 and 23 years respectively. Their efforts had been invaluable, and Members would look to build upon their work in the years ahead.

7. **EXCLUSION OF THE PUBLIC**
RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.
8. **NON-PUBLIC MINUTES**
The Committee considered the non-public minutes of the meeting held on 28th May.
9. **JOB RETENTION SCHEME**
The Committee considered a Report of the Director of Human Resources concerning the Job Retention Scheme.
10. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
11. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There were no items of urgent business.
12. **CONFIDENTIAL MINUTES**
RESOLVED - that the confidential minutes of the meeting held on 28th May be approved as an accurate record.
13. **STAFF STRUCTURING - CITY OF LONDON SCHOOL**
The Committee considered a Report of the Bursar of the City of London School.
14. **TARGET OPERATING MODEL UPDATE**
The Committee received a verbal Report of the Town Clerk concerning the Target Operating Model (TOM)
15. **QUESTION RAISED BY THE CHAIRMAN OF THE AUDIT & RISK MANAGEMENT COMMITTEE**
The Committee received a question from the Chairman of the Audit & Risk Management Committee
16. **TOWN CLERK'S UPDATE**
The Town Clerk did not add anything to his earlier comments at ITEM 14.

The meeting ended at 13.25 pm

Chairman

Contact Officer: John Cater
tel. no.: 020 7332 1407
john.cater@cityoflondon.gov.uk

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JOINT MEETING OF THE POLICY AND RESOURCES COMMITTEE AND ESTABLISHMENT COMMITTEE

Monday, 20 July 2020

Minutes of the joint meeting of the Policy and Resources and Establishment Committees
held on Monday, 20 July 2020 at 11.30 am

Present

Members:

Deputy Catherine McGuinness (Chair, Policy & Resources)	Deputy Jamie Ingham Clark
Deputy Edward Lord (Chair, Establishment)	Shravan Joshi
Rehana Ameer	Alderman Vincent Keaveny
Randall Anderson	Alderman Ian Luder
Deputy Keith Bottomley	Jeremy Mayhew
Alderman Sir Charles Bowman	Andrew McMurtrie
Tijs Broeke	Andrien Meyers
Henry Colthurst	Deputy Brian Mooney (Chief Commoner)
Karina Dostalova	Sylvia Moys
Deputy Kevin Everett (Deputy Chairman, Establishment)	Deputy Joyce Nash
Anne Fairweather	Deputy Elizabeth Rogula
Marianne Fredericks	Ruby Sayed
Tracey Graham	Deputy Tom Sleigh (Vice Chair, Policy & Resources)
Alderman Timothy Hailes	Sir Michael Snyder
The Revd Stephen Haines	Deputy James Thomson
Sheriff Christopher Hayward (Deputy Chairman, Policy & Resources)	Mark Wheatley
Deputy Wendy Hyde	Deputy Philip Woodhouse
	Alderman Sir David Wootton

Officers:

John Barradell	- Town Clerk and Chief Executive
Angela Roach	- Assistant Town Clerk & Director of Member Services
Emma Cunningham	- Town Clerk's Department
Simon Latham	- Town Clerk's Department
Greg Moore	- Town Clerk's Department
Chrissie Morgan	- Director of HR

1. APOLOGIES

Apologies were received from Nicholas Bensted-Smith, Wendy Mead, Deputy Alastair Moss, Deputy Richard Regan, and the Rt Hon. the Lord Mayor, Alderman William Russell.

2. MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEES**

There were no questions.

4. **ANY OTHER BUSINESS THAT THE CHAIRS CONSIDER URGENT**

There were no urgent items.

5. **EXCLUSION OF THE PUBLIC**

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

6. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEES**

There was one question, concerning the potential return to workplace of employees and the meeting in-person of committees. It was clarified that Government advice at this time was to refrain from holding committee meetings physically but that thought was being given to managing hybrid virtual and physical meetings when that might be permitted. In relation to the wider return of staff to the workplace, staff were being encouraged to continue working from home at this point in time whilst the City Surveyor's staff worked to make the Guildhall safe and compliant with latest guidance,

7. **ANY OTHER BUSINESS THAT THE CHAIRS CONSIDER URGENT AND WHICH THE COMMITTEES AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no urgent items.

8. **TARGET OPERATING MODEL**

The Committee considered and approved a joint report of the Town Clerk and the Director of Human Resources concerning a new Target Operating Model (TOM).

The meeting ended at 1.05 pm

Chairman

Contact Officer: Gregory Moore

tel. no.: 020 7332 1399

gregory.moore@cityoflondon.gov.uk

Committees: Establishment Committee – <i>For decision</i> Policy & Resources Committee – <i>For decision</i>	Dates: 17 September 2020 24 September 2020
Subject: Interim Report on Tackling Racism	Public
Report of: The Tackling Racism Taskforce	For Decision
Report author: Emma Cunnington, Town Clerk's	

Summary

The Tackling Racism Taskforce (TRT) was set up in June 2020 and tasked to consider what the City of London Corporation currently does to tackle racism in all its forms and to assess whether any further action could be undertaken to promote economic, educational, and social inclusion through our activities, including any historical issues with a view as to how we might respond to them.

The aim of the Taskforce is submit a final report to the Establishment Committee and the Policy and Resources Committee in December 2020, but felt it was important for these Committees to have sight of the findings of the Taskforce to date, particularly around the workstreams of staffing and culture.

This report covers a summary of actions that the Taskforce have discussed should be taken by the City Corporation to tackle racism, including:

- Staffing
 - Anonymised recruitment
 - Mentoring and reverse mentoring
 - Training budgets
 - Creating a safe space
 - Work experience
 - Bullying and Harassment Procedure
 - Diversity Data
- Culture
 - Public consultative exercise on what action should be taken to address historic landmarks that are associated with Britain's role in the slave trade, colonial history and historic racist acts
- Governance
 - Guidance for Members, Chairs and Officers when talking about equality and diversity (particularly in Committee meetings).

The Taskforce will continue to work through the five remaining strands of work (Internal Governance, Education, Police, Business, and Health & Wellbeing) over the Autumn with a final paper of recommendations submitted to the Policy and Resources and the Establishment Committees at the end of the year

Recommendations

Members of the Establishment Committee are asked to:

- i. Note the contents of this report and the direction of travel of the Tackling Racism Taskforce;
- ii. Note that an increase in departmental training budgets will be required and a more detailed recommendation will be submitted to the Establishment and Policy and Resources Committees in due course;
- iii. Note the draft revised Bullying and Harassment Procedure in Appendix 3;
- iv. Approve that anonymised recruitment be rolled out across the City of London Corporation at all grades;
- v. Approve that a programme of mentoring and reverse mentoring, as piloted in the Department for Built Environment, be rolled out across the City Corporation in the first instance to staff from the most underrepresented groups.

Members of the Policy and Resources Committee are asked to:

- i. Note the contents of this report and the direction of travel of the Tackling Racism Taskforce;
- ii. Note the report of action taken in relation to the consultative exercise on historic items in the Square Mile;
- iii. Subject to the agreement of the Establishment Committee, note that an increase in departmental training budgets will be required and a more detailed recommendation will be submitted to the Establishment and Policy and Resources Committees in due course;
- iv. Approve the content of the guidance for Chairs, Members and Officers when talking about equality and diversity in relation to race, outlined in Appendix 2.

Main Report

Background

1. The death of George Floyd and the Black Lives Matter protests that followed in the US and the UK have highlighted again the issue of racism that sadly still exists in society. At the time, a joint statement by the Lord Mayor, Policy Chair, Chair of Police Authority Board and Chair of Establishment Committee was issued as follows:-

In response to the death of George Floyd, the City of London Corporation has today (4 June) published the following joint statement.

We are shocked and saddened by the senseless death of George Floyd.

The City of London Corporation is committed to equality, inclusivity and diversity and we stand in solidarity with BAME colleagues and communities.

We understand it is not enough to say we are against racism but we have to work to eradicate all forms of racism in all that we do.

This is why we have signed the Race at Work Charter and we aim to be a leader in diversity and reflect the communities we serve across London and the UK.

We pledge to fulfil our responsibility to create a fair and inclusive society.

Black Lives Matter.

2. Following issuance of this statement, a number of emails, varying in views, were exchanged between Members across the Court of Common Council. The content of those emails demonstrated the complexities and emotions that surround the issue of racism. Nevertheless, from the responses received, it was overwhelmingly clear that the City Corporation needed to do more than just issue a statement calling for change, but look at what positive action it should take.
3. At the Policy and Resources Committee on 11 June 2020, Members discussed the establishment of a joint Working Party to consider what the City of London Corporation currently does to tackle racism in all its forms and to assess whether any further action could be undertaken to promote economic, educational, and social inclusion through our activities, including any historical issues with a view as to how we might respond to them. It was agreed that this Working Party would report its findings to the Policy and Resources Committee and the Establishment Committee.
4. At its first meeting, the Working Party changed its name to the Tackling Racism Taskforce to show its commitment to act quickly, radically and with determination, and elected Caroline Addy and Andrien Meyers to serve as its Co-Chairs. The terms of reference and composition of the Tackling Racism Taskforce can be found in **Appendix 1**.
5. For the avoidance of doubt and to ensure focus and clarity during discussions, the Taskforce agreed to adopt the Equalities and Human Rights Commission's definition of racism as *"when you are treated differently because of your race in one of the situations covered by the Equality Act. The treatment could be a one-off action or as a result of a rule or policy based on race. It doesn't have to be intentional to be unlawful."*
6. The Taskforce is keen to provide a formal update to the Policy and Resources and Establishment Committees on its findings so far, with a final report due at the end of the year.

Current Position

7. At its first meeting, the Tackling Racism Taskforce agreed to structure its workstreams around the following themes:-
 - i. Staffing
 - ii. Culture
 - iii. Internal governance/civic
 - iv. Education
 - v. Police
 - vi. Business

vii. Health & Wellbeing

8. This report sets out some of the initial findings and recommendations of the Taskforce centring around the **staffing** and **culture** workstreams. It also sets out some **guidance** for Chairs, Members and Officers when discussing racial inequality.

Staffing

9. The Tackling Racism Taskforce held a focused session on staffing on 13 July 2020. Ahead of the meeting, the Co-Chairs attended a virtual session of the City Corporation's Black, Asian and Minority Ethnic (BAME) Staff Network.
10. The death of George Floyd and the protests which followed have resonated amongst staff resulting in some seeking the support of the BAME Staff Network – originally set up in 2015. The Network has proved to be an invaluable mechanism for all employees to express their views and share personal experiences. It continues to provide a platform of support and a means through which to drive change.
11. At the beginning of the Taskforce's staffing-focused discussion, elected Members listened to the experiences of BAME staff working for the City of London Corporation in smaller "breakout rooms" to help provide context to the discussion. As a whole group, many ideas were discussed as to what initiatives could be put in place to improve the diversity of the workforce and to enable a better sense of inclusion for BAME employees.
12. The key recommendations that came out of the discussion were as follows:-
- i. Anonymised recruitment across all grades (not just at senior levels) be introduced
 - ii. Mentoring and reverse mentoring schemes be developed
 - iii. All local training budgets are amalgamated to HR, and professional and technical training, which supports service delivery, is funded from local risk
 - iv. A scheme be developed that provides and defines a "safe space" for staff and provides clarity on the terms of reference(s) for meetings convened to discuss tackling racism with staff
 - v. Training be given to key individuals across the organisation who will provide support and guidance for staff on an individual and confidential basis
 - vi. Current and possible schemes that support work experience programmes with schools and young adults be explored.
 - vii. For a HR policy on bullying and harassment to be developed.
 - viii. Consideration be given as to how the City Corporation could better utilise the collected, published data and information on diversity of its workforce at all levels (including the introduction of a peer review)

Anonymised recruitment

13. Anonymising applications using City People was established for grade I and above in 2018. Currently the personal details of all applicants for these roles are withheld at the shortlisting stage. The change to anonymise all recruitment across the board

is recommended as a key component for a more transparent approach to achieving a diverse workforce at all levels based on talent.

14. This process in the past has been a manual task but a recent upgrade to the system will now allow the City Corporation to select which stages of the recruitment process it wishes to anonymise.

Mentoring and reverse mentoring

15. Having both a mentoring and reverse mentoring programme, recognises that there are skills gaps on both sides, and that each person can address their weaknesses with the help of the other's strengths.
16. The Learning and Organisational Development Team have been piloting a mentoring/reverse mentoring programme in the Department of Built Environment (DBE) with apprentices. To date, this pilot - although in its embryonic stage - is proving very successful. It is recommended that this programme is rolled out across the City Corporation in the first instance to staff from the most underrepresented groups.

Training budgets

17. All staff have personal development plans which are linked to their appraisals, currently the Learning and Organisational Development team based in HR hold the budget for all corporate training (mandatory and personal development). However, departments hold their own training budgets which can be allocated at their discretion.
18. This allocation will be brought together and centrally allocated by the Learning and Organisational Development Team, career programmes, with tailored training programmes which could be developed linked to mentoring and shadowing activities to create a culture of effective succession planning and a clearer pipeline for people who are underrepresented at the more senior grades.
19. A more detailed report will be forthcoming, with a bid for more resources for this budget, to the October meetings of Establishment and Policy and Resources Committees.

Creating a safe space

20. There was a clear consensus during the Taskforce meeting that, whilst the BAME Staff Network allowed for a space for support, it was not a safe space for staff to share their experiences where individuals could be identified. It was therefore suggested that a Confidential Adviser scheme be introduced providing a first point of contact for employees concerned about bullying and harassment or any other concerns relating to a protected characteristic and workplace issues.
21. The Confidential Advisers will be a group of employee volunteers trained to provide advice and support to staff who feel they are being subjected to bullying or harassment or have themselves been accused of harassment or bullying or have other concerns about their treatment in the work place. Their role will be to listen

and assist individuals to explore the available options to resolve the issues, no matter how sensitive.

22. A more detailed report will be forthcoming, with a bid for more financial support for recruitment, training and development of the Confidential Advisers, to the October meetings of Establishment and Policy and Resources Committees.

Work experience

23. The Taskforce were keen for current and possible schemes that support work experience programmes with schools and young adults to be explored and enhanced.
24. Officers are currently exploring an enhanced six-week work experience programme for Years 12 and 13 in schools with students of low socio-economic backgrounds, with the aim to remunerate these students after a two-week placement to encourage take-up of the scheme. A more detailed report will be forthcoming, with a bid for a work experience budget, to the October meetings of the Establishment and Policy and Resources Committees.

Bullying and Harassment Procedure

25. The City Corporation's Bullying and Harassment Procedure is currently being revised in consultation with the Comptroller and City Solicitor before sharing it with the staff networks and relevant stakeholders more widely. It outlines our approach to providing bullying and harassment support to staff and managers. It draws attention to the different types of harassment and the possible behaviours that can constitute harassment whilst also highlighting the fact that there is no legal definition of bullying. Please find a revised version of the Bullying and Harassment Procedure in **Appendix 3**.

Diversity Data

26. The City Corporation actively collects and publishes data and information on the diversity of its workforce at all levels. However, it is felt that there needs to be a mechanism in place to critically challenge the cultural and transformational change necessary to alter the current system for driving improvements in BAME representation at all levels particularly at senior levels. This will assist with building a sustainable talent pipeline across the organisation in the future.

Culture

27. The Tackling Racism Taskforce held a focused meeting on the Culture workstream on 24 July 2020. The key focus of this centred around historic landmarks within the City of London. As part of this, the Taskforce considered a proposal for a consultative exercise to be undertaken to help inform its recommendations on what action should be taken to address historic landmarks that are associated with Britain's role in the slave trade, colonial history and historic racist acts.
28. A detailed discussion took place considering several options such as adapting current statues to include added description or visual interpretation, replacing statues with a memorial, or leaving statues but adding a memorial to victims of the

slave trade, amongst other options. The Taskforce concluded that it would like to undertake a consultative exercise to capture more views to help inform its recommendation to the Policy and Resources Committee.

29. Under urgency provisions in August, the Town Clerk in consultation with the Chair and Deputy Chairman of the Policy and Resources Committee authorised work to begin on preparing a consultative exercise to begin in September and run for three months. Working closely with the Mayor's commission to review the diversity of its public realm, this work has been carried out at pace, and the consultative exercise is live, [here](#).

Guidance for Chairs, Members and Offices

30. Following feedback, the Taskforce have put together some guidance for Chairs, as well as Members and Officers, to help with conversations about equality and diversity in relation to race, particularly in the context of Committee meetings. This guidance complements the Equally Yours unconscious bias training which all Members and Officers are asked to complete and can be found in **Appendix 2**.
31. With the approval of the Policy and Resources Committee, this guidance will be circulated to all Members of the Court of Common Council.

Next Steps

32. The Taskforce will continue to work through the five remaining strands of work (Internal Governance, Education, Police, Business, and Health & Wellbeing) over the Autumn with a final paper of recommendations submitted to the Policy and Resources and the Establishment Committees at the end of the year.

Corporate & Strategic Implications

33. The proposals in this report align with the City Corporation's Corporate Plan in that they support actions:
- a. 3a – Promote and champion diversity, inclusion and the removal of institutional barriers and structural inequalities
 - b. 4a – Bring individuals and communities together to share experiences and promote wellbeing, mutual respect and tolerance
 - c. 5c – Support, celebrate and advocate responsible practices and investments
 - d. 8a – Promote the City, London and the UK as attractive and accessible places to live, learn, work and visit.

Conclusion

34. This interim report of the Tackling Racism Taskforce (together with its appendices) outlining its initial findings of action that the City Corporation should take to tackle racism and promote social, educational and economic inclusion is put before Members of the Establishment Committee and Policy and Resources Committee for their initial feedback and approval. Another paper setting out the Taskforce's

recommendations for action on all seven of its workstreams will be forthcoming to both of these Committees in December 2020.

Appendices

- Appendix 1 – Terms of reference and composition of the Tackling Racism Taskforce
- Appendix 2 – Guidance for Chairs, Members and Officers when talking about equality and diversity
- Appendix 3 – Revised Bullying & Harassment Procedure

Emma Cunningham

Head of Chairmen's Support Services, Town Clerk's

E: emma.cunnington@cityoflondon.gov.uk

Appendix 1

TACKLING RACISM WORKING PARTY

Terms of Reference:

- To consider what the City of London Corporation currently does to tackle racism in all its forms and to assess whether any further action could be undertaken to promote economic, educational, and social inclusion through our activities, including any historical issues with a view as to how we might respond to them;
- To report its findings to both Policy & Resources Committee and the Establishment Committee

Composition:

The Working Party to elect their Chair and Deputy Chair at its first meeting.

Chair of Policy and Resources Committee (Catherine McGuinness)

Chair of Establishment Committee (Edward Lord)

Chair of Community & Children's Services Committee (Randall Anderson)

Chair of Member Diversity Working Party (Tom Sleigh)

Chair of Culture, Heritage & Libraries Committee (Wendy Hyde)

Six Members from the wider Court:-

Caroline Addy

Alderman Emma Edhem

Shravan Joshi

Natasha Lloyd-Owen

Andy Mayer

Andrien Meyers

Town Clerk & Chief Executive (John Barradell)

Sponsor of the BAME Staff Network (Vic Annells)

Chair/Deputy Chair of the BAME Staff Network or their representatives (Zahur Khan and Maxine Pitt)

Director of Community & Children's Services (Andrew Carter)

Director of Members' Services (Angela Roach)

Director of Communications (Bob Roberts)

Diversity & Engagement Lead Officer, HR (Amanda Lee-Ajala)

Appendix 2



Guidance for Chairs, Members and Officers: Talking about racial inequality

Aim: The aim of this document is to provide Chairs, Members and Officers guidance on how to talk about diversity and racism in a way which is respectful and sensitive, avoiding racist slurs or microaggressions, particularly during formal committee meetings at the City of London Corporation.

Background: The Tackling Racism Taskforce, set up in June 2020 following the murder of George Floyd and the subsequent Black Lives Matter protests, aims to consider whether any action could be taken to tackle racism. Whilst the importance of more conversations about diversity in relation to race is recognised, it is also acknowledged that these conversations can be highly emotive, hurtful and, sometimes, racist.

Definition of racism: The Taskforce have agreed to adopt the Equalities and Human Rights Commission's definition of racism as *"when you are treated differently because of your race in one of the situations covered by the Equality Act. The treatment could be a one-off action or as a result of a rule or policy based on race. It doesn't have to be intentional to be unlawful."*

Some tips to get you started:



1. Listen!

If you have not personally experienced prejudice and racism in the UK, and/or are not from a Black, Asian or Minority Ethnic (BAME) background, do not assume you know how it feels or what the experiences of BAME people might be. Ask questions and be curious. Take direction and learn from colleagues of BAME background.



2. Educate yourself.

If you have not personally experienced prejudice and racism in the UK, you might not realise that a number of our colleagues from BAME backgrounds are tired and drained from explaining their hurt and defending their pain and trauma. Remember that someone's ethnicity is not always obvious.

You can take responsibility for educating yourself on the issues facing BAME people. There are a number of resources, which may help you to see things from a different point of view, such as *Why I'm no longer talking to white people about race* by Reni Eddo-Lodge or *So you want to talk about race* by Ijeoma Olu, as well as many others.



3. Think, before you speak...

It is right and encouraged that people of all ethnic backgrounds contribute to the discussion of tackling racism. It is not just an issue for those who have

suffered it to deal with – we all have a duty to play our part in the fight against racism. However, before you speak, think:

- a) Is what I am about to say accurate and relevant to the discussion?
- b) If I were of a different ethnic background, would I feel encouraged and respected by what I am about to say?
- c) Am I being influenced by pre-conceived generalisations, prejudices and stereotypes in what I am about to say?
- d) Is it necessary for me to quote racist terms to explain a point? Might these racist terms alone trigger traumatic memories for those listening?



4. **Speak out!**

Talking about racial inequality is difficult. But don't be silent on the topic. The fear of saying the wrong thing often keeps people from wanting to engage in a discussion about race and equality in the first place. Start by acknowledging that this is a difficult conversation and setting out why you want to have it (e.g. to understand, to solve a problem).

If, during the course of a committee meeting, you feel that someone has said something which is racist, hostile or offensive, you will want to consider how you respond. If you are the Chair of that meeting, there is a particular onus on you to shut down conversations that are offensive. You could interrupt and calmly state that you disagree with that language and that the conversation now move on. Members and officers should also feel empowered to challenge offensive language or racist behaviour. However, shaming or accusing the individual is unlikely to change the behaviour but cause defensiveness. You might feel a better course of action is to privately message the Chair and explain your concerns. The Chair, if they agree, can then respond to the individual and stop any further discussion.

Some problematic phrases used when talking about racial inequality

- **"I don't see colour"** - "When you say, 'You don't see colour,' that [can be] offensive to people of colour," Dr. Lorenzo Boyd, associate professor of criminal justice and assistant provost of diversity and inclusion at the University of New Haven said. "Because you are reducing major parts of their characteristics and their culture to nothingness."
- **"All Lives Matter"** - Boyd explained, "When I say 'Black Lives Matter' and somebody else says 'Blue Lives Matter' or 'All Lives Matter,' to me that's akin to going into a cancer hospital and screaming out, 'You know there are other diseases too.' "
- **"My life was hard too"** – If you have not personally experienced prejudice and racism in the UK, that "does not mean your life is not hard. It means that your race is not one of the things that makes it hard," Dr. Amanda Taylor, senior adjunct professorial lecturer, School of International Service at American University explained.
- **"Where are you from?"** – "Simply put, this question is alienating. You are implying that I couldn't possibly be from Britain, so you need to know where I really come from." While it is often used as a simple and courteous ice-breaker, be aware that it is also sometimes used as a coded way of implying a person does not belong.

Bullying and Harassment Procedure

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Statement of intent

1. The City of London Corporation is committed to promoting good employee relations within a working environment that fosters team working. Employees and others working at all levels of the organisation have a responsibility to maintain professional relationships. They are expected to avoid actions or using words that would harm the mental or physical wellbeing of others. They will, as stated, in the Code of Conduct policy, demonstrate appropriate behaviours defined internally and that adhere to the Principles of Public Life. The Managing People Policy and Equal Opportunity Policy each set out in more detail the standard of conduct expected of all those who work for or on behalf of the City of London Corporation. The Director of Human Resources will be responsible for advising on the day to day operation and interpretation of this procedure.
2. Everyone has the right to be treated with fairness, dignity and respect whilst at work. In addition, the Equality Act 2010 places an obligation on organisations and their employees to avoid unlawful discrimination in relation to specified protected characteristics. These are age, disability, race, religion or belief, sex, sexual orientation, marriage and civil partnership, gender reassignment and pregnancy and maternity. This ensures that we establish an environment in which everyone can feel safe and work effectively and confidently as set out in the Equality of Opportunity Policy.
3. The City Corporation has a zero-tolerance approach to bullying and harassment. Bullying and harassment constitute misconduct and in the most serious cases, may result in dismissal from employment without notice. All allegations of inappropriate behaviour or language in the workplace will be taken seriously, with thorough investigation and appropriate action taken, as necessary.

Scope

4. The aims of this procedure are to ensure that all employees are aware:
 - of what constitutes bullying and harassment
 - the protected characteristics set out in the Equality Act
 - of their right to report incidences of bullying or harassment (as defined in the Equality Act 2010¹) and how this will be addressed.

Bullying, harassment and associated discrimination can occur or be experienced in relation to more than one protected characteristic. It is acknowledged that the

¹ <https://www.legislation.gov.uk/ukpga/2010/15/section/26>

experience of victims who have multiple protected characteristics are often heightened.

5. The formal process for complaints set out in this procedure applies to all employees except Chief Officers, teachers and police officers for whom separate procedures apply. Whilst the procedure is available to individuals directly employed by the City of London Corporation, incidents raised by other workers should be taken seriously and dealt with appropriately by managers and Chief Officers.
6. This procedure covers behaviour that occurs in the office, online and outside working hours where this may impact upon work or working relationships (ref Social Media policy).

Purpose

7. The purpose of this procedure is to ensure we have a working environment in which instances of bullying and harassment are always treated as unacceptable and employees have the confidence to complain about such behaviour, should it arise, in the knowledge that concerns will be dealt with appropriately, fairly and without bias. Complaints will be investigated promptly, ensuring their rights are protected.

Legal position

8. There is no legal definition of bullying. The employment and conciliation service ACAS states that workplace bullying is behaviour from a person or group that is unwanted or makes you feel uncomfortable. Some definitions also refer to it being a repeated pattern of behaviour. Bullying can take the form of physical or verbal aggression, excluding or ignoring people, spreading malicious rumours or constantly criticising and undermining a competent worker.
9. The Equality Act 2010 defines harassment as: unwanted behaviour that is related to one of the protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation) which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. In the case of sexual harassment, unwanted behaviour is defined as behaviour of a sexual nature. Harassment can be a one-off or repeated pattern of behaviour under this definition.
10. No employee will be victimised or suffer detriment for making a complaint of bullying or harassment. No manager shall threaten an individual, either explicitly or implicitly, that their complaint will be used as the basis for decisions affecting that individual. Such conduct will be treated as a serious disciplinary matter.
11. The City of London Corporation has a common-law duty of care to their employees. In addition, under the Health and Safety at Work Act 1974, employers have a duty to

ensure that, so far as is reasonably practicable, the health, safety and welfare of employees are protected. This means that they are responsible for ensuring that employees are cared for at work and do not have to work in unsafe or unhealthy conditions.

Definitions

12. In this procedure “Complainant” refers to the employee experiencing the bullying or harassing behaviour; “Alleged Perpetrator” refers to the person against whom the complaint is brought. The term “parties” refers to the complainant and the person against whom the complaint is brought.
13. **Bullying** is behaviour from a person or group that is unwanted and makes them feel uncomfortable, intimidated, degraded, humiliated, insulted or offended.
14. **Harassment** is ‘unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant’s dignity’. Note that the harassment provisions in the Equality Act 2010, do not apply to all nine protected characteristics (pregnancy, maternity, marriage and civil partnership are excepted).
15. **Victimisation** occurs when an employee is subjected to detriment because they have made (or supported a complaint) or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.
16. **Direct Discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have.
17. **Discrimination by Association** is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
18. **Indirect discrimination** can occur when a condition, rule, policy or even a practice applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that an employer acted reasonably in managing its business i.e. that it is ‘a proportionate means of achieving a legitimate aim’. A legitimate aim might be any lawful decision made in running a business or organisation, but if there is a discriminatory effect, with the sole aim of reducing costs is likely to be unlawful. A ‘proportionate means’ requires fairness, must be reasonable and should include consideration of ‘less discriminatory’ alternatives (where available) to any decision made.
19. **Perception Discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic.

20. **Third Party Harassment** makes employers potentially liable for harassment of its employees by people (third parties) who are not employees, such as customers, contractors or their representatives. Employers are potentially liable when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place and has not taken reasonable steps to prevent it from happening again.

DRAFT

Procedure for dealing with Bullying and Harassment and Process Map

21. The line between bullying and harassment and other behaviour such as workplace banter or performance management may not always seem clear. It is important to remember that how behaviour is received and the actual impact it has on the recipient is a key consideration.
22. It should be noted that whether allegations are made informally or formally, prompt action will be taken. This procedure and process map provides steps to reassure staff and offer multiple avenues for raising concerns and types of resolutions.

Dealing with Single Incident and/or initial concerns

23. Discussing an issue can make a significant difference in helping to identify the problem and thinking through how to solve them. This may include, taking the person aside for a discussion or writing an email to explain how their actions made you feel. Opening up an informal discussion can often help to rebuild relationships allowing the opportunity to reflect and adjust behaviours that may produce an amicable resolution.
24. Silence permits bullying and harassment to continue. If the complainant is unable to reach a resolution, they may wish to talk to a colleague, friend or relative in order to obtain another perspective on the situation, particularly if the unwanted behaviour continues. This also ensures that a third party knows about the unacceptable behaviour.
25. The complainant should write down each incident including the date, time, emotions, who was around and what was said and done. This is important because if the matter is escalated specific examples may be required. They can speak to bystanders if appropriate, try to avoid being alone with the alleged perpetrator and utilise the services of the Employee Assistance Programme who can offer advice and support if necessary.

Stage 1 Informal resolution

26. Any employee who wishes to make a complaint of bullying or harassment will first be encouraged to discuss the matter informally with their line manager if they feel able to do so. If they do not feel able to approach their line manager, then they can instead discuss the matter with another manager or senior officer.
27. Informal resolution should always be viewed as a constructive and a credible response. It provides an opportunity for managers, employees and colleagues to discuss situations in a supportive, empathetic and solutions-focused way.

Constructive dialogue promotes positive behaviours and effective relationships in the workplace, fostering an environment of mutual understanding and respect.

28. Solutions may include: an early resolution meeting, coaching or mediation. These would generally be undertaken by the manager, but in some situations a third party may be selected. These measures should help to identify a mutually acceptable outcome to remedy the situation being complained about. Informal resolution aims to support colleagues by securing lasting and constructive solutions in a non-adversarial way. Any agreement reached is both voluntary and confidential.
29. An initial outcome of informal resolution may be that line manager determines that the matter should be dealt with formally.
30. If an employee believes that their grievance has not been resolved to their satisfaction through the informal approach, then they can progress to the formal procedure.

Stage 2 Formal bullying and harassment complaint resolution – Initial meeting

31. An employee must put their formal complaint in writing to the manager setting out the nature of the complaint, what steps they have taken to resolve it and what resolution they seek. They should do so within one month of the date the employee tried to resolve the matter informally or from the issue occurring where it is agreed by the manager that the matter should be raised formally. At the very latest the employee's formal grievance should be submitted within three months of the last incident occurring. A complaint form is available to assist employees with setting out their complaint.
32. On receipt of the formal complaint the manager (referred to as the Resolution Manager for the purposes of this procedure) will arrange to meet with the employee at a formal Complaint Resolution Meeting, usually within 5 working days of receipt of the complaint. The Resolution Manager will usually be accompanied by an HR representative.
33. The employee is entitled to be accompanied at the meeting by a fellow worker or trade union representative. The employee and their companion must make every effort to attend any meetings arranged to consider their complaint. If the employee's companion cannot attend on the date arranged the employee may offer a reasonable alternative date and time so long as it is no more than five working days after the original date.
34. The purpose of the formal Complaint Resolution Meeting is to:
 - establish and clarify the facts about the employee's complaint
 - consider the resolution they seek

- consider steps they have taken to resolve the matter informally
 - explore what action can reasonably be taken to resolve the matter
 - confirm that save for exceptional circumstances any employee complained about will be provided with an agreed summary of the complaint made against them and will be given the opportunity to respond. The Resolution Manager will determine how this will take place (e.g. by interview with the Resolution Manager, making a written statement in response or in some circumstances attendance at the resolution meeting)
 - discuss the level of confidentiality that can be maintained and who else will need to be involved if at all, in order to resolve the complaint.
 - seek solutions rather than apportion blame in a constructive, honest and collaborative fashion.
 - draw up relevant parts of the decision and/or action plan to be shared with other parties to the complaint.
 - discuss where the behaviour complained of concerns to serious disciplinary allegations, as prompt action may be needed under the Disciplinary procedure.
35. Separate meetings may be convened with both parties. In the case of a bullying or harassment allegation it may be inappropriate that both parties meet to try to resolve the situation until investigations have been conducted and conclusions drawn. Either party is entitled to bring a representative to these meetings.
36. If the complainant is being bullied or harassed because of their sex, disability, gender identity, race, religion or sexual orientation, others may be asked if they are also being bullied as it may be a collective issue. It may also be appropriate to ask colleagues who have witnessed this behaviour, whether they will give their support.

Stage 2 Format of the Complaint Resolution Meeting

37. The employee will outline their complaint and may bring to the meeting any documentation by way of example such as the notes they have kept of incidents and can suggest colleagues who may be able to substantiate their complaint or concern.
38. The Complaint Resolution Manager may ask the employee questions about the circumstances of the complaint in order to establish all the relevant facts, dates, background and surrounding circumstances etc.
39. The Complaint Resolution Manager has the right to ask the employee to respond to questions directly put to them, although the employee may on request confer with their representative at any time during the meeting.
40. Once the Complaint Resolution Manager has a clear understanding about the grievance, there could be 4 possible outcomes at this stage:

- The Complaint Resolution Manager may be able to suggest a solution/action plan at the meeting.
- The Complaint Resolution Manager may decide to adjourn (usually reconvening within ten working days) in order to consider the matter further, check facts, dates, documentation, etc - and may wish to interview other employees in connection with the complaint/concern.
- The Complaint Resolution Manager may decide that due to the complexity of the matter a formal investigation is warranted which they will usually undertake in person or might allocate to another manager within the department.
- In exceptional circumstances an independent manager outside the service may be more appropriate due to the nature of the complaint and in such cases the Director of HR representative will be consulted and will determine if this is an appropriate route.
- However, investigations must be prioritised by all involved, be proportionate and balanced. The investigation should involve only those who are necessary in order to make an informed decision and should be concluded without delay, usually within 3 weeks of the complaint resolution meeting.
- The Complaint Resolution Manager decides that after careful consideration there is no case to answer.

41. The Complaint Resolution Manager will also consider any temporary changes to the workplace or to working arrangements that might be appropriate whilst the complaint is being dealt with. This will be done in conjunction with the line manager

Stage 2 Formal resolution – Outcome letter

42. The Complaint Resolution Manager will confirm their decision in writing which will usually include:

- a summary of the issues and the employee's proposed solution and any immediate action/s agreed at the meeting
- the decision and any action plan and review period/ date and the right to appeal against the decision
- Where appropriate, the employee complained about will be informed of the outcome where it relates to them.

Stage 3 Appeal

43. If the employee considers the complaint has not been satisfactorily resolved, they have the right to submit an appeal in writing to their Director within 10 working days of receipt of the outcome of the Complaint Resolution Meeting. The appeal will outline which elements of the decision and/or action plan are not agreed and the resolution

sought. Any further details in support of the appeal must be provided within 10 working days of receipt of the outcome of the Complaints Resolution Meeting. The written appeal will be shared with the Complaints Resolution Manager.

44. The appeal will normally be heard by a more senior manager than the person who considered the initial complaint. Appeals will normally be arranged within 10 working days from receipt of the appeal. The Appeal Officer will be impartial and not previously involved in the case detail, therefore this may be an Independent Level One officer and will be supported by an HR representative. The employee has the right to be accompanied by a fellow worker or a trade union representative. The format of the appeal will be to consider the grounds put forward by the employee and resolution sought rather than a complete review of all of the evidence gathered at the Stage 2 Complaints Resolution Meeting. The employee may request that their appeal is a review of the paperwork only, without the attendance of either party at a hearing.

45. At the Stage 3 Appeal Meeting:

- the employee will outline their appeal detailing why they remain dissatisfied
- the Appeal Officer may ask questions of them and discuss possible alternative solutions as appropriate
- the Complaints Resolution Manager will comment on the grounds of appeal and the resolution being sought
- the Appeal Officer may ask questions of the Grievance Resolution Manager about the steps taken to address the grievance
- the Appeal Officer may outline their decision at the meeting or may decide to give the matter further consideration in which case the employee will be notified in writing of the decision within 5 working days of the meeting.

Other matters

Record keeping

46. Written records will be treated as confidential and stored in accordance with the Data Protection Act. A copy of the outcome letter will be placed on the file of the person who raised the grievance whether it is substantiated or not. A copy will only be placed on the file of the person complained about if the concern is substantiated and will remain on file for 12 months.

Overlapping grievances with other formal procedures

47. In circumstances where a concern or complaint raised results in a disciplinary investigation being commissioned, this will be the resolution to the grievance and the

employee may not further the complaint under the grievance procedure, unless there remain issues which were not investigated under the disciplinary procedure.

48. Where a grievance is raised during the course of a disciplinary, sickness, capability or other formal procedure, in some circumstances it may be appropriate to suspend the formal action in order to deal with the grievance. In other circumstances where they are related it may be appropriate to deal with the matters concurrently as one investigation but with clear outcomes under each procedure. The Director of Human Resources will determine the appropriate way forward in these circumstances. Similarly, where counter-grievances are raised these will be dealt with together.

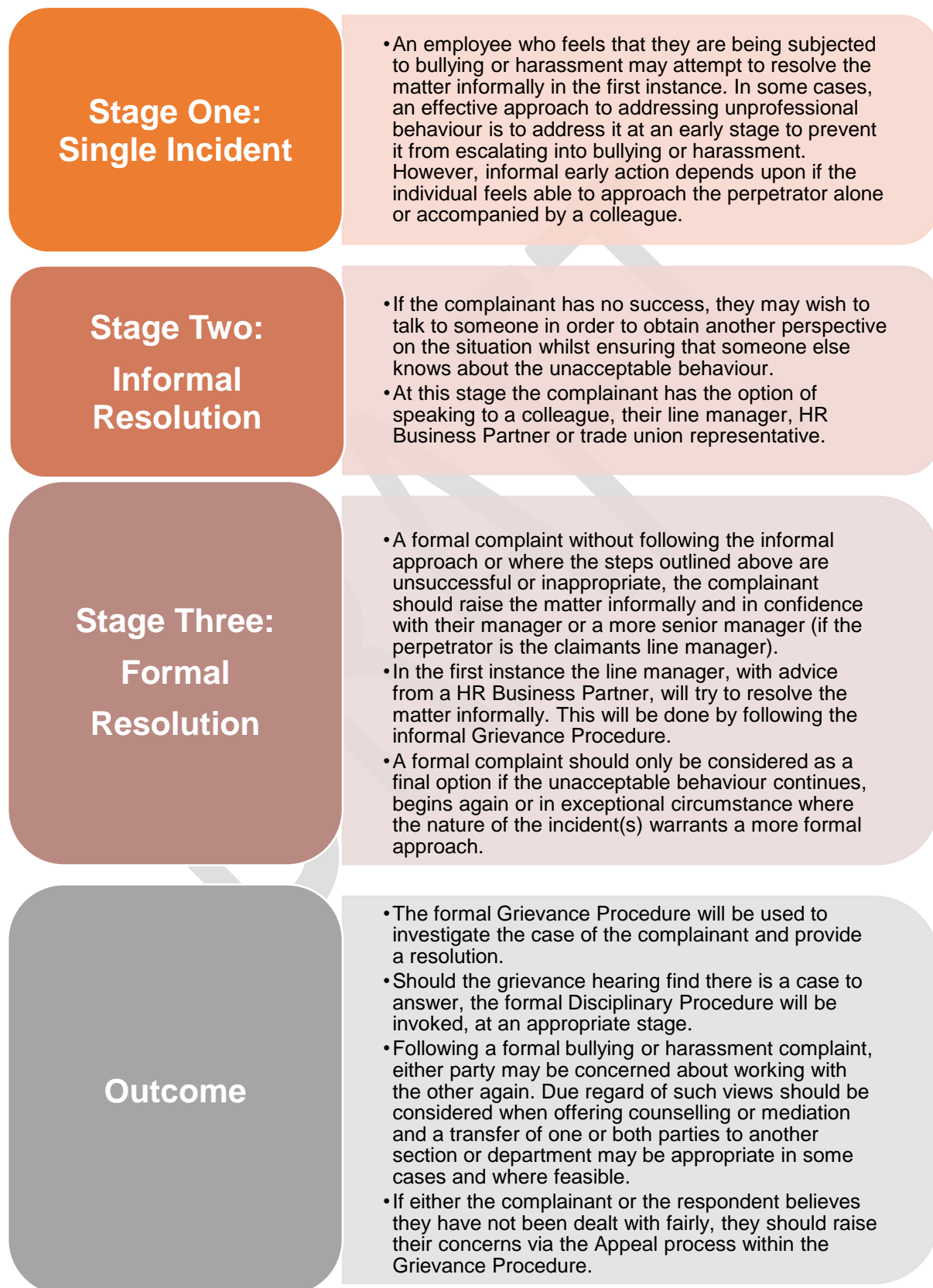
Matters out of scope

49. At any stage of a complaint of bullying or harassment, this may result in a disciplinary investigation being commissioned alongside other actions put in place to address the complaint. Whilst the complainant may progress their complaint in relation to any other proposed actions put in place, the decisions to undertake a disciplinary investigation is a management decision and cannot be appealed against under this procedure.
50. Where an employee who raises a complaint does not wish their identity to be revealed or does not want those complained about to be informed, there may be little that can be done to address the complaint and in such circumstances the employee will be advised accordingly.
51. Issues relating to service delivery or whistleblowing are not matters that will be addressed under this grievance procedure.
52. Issues raised under the grievance procedure cannot be subsequently raised under the bullying and harassment procedure.

Working environment during the course of a complaint

53. Employees are expected to work together during the course of the investigation. In exceptional circumstances it may be considered appropriate to relocate or re-assign employees. The manager at the informal stages or the complaint resolution manager at the formal stages will keep the complainant updated of progress on a regular basis. The employee will be encouraged to seek additional support such as through a colleague, the Employee Assistance programme, staff networks or their trade union.

Bullying and Harassment Process Map



List of appendices

- Appendix 1 - Examples of Unacceptable Behaviour
- Appendix 2 - Glossary of terms including examples of discriminatory behaviours

Links / Other resources

- Code of Conduct
- Equal Opportunity Policy
- Managing People Policy
- [Acas](#)
- [Equality Act 2010](#)
- [Health and Safety Executive - Employers responsibilities](#)
- [Corporate Health, Safety and Wellbeing Policy](#)
- [Employee Assistance Programme](#)
- Human Resources [Business Partners](#)
- [Unions](#)

Appendix 1

Examples of Unacceptable Behaviour

The City of London recognises that bullying and can often be experienced by an individual on the grounds of multiple protected characteristics, not just one. For example, a black bisexual man or a woman with a disability, or a Muslim trans person - and that these experiences are a distinct and often heightened form of bullying and harassment.

However, it should also be noted that in many instances of bullying are not due to a protected characteristic, instead being motivated by a general dislike, resentment, jealousy etc.

The lists of examples are not exhaustive but, provide an overview to assist understanding of what may be found offensive whether intentional or not and includes cyber bullying. It should also be noted that intersectionality/multiple identities can affect the way that people experience discrimination and bullying or harassment.

List of generic behaviours

- **Physical bullying:** Violence or sexual assault
- **Verbal bullying:** Making offensive remarks including comments about someone's gender, race, disability, religion or sexual orientation - this form of bullying is also discriminatory behaviour that may be unlawful.
- **Indirect bullying:** Being unfriendly, not talking to someone or excluding them from social groups and activities
- **Cyber bullying:** using the internet, interactive and digital technologies or mobile phones to torment, threaten, harass, humiliate, embarrass or otherwise target another person.

Harassment contrary to the Equality Act 2010

The following descriptions of conduct indicate whether bullying and harassment is likely to be related to a relevant characteristic and therefore potentially unlawful harassment contrary to the provisions of the Equality Act 2010.

Note that harassment contrary to the Equality Act 2010 can often be experienced by an individual with multiple protected characteristics, e.g., a black bisexual man, a woman with a disability, or a Muslim trans person. It may not always be obvious whether the harassment relates to one of these characteristics alone or a combination.

Harassment	Description	Types of behaviour
Age	Relates to behaviour including ridiculing or demanding behaviour focused on people because of their age, either actual or perceived or	<ul style="list-style-type: none">• Regarding them as “too old” or “too young”; or making assumptions about lifestyle based on perceived age.

	through association with individuals of a particular age.	<ul style="list-style-type: none"> • Denying training, development or promotion opportunities due to age • Pressurising the person to retire • Questioning ability due to age • Making patronising comments
Disability	Relates to behaviour including derogatory remarks, mimicking, invasive personal questions, staring, ostracising or patronising which are directed at any disabled individual or group of disabled people whether they are perceived to be, are disabled or through association. The behaviour results in the individual(s) feeling threatened or compromised.	<ul style="list-style-type: none"> • Making inappropriate gestures or mimicking behaviour • Refusing to make reasonable adjustments • Holding events at inaccessible venues • Denying training, development or promotion opportunities because of the need to act as a carer for a disabled person i.e. having a family member, partner or child with a disability • Making assumptions about someone's abilities based purely on their disability or perceptions about their disability • Making fun of an impairment • Mimicking speech impairment • Using inappropriate terms e.g. cripple, spastic, handicapped • Inappropriate personal questioning relating to disability
Gender Reassignment	Relates to behaviour including transphobia, derogatory remarks, ridicule, jokes or stereotypes of any individual's perceived, actual gender, gender reassignment, gender identity and/or gender expression or through association.	<ul style="list-style-type: none"> • Refusing medical leave for a person undergoing gender affirming medical treatment. • Refusing to respect a person's gender identity and/or gender expression. • Refusing access to appropriate toilets and changing facilities which reflect their acquired gender • Disclosing the person's gender identity and/or trans status to others (N.B. this is unlawful)

		<ul style="list-style-type: none"> • Intrusive personal questions relating to a person's gender identity and gender reassignment • Unwanted comments on dress and appearance • Actual or threatened disclosure of a person's trans history • Refusal to correctly address an individual by consistently misgendering/using incorrect pronouns
Marriage and Civil Partnership	<p>This relates to direct or indirect discrimination and victimisation on the grounds of marriage and civil partnership. It relates to behaviour which inadvertently or deliberately excludes an individual based on actual or perceived marital or civil partnership status.</p>	<ul style="list-style-type: none"> • Inadvertently or deliberately excluding partners from social events, on the grounds of sexual orientation or gender identity • People in civil partnerships not being accorded the same rights as married people for work related benefits, such as flexible working, adoption leave, paternity pay and leave • Civil partners being denied benefits that are automatically given to married people in the same job, such as employment or training opportunities
Pregnancy and Maternity	<p>This relates to direct discrimination and victimisation on the grounds of pregnancy and maternity.</p>	<ul style="list-style-type: none"> • Being demoted or prevented from having training or promotion opportunities because of becoming pregnant or being on maternity leave. • Being dismissed or made redundant while on maternity leave without following correct and fair procedures. • Being disciplined for having performance issues due to illness connected with pregnancy. • Being refused sick leave due to illness connected with pregnancy. • Being dismissed or treated unfavourably while undergoing

		<p>IVF treatment without following correct and fair procedures.</p> <ul style="list-style-type: none"> • Being refused paid time off for ante-natal care. • Making inappropriate comments about amount of absence/toilet breaks. • Unwanted comments on dress and appearance.
Race	<p>Relates to derogatory remarks, racist statements, graffiti, jokes, or any other action of a racist nature based on an individual's perceived or actual race, ethnicity, nationality and colour or through association with someone from a particular ethnicity, nationality and colour. This pertains to any action which results in the individual(s) feeling threatened or compromised.</p>	<ul style="list-style-type: none"> • Exclusion from normal workplace conversation or activities • Inappropriate gestures • Sending emails or displaying material containing racist content • Making inappropriate assumptions based on ethnicity, nationality or colour • Making assumption about lifestyle/interests • Using inappropriate terms when referring to race (including ethnicity, nationality and colour) • Using derogatory nicknames • Making racist comments or jokes • Stereotyping • Mimicking someone's accent
Religion and Belief including No Belief	<p>This is where a person is subjected to derogatory remarks, stereotypes, making assumptions or other inappropriate behaviour on the grounds of perceived, actual religion or belief including no belief or through association with someone of a particular religion or belief.</p>	<ul style="list-style-type: none"> • Making statements or assumptions about religion or belief • Excluding people based on their religion or belief. • Arranging team lunches during periods of fasting or religious occasions which may make it difficult for colleagues to attend. • Inappropriately enforcing a dress code which may not accommodate religious dress. • Making assumptions based on religion or belief • Sending emails or displaying material containing offensive content

		<ul style="list-style-type: none"> • Making inappropriate comments or jokes about someone's religion or belief or no religion or belief • Stereotyping • Inappropriate comments about use of prayer rooms
Sex	<p>This relates to any harassing conduct including sexual harassment based on the sex of the recipient. It relates to any individual's perceived or actual sex. It includes behaviour which results in the individual feeling threatened or compromised. Sexual harassment should be noted here and the fact that it can be experienced by all genders. Trans people may also experience sexual harassment based on perceptions or assumptions about them in relation to their appearance or sexuality.</p>	<ul style="list-style-type: none"> • Unnecessarily requiring individuals to work full-time or insisting on staff working long hours. This may disadvantage more women than men as it is still mainly women who take primary responsibility for childcare so cannot work full-time or long hours. • Unnecessarily requiring variable hours such as shifts and unplanned overtime. This is likely to disadvantage women compared to men because of the difficulties of getting flexible childcare. • Exclusion from normal workplace conversation or activities • Refusing to offer a position based purely on a gender stereotype i.e. not offering a secretarial post to a man • Inappropriate gestures, suggestive looks or unwelcome sexual advances • Sending emails or displaying material containing sexist content • Making rude or abusive comments or requests for sexual favours • Making sexually explicit jokes. • Stereotyping. • Unwanted comments on dress and appearance. • Unwanted touching, groping or the invasion of personal space (getting too close).

Sexual Orientation	<p>Relates to behaviour which is homophobic or biphobic and condemns or ridicules people because of their perceived, actual sexuality (Lesbian, Gay or Bi) or through association with someone of a particular sexual orientation. This could include derogatory remarks, jokes e.g. making informal/joke comments about being a bi person being “greedy” or promiscuous, graffiti which results in the individual feeling uncomfortable, excluded threatened or compromised.</p>	<ul style="list-style-type: none"> • Inadvertently or deliberately excluding same-sex partners from social events. • Making assumptions based on sexuality • Exclusion from normal workplace conversation or activities • Using inappropriate terms • Using derogatory nicknames • Inappropriate personal questioning relating to sexual orientation or domestic circumstances • Actual or threatened unwanted disclosure of sexuality • Unwanted comments on dress and appearance
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Appendix 2

Glossary of terms including examples of discriminatory behaviours

In this policy and procedure “Complainant” refers to the employee experiencing the bullying or harassing behaviour; “Perpetrator” refers to the person against whom the complaint is brought. The term “parties” refers to the complainant and the person against whom the complaint is brought.

Bullying

Bullying is behaviour from a person or group that is unwanted and makes them feel uncomfortable, intimidated, degraded, humiliated insulted or offended.

Emma is a newly appointed administrator. Her colleague Anne who is also an administrator, repeatedly interrupts Emma and discounts suggestions that she makes at meetings. Emma feels humiliated and offended. This is an example of bullying behaviour.

Direct Discrimination

Direct Discrimination Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Deborah, head of a large team, turns down Raj’s application for a managerial position in her department. Raj learns that Deborah did this as she believes that he will not ‘fit in’ the team as they do not have any BAME staff and the team would be uncomfortable around him because of his race. This is direct discrimination on grounds of race.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Discrimination by association already applies to race, religion or belief and sexual orientation. It has now been extended to cover age, disability, gender reassignment and sex.

Paul has been successful in gaining a place on the Apprenticeship Programme. However, after he tells his boss that he has a disabled child who has frequent medical appointments which he must attend, his place is withdrawn. This may be discrimination against Paul because an assumption was made that he will need considerable time off due to his association with a disabled person.

Harassment

Harassment is 'unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity'. However, harassment under the Equality Act 2010, does not apply to pregnancy and maternity and marriage and civil partnership.

Sebastian is a gay man who recently married his partner of 5 years in the local church. Sebastian is being harassed by his line manager Cathy who frequently taunts him about sexual orientation and faith. She belittles him in the office referring to him as a 'fairy who should not be allowed in a church let alone married in one'. This is harassment directly related to Sebastian's sexual orientation.

Indirect Discrimination

Indirect discrimination can occur when a condition, rule, policy or even a practice applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that an employer acted reasonably in managing its business i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision made in running a business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including the consideration of 'less discriminatory' alternatives to any decision made.

Ade, a Unit Head, decides that all meetings in his Unit will be held at 8.30am. This is indirect discrimination because although the policy applies to everyone, it has a disproportionate impact on staff with childcare responsibilities the majority of whom tend to be women.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic.

Emma, who is heterosexual, is being harassed by her colleagues and has been 'outed' by a group of colleagues at work who believe her to be a lesbian. Offensive notes have been left on her desk and she is consistently subjected to taunts and abuse. This unacceptable behaviour is based on her colleagues' perception of her sexual orientation and is a form of harassment.

Third Party Harassment

The Equality Act makes employers potentially liable for harassment of its employees by people (third parties) who are not employees, such as defendants, defence solicitors, judge and magistrates, court staff, victims and witnesses and contractors or their representatives (cleaners). Employers are liable when harassment has occurred on at least two previous occasions that the employer is aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

Jane manages a Community Care team. Mohammed, one of the social workers within the team, has recently had to take several enquiries from a client. The nature of the phone calls have been increasingly offensive and abusive, with references being made about Mohammed being Asian and Muslim, he is extremely unhappy at being the target of this abuse whilst carrying out his daily duties, so he complains about this behaviour to Jane. This is an example of third-party harassment as it happened on more than two occasions and is related to his race and religion.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Stacy has reported her line manager Ian for frequently calling her by her previous first name ('Steven') and using the incorrect pronouns. Ian has been moved to another department whilst allegations of bullying on grounds of gender reassignment are investigated. Another manager in the department along with members of their team who were previously supportive of Stacy's transition, ostracise Stacy, leading to her taking time off with stress. This is victimisation based on her complaint.

Tackling Racism Taskforce

A public summary of the Tackling Racism Taskforce's meeting held on 4 September 2020.

The Tackling Racism Taskforce held its fourth meeting on 4 September 2020. The key focus of this meeting was on **governance**, and specifically on the interim report that the Taskforce were submitting to the Policy and Resources and the Establishment Committees in September.

As the Taskforce considered the interim report, they received an update from the Diversity and Engagement Lead Officer on some of the HR recommendations:

- Anonymised recruitment is still in testing stage, but it has been implemented at interview stage using mixed panels.
- The Bullying and Harassment Procedure is out for consultation and is being linked to the Grievance Policy.
- Piloting for mentoring and reverse mentoring has started, and senior Members and Officers (such as the Lord Mayor, Chair of Policy and Town Clerk) have been part of this.
- Work experience schemes are being reviewed to ensure they are fit for purpose.

Following an update on the launch of the consultative exercise on historic items with links to racism and slavery, the Taskforce reviewed – in detail – the guidance for Members, Chairs and Officers when discussing racial injustice. There was some discussion relating to the term 'microaggression' and whether this had become a politicised word. The Taskforce also debated the pros and cons of listing (or recommending) particular books for individuals to educate themselves on the issue, such as *Why I'm no longer talking to white people about race* by Reni Eddo-Lodge or *White Fragility* by Robin DiAngelo.

The Taskforce also briefly discussed a report of the Members Diversity Working Party concerning recommendations relating to improving the diversity of the Court of Common Council. In particular, Members discussed recommendations around nomenclature (i.e. that the City Corporation had changed Standing Orders to allow for Committee Chairs to officially call themselves 'Chairs' rather than 'Chairmen', if they wished to) and ensuring that the nominated electorate from businesses were a diverse representation of their workforce.

There was also a discussion relating to whether the City Corporation should sign up to particular Charters on improving ethnic diversity. It was agreed that some Charters, such as the *Charter for Black Representation in Finance and the Professions*, could be supported by the City of London Corporation, without the organisation being signatories.

Finally, the Co-Chair suggested that the next meeting should focus on asking Members of the wider Court of Common Council to attend (or submit views in advance) to input into what the Taskforce are doing. This would be a private meeting.

Following this meeting, the Taskforce would then focus on its workstreams of police, education and business.

For any enquiries to the Tackling Racism Taskforce, please contact emma.cunnington@cityoflondon.gov.uk

Committee	Dated:
Establishment Committee	16 September 2020
Subject:	Public
Tackling Racism Taskforce - Staffing Update	
Report of:	For Information
Chrissie Morgan, Director of Human Resources	
Report author:	For Information
Amanda Lee-Ajala, Diversity and Business Engagement Lead	
Janet Fortune - Assistant Director of Human Resources	

Summary

This report provides the Establishment Committee with an update relating to employment work priorities arising from the Tackling Racism Taskforce (TRT) at its meeting on 13 July 2020. It provides an overview of the initiatives that have been proposed and being implemented with regards to staffing.

There are seven workstreams that have been agreed for consideration and they include:

- i. Anonymised Recruitment
- ii. Mentoring and reverse mentoring
- iii. Training budgets
- iv. Creating a 'safe space'
- v. Work experience
- vi. Bullying and Harassment Procedure
- vii. Diversity Data (Peer Review)

This is a progress report that gives an update on these workstreams which are being developed to create a more diverse and inclusive workforce; where staff are empowered to fulfil their true potential, in an environment that is free from all types of discrimination.

Recommendations

The Establishment Committee is asked to:

- Note that an increase in training budgets will be required and a more detailed recommendation will be submitted to the Establishment and

Policy and Resources Committees in October 2020.

- Note the development of a new Bullying and Harassment Procedure that will be presented at the October meeting for approval.
- Endorse the Confidential Advisors Scheme being implemented across the City Corporation
- Approve that anonymised recruitment currently in place for senior positions be rolled out across the City of London Corporation at all grades.
- Note that a programme of mentoring and reverse mentoring, as piloted in the Department for Built Environment, is rolled out across the City Corporation in the first instance to staff from the most underrepresented groups.
- Note the proposed peer review/equality challenge of the Equality and Inclusion action plan and performance assessment.

Main Report

Background

1. The Tackling Racism Taskforce held a focused session on staffing on 13 July 2020. Elected Members listened to the experiences of BAME staff working for the City of London Corporation and discussed the types of initiatives that could be endorsed to improve the diversity of the workforce and to enable a more inclusive environment for BAME employees to work and flourish.
2. A report of the Director of HR was submitted to the Tackling Racism Taskforce on 24 July 2020, it contained the following key points:
 - Anonymised recruitment across all grades be introduced
 - Mentoring and reverse mentoring schemes be developed
 - A framework be developed that ensures that all departments allocate budgets for all employees to access their personal development (this is separate from and in addition to budgets for professional and technical training)
 - A scheme is developed that provides and defines a “safe space” for staff and provides clarity on the terms of reference(s) for meetings convened to discuss tackling racism with staff
 - Training is given to key individuals across the organisation who will provide support and guidance for staff on an individual and confidential basis
 - Current and possible schemes that support work experience programmes with schools and young adults is explored and costed.
 - For an HR procedure on bullying and harassment to be developed.
 - Consideration be given as to how the City Corporation can better utilise the collected and published equality data of its workforce to promote and increase diversity (including the introduction of a peer review)

Anonymised recruitment

3. Implemented in 2018, anonymising applications were established for grade I and above; the personal details of all applicants for these roles are withheld at the shortlisting stage. The change to anonymise all recruitment will be a crucial

intervention that will convey a more transparent approach to achieving a diverse workforce at all levels.

4. This process in the past has been a manual task but a recent upgrade to the HR system will now allow the City Corporation to select which stages of the recruitment process it wishes to anonymise. The system is currently being tested and will form part of the revised selection and recruitment policy, which will also include mixed panels and external recruitment wherever possible.

Mentoring and reverse mentoring

5. Mentoring programmes tend to have four key elements: improving performance, career development, guidance and sharing knowledge. Mentoring relationships, especially formal ones organised through a mentoring programme, are often entered into with a defined time limit, or a defined goal. This provides both parties with a structure rather than just agreeing an open-ended commitment.
6. Reverse mentoring programmes tend to be a junior team member entering into a "professional friendship" with someone more senior, and they exchange life experiences, skills, knowledge and understanding. For example, an employee from a different background may share details about their social and cultural experiences that has resulted in them having different work ethics, mindsets or attitudes. This relationship affords the mentee the opportunity to listen, reflect and challenge assumptions and stereotypes that may have previously been difficult to overcome, but will benefit the organisation greatly.
7. Having both a mentoring and reverse mentoring programme, recognises that there are skills gaps on both sides, and that each person can address their weaknesses with the help of the other's strengths.
8. Mentoring/reverse mentoring programmes have been piloted in the Department of Built Environment (DBE) with apprentices. To date, this pilot - although in its embryonic stage – has proved successful. It is recommended that this programme is rolled out across the City Corporation in the first instance to staff from the most underrepresented groups and will require a resource to facilitate the matching and monitor the process and a significant training programme for both mentors and mentees.
9. It is also proposed that the current My Mentor scheme, which is available to all staff is extended to also offer reverse mentoring. However this scheme is across London Boroughs so will need agreement of the group.

Training budgets

10. There are both departmental and central training budgets. Departmental training budgets are intended for professional and technical training linked to service delivery. At the outset these were probably linked to headcount but over the years with departmental changes, amalgamations and cost savings these possibly no longer represent the numbers in departments.

11. There is a corporate training budget which provides mandatory training, and a range of leadership, management and 'soft skills' training. This also provides a learning management system (learning pool) which holds a range of e. Learning and support courses.
12. The appraisal system introduced in 2019 takes a developmental approach, it mandates a personal development objective and a number of managers have been trained in holding 'coaching conversations'.
13. Previous appraisal systems did include personal development plans but the use of these was inconsistent and often contained requests for 'first aid training'. The result of this was hundreds of staff training in first aid at a significant cost to the central training budget. The personal development plans/objectives should be collated centrally to inform the roll out of Corporate Training programmes. It is proposed that when budgets are recalibrated in 2021 all departmental training budgets are brought into the central budget for corporate development, including resourcing the reverse mentoring scheme, and professional and technical training is resourced from local risk.
14. The proposal is that all staff would have a personal development allocation which will be used for training that is not necessarily directly related to their role.
15. This allocation will be a challenge to get the right balance. An allocations for example of £500 per person, would cost £2M, and £500 does not buy a lot of training when accessing commercial providers. The cost of Adult Education in local authorities varies it would pay for most adult education courses for a year, most of which are subsidised. If there were some common requests, we could run these centrally at a lower cost.
16. Such an allowance would be unlikely to be able to be funded from the local risk training budgets, if the budgets are amalgamated centrally it might go some way to offsetting this and other initiatives such as managing and training for reverse mentoring.
17. It is possible to consider giving time to each individual rather than a financial amount, but it would still leave the issue of paying for the training itself.
18. A more detailed report will be presented, with a bid for more resources for this budget, to the October meetings of the Establishment Committee.

Creating a safe space

19. Whilst the BAME and other staff networks allow for a safe space for support, it has been highlighted that they are not a safe space for staff to share their experiences where other individuals can be identified. It was therefore suggested that a Confidential Advisor scheme be introduced providing a point of contact for employees concerned about bullying and harassment or any other concerns relating to a protected characteristic and workplace issues. It is not intended that this replaces the day to day relationship between employee and their manager nor is it intended to replace the role of our recognised trade unions.

20. The Confidential Advisors will be a group of employee volunteers who are trained in basic counselling, equality and inclusion and the relevant policies related to unprofessional and inappropriate behaviour. They will provide advice and support to staff who feel they are being subjected to bullying or harassment, have themselves been accused of harassment or bullying or have other concerns about their treatment in the workplace. Their role will be to listen and assist individuals to explore the available options to resolve the issues, no matter how sensitive. They are not intended to replace of HR representatives or professional counsellors. This initiative aligns with our Managing People policies and procedures which encourage early resolution in a non-adversarial way.
21. A more progressed update on the development of the service will be reported back to the Committee.

Work experience

22. The Taskforce were keen for current and possible schemes that support work experience programmes with schools and young adults to be explored and enhanced.
23. Officers in HR are currently exploring reintroducing an enhanced six-week work experience programme for Years 12 and 13 in schools with students of low socio-economic backgrounds, with the aim not only to remunerate these students to increase and encourage take-up of the scheme but to make a real learning and career enhancing experience. A progress update will be reported back to the Committee.

Bullying and Harassment Procedure

24. The City Corporation's Bullying and Harassment Policy and Procedure is currently subject to wider consultation with the staff networks and relevant stakeholders. It outlines our approach to providing bullying and harassment support to staff and managers. It draws attention to the different types of harassment and the possible behaviours that can constitute harassment whilst also highlighting the fact that there is no legal definition of bullying. The procedure will be presented to the October meeting of Establishment Committee for approval..

Diversity Data

25. The City Corporation actively collects and publishes data and information on the diversity of its workforce at all levels. Using this data, it has developed its equality and inclusion corporate and departmental actions plans. However, the Taskforce felt that there needs to be a mechanism in place to critically challenge the cultural and transformational change necessary for driving improvements in BAME representation at all levels, but particularly at senior levels.
26. It is proposed that a peer review/ equality challenge is introduced to provide the City Corporation with a clear understanding of where it is on its journey to becoming a more diverse and inclusive organisation. Departments will assess

their performance against the Corporate self-assessment template introduced in June 2019. It has six distinct areas of focus:

- Monitoring and the use of data/information
 - Completion of Equality Analysis and tackling discrimination/barriers
 - Target setting and mainstreaming equalities into performance systems
 - Using procurement and commissioning to achieve equality of opportunity
 - Engagement, involvement & partnership
 - Employment and training
27. The template sets out 24 questions requiring a positive, negative or not applicable score. Under each of the six headings there are four strategic questions which managers are asked to consider within the context of their own service provision.
28. Last year all departments were asked to validate their answers with written supporting evidence that was then presented to the Equality and Inclusion Board where they were challenged on their submissions.
29. An internal peer review will add another level of accountability as all results, will then be scrutinised in an annual challenge session of the Equality and Inclusion Board and an external facilitator. The aim will be to gain an assessment about overall performance of the City Corporation based on areas of strength and specific areas for improvement.
30. Departments who need support to achieve the desired standards will be asked to provide written narrative about how they intend to improve, and this will be included in their updates to the Equality and Inclusion Board. In addition, departments that are 'performing well' will still be asked to identify areas for improvement for the following year.

Corporate & Strategic Implications

31. The proposals contained in this report are all aligned to the City Corporation's Corporate Plan 2018-2023 by contributing to a flourishing society, people having equal opportunities to enrich their lives and fulfil their potential. Particularly for employees from the most under-represented groups across the workforce. This will assist with building a sustainable talent pipeline across the organisation in the future.

Implications

32. A more detailed report will be presented, with a bid for more resources for the training and work experience elements of this report, to the October meetings of Establishment and Policy and Resources Committees.

Conclusion

33. This report outlines the actions that the Tackling Racism Taskforce has proposed that the City Corporation should implement to enable current and future talent to work and thrive within the organisation, without fear of discrimination.

Background Papers

- Non-public 'Tackling Racism at Work' – Report of the Director of HR submitted to the Tackling Racism Taskforce on 24 July 2020, can be obtained from Emma Cunningham, Head of Chairman Support Services.
emma.cunnington@cityoflondon.gov.uk

Report Author:

Amanda Lee-Ajala

Diversity and Engagement Lead, HR

Amanda.lee-ajala@cityoflondon.gov.uk

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Officer Group	Dated:
Establishment Committee	17 September 2020
Subject: Ban the Box	Public
Report of: Chrissie Morgan, Director of HR	For Decision
Report author: Carol Simpson, Strategic HR Projects Manager	

Summary

'Ban the Box' calls on UK employers to give ex-offenders a fair chance to compete for jobs by removing the tick box from application forms and asking about criminal convictions later in the recruitment process. There are currently 148 employers signed up to Ban the Box, including two local authorities.

The City of London Corporation asks applicants about their criminal conviction record on all job application forms. Following the request by Members to seek to sign the City Corporation up to the 'Ban the Box' campaign, this report sets out issues raised about its introduction and the proposed way forward.

Recommendations

Members are asked to consider whether to implement the Ban the Box approach and seek to sign up to the scheme, given the considerations outlined within this report.

Subject to agreement of the proposals, that authority is delegated to the Director of Human Resources to approve the revisions to the relevant policy, procedure and guidance documents cited in this report.

Main Report

Background

1. Further to Ban the Box being tabled as a discussion item at Establishment Committee, reports were also submitted to the People Security Policy Board and the Security Board for any views from a security point of view and to Summit Group. Our intention was for roles classed as 'regulated activity' such as working with children and/or vulnerable adults' and a number of additional roles with higher levels of vetting, that criminal convictions would continue to be disclosed at the application stage as part of safer recruiting practices; when it will not be possible to recruit people with certain criminal records. That the redesign and rebuilding of a new application form would be tabled within work under our wider Attracting Talent Project.

City Corporation's current position

2. All City Corporation applicants are currently required to disclose any 'unspent' convictions at the application stage and are advised that having a criminal record will not necessarily be a bar to obtaining a position, each case is assessed on its own merits. To note, the number applicants with criminal records has been low and adopting the Ban the Box approach is not anticipated to result in any significant delays to the recruitment process.

Feedback

3. The proposed move to adopt 'Ban the Box' principles was as previously tabled, on the basis explained in paragraph 1 above.
4. However, the Ban the Box Campaigns Office upon enquiry to sign up have explained they would need the City Corporation to remove the tick box from all application forms (first stage of application) and where we do need to ask about convictions for regulatory or risk management reasons, to do this at a later stage in the recruitment process. This can be after shortlisting, at interview or upon conditional offer; that they are flexible as to what will work best with our recruitment process.
5. Enquiries were made across all the London boroughs to find out if they would be looking to also sign up to Ban the Box scheme, of which only Haringey Council indicated they were taking steps to do so (becoming a scheme signatory from February 2020). Bristol City Council is the only other local authority signed up (scheme signatory from February 2018). However, neither of these authorities have implemented the removal of the criminal record information from all their application forms, they have excluded schools and social care posts.
6. To achieve removal of the criminal record tick box from all application forms, views from our independent schools were sought; they expressed collectively that they did not want to be trailblazers to be the first schools to sign up, particularly when holding a strong record on safeguarding to date. Upon contacting the Legal, Regulation and Policy Lead for the Independent Schools Inspectorate (ISI) they have confirmed that there is no obligation on schools to check for criminal records at the application stage, that it is at the discretion of the school at which stage they commence the criminal record check process but it should be in good time before the candidate is due to begin work. It is also relevant to note that were proposed changes to Department for Education (DfE) statutory guidance 'Keeping Children Safe in Education' (KCSiE), see below.
7. Furthermore senior management within the Department of Community and Children Services (DCCS), our City Corporation Safeguarding Lead department whilst acknowledging the civil liberties case for not asking about criminal convictions on job application forms they have expressed serious concerns about implementation of Ban the Box principles to posts working

with children and vulnerable adults, therefore these concerns carry over to posts of this nature across the organisation. Concerns include:

- from a safeguarding perspective allowing applicants to enter into the recruitment process with potentially totally inappropriate criminal convictions, or on the DBS barred list
 - the potential elongation or repetition of the recruitment process in the event that a candidate's inappropriate criminal convictions come to light at a later stage in the recruitment process, with the potential impact of service critical posts remaining unfilled.
8. The City Corporation has an Outstanding rating for Safeguarding following a recent Ofsted inspection and DCCS senior management consider that for roles where there are no requirements for DBS checks (subject to relevant internal approval) the City Corporation can implement and inform partners of our plans. However where there are requirements for DBS checks (particularly within, education, adult and children's social care) the City Corporation should further consult other committees and partners before any changes subject to any revised statutory guidance; and referring back to the People Security Policy Board, the Security Board and Summit Group.

Proposed changes to DfE Keeping Children Safe in Education

9. The DfE began a consultation to revise the statutory guidance 'Keeping Children Safe in Education' (KCSiE) on 25 February 2020 in which it is proposed to explicitly state that criminal record information should *only* be requested from applicants who have been shortlisted, and not requesting this information on the application form (Appendix 1: KCSiE 2020 Consultation Extract).
10. The DfE withdrew the consultation early on 31 March 2020 due to Coronavirus, their website currently states the consultation has now been withdrawn permanently to allow schools and colleges to focus their efforts on responding to the Covid-19 pandemic. However, the DfE subsequently decided to make as small number of revisions to the KCSiE effective from 1 September 2020 unrelated to recruitment. If the DfE at some future date reverts to its original proposal that criminal record disclosure during recruitment should be no earlier than at the shortlisting stage, then this practice would become integrated into its statutory guidance for the education sector.

Proposals

11. Upon further discussion with the Ban the Box Campaigns Office they would concede to the City Corporation signing up if 80% of our full-time equivalent workforce were being recruited without the criminal record disclosure declaration on the application form.

12. The Director of DCCS has confirmed they would be happy with only those roles who are DBS checked being exempted from the removal of the criminal conviction on the job application form. Furthermore, if the proposed changes to the DfE's KCSiE are implemented they would be content to move to a position of only requesting the information from shortlisted candidates within educational settings (and other areas of DCCS). However, this is on the proviso of seeing what the guidance was regarding social care recruitment.
13. On the basis that the City Corporation were to exclude the three independent schools, the Guildhall School of Music and Drama, the City of London Police civilians from Ban the Box. Taking into account feedback from the Director of DCCS, if the City Corporation were to exclude from Ban the Box from all DBS checked posts in other departments; then 83% of the full-time equivalent workforce could move to the Ban the Box approach i.e. remove the criminal record question from the application form and seek to sign up to the scheme.
14. It is therefore now proposed where posts are DBS checked (and within this group we will include roles subject to any higher level of security vetting) they would continue to be asked to disclose criminal convictions at the application form stage. Therefore, applicants who know they are barred from a specific kind of work will be very unlikely to apply.
15. Where posts are not DBS checked those candidates will complete a criminal record self-disclosure form, this will be completed at the point they have been shortlisted for interview.
16. Whether a criminal record is disclosed at the application or shortlisting stage or discovered through a DBS disclosure; the Recruiting Manager/Panel with HR support assess the impact of the disclosure through a risk assessment process. This will most likely involve scheduling an appointment to discuss the matter further, following which come to a view as to whether the risk can be mitigated or managed on an individual case specific basis.
17. The approach as outlined above is proposed to be integrated into the launch our new application form as part of the Attracting Talent Project and reflected in the Recruitment and Selection Policy and associated guidance, along with the Disclosure and Barring Service Policy and risk assessment process.

Corporate & Strategic Implications

18. The ethos of Ban the Box is aligned to the City Corporation's Corporate Plan 2018-2023 by contributing to a flourishing society, people having equal opportunities to enrich their lives and fulfil their potential. Where BAME groups are over-represented in the criminal justice system, deferring until later in the recruitment selection process i.e. after the initial application, to ask about criminal convictions helps reduce the potential for discrimination.

Implications

19. Under the Rehabilitation of Offenders Act 1974 an individual who has had a conviction for an offence may, with some exceptions, be rehabilitated and allowed to treat the conviction as if it had never occurred. A conviction will become 'spent' where the person has not after a period of time committed another serious offence. Employers may not, under the Act, ask prospective employees if they have 'spent' convictions during the recruitment process apart from certain professions including those concerned with providing health or social services to children, the elderly, sick or disabled people.
20. In accordance with the Act, where criminal records are disclosable at recruitment, the impact of the disclosure will be subject to a risk assessment process as detailed in paragraph 16 above.

Conclusion

21. The Ban the Box ethos is to allow ex-offenders fair access to employment, giving them the opportunity to put past mistakes behind them and thereby enable improved life chances. In turn this can help reduce re-offending rates and benefit society at large.

Carol Simpson

Strategic HR Projects Manager

T: 020 7332 3482

E: carol.simpson@cityoflondon.gov.uk

Appendix 1

- KCSiE Consultation 2020 extract, noting presently withdrawn

Background papers

- Ban the Box, Establishment Committee report, 05.09.20
- Ban the Box, Summit Group report, 26.09.19 and 04.09.20

Appendix 1: KCSiE Consultation 25 February 2020 extract, noting presently withdrawn refer to para's 9-10 of the report.

Application forms

174. Where a role involves engaging in regulated activity relevant to children, schools and colleges should include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.(Ref: 45 section 7(1)(a) of the SVGA 2006).
175. Schools and colleges should also provide a copy of the school's or college's child protection policy and practices and policy on employment of ex-offenders in the application pack or refer to a link on its website.
176. Schools and colleges should require applicants to provide:
- personal details, current and former names, current address and NI number;
 - information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted;
 - details of their present (or last) employment and reason for leaving;
 - full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
 - qualifications, the awarding body and date of award;
 - details of referees/references (see below for further information); and
 - a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.
177. Schools and colleges should not accept copies of curriculum vitae in place of an application form.

Shortlisting

178. **Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. For example:**
- **criminal history;**
 - being known to the police and children's services;
 - prohibition from teaching or management of an independent school;
 - childcare disqualification; and
 - relevant overseas information.

179. **This information should only be requested from applicants who have been shortlisted. The information should not be requested in the application form to decide who should be shortlisted.**
180. In addition, the applicant should be asked to confirm that they are not on the children's barred list, or prohibited from carrying out teaching work in schools and colleges, and that all information provided is true and that where there is an electronic signature the shortlisted candidate physically signs a hard copy of the application at point of interview.
181. The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.
182. Schools and colleges should:
- ensure that at least two people carry out the shortlisting exercise (it is recommended that those who shortlist carry out the interview for a consistent approach);
 - consider any inconsistencies and look for gaps in employment and reasons given for them; and
 - explore all potential concerns.

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Committee Establishment Committee	Date: 17/09/2020
Subject: Bullying and Harassment Procedure	Non-Public
Report of: Director of Human Resources	For Decision
Report author: Tracey Jansen	

NOT FOR PUBLICATION

<p>This report is exempt by virtue of the paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972. Specifically, the report contains sensitive information which may be exempted under the Act, and as this cannot be presented to Members as a separate appendix this report needs to be considered in closed session. It is considered that information falling under the following paragraphs outweighs the public interest in disclosing information:</p>	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
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Summary

In this section, please state the purpose of the report and summarise all the key information relating to the recommendation(s). It should be possible for Members to read the summary and understand the issue without reading the main body of the report.

The summary should be concise – ideally no more than 1-2 paragraphs if the matter is straightforward and no more than 1-2 pages if the matter is more complex.

Recommendation(s)

Members are asked to:

- Delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to approve the Bullying and Harassment Procedure at Appendix 1, subject to reviewing responses made to the wider stakeholder and formal trade union consultation.

Main Report

Background

1. A Bullying and Harassment procedure has been drafted in response to:
 - feedback from Stonewall's Workplace Equality Index calling for an explicit ban on discrimination bullying and harassment based on protected characteristics;
 - becoming signatories of the Business in the Community Race at Work Charter; and
 - discussions at the Black Asian and Minority Ethnic (BAME) Staff Network in response to the 'Black Lives Matters movement', where staff have identified that it is difficult to know how to raise matters of bullying and harassment in relation to discrimination in the workplace.
2. To address these commitments and concerns, a number of changes have already been made to the intranet to signpost staff to our Equality and Inclusion resources and in particular how to raise matters of bullying and harassment through the grievance procedure. A separate Bullying and Harassment Procedure has been drafted and consultation is taking place with the staff networks and other stakeholders in advance of formal consultation with the recognised trade unions.
3. A separate initiative to introduce a Confidential Advisors Scheme is also being developed. This will supplement, one of the purposes of the Staff Networks is to create a safe and confidential space for staff at all levels to share experiences and best practice.
4. Our Managing People Policy is the overarching Policy which:
 - provides clarity about how the behaviour, actions, performance or attendance of employees that falls short of that expected by the City Corporation will be dealt with.
 - provides an informal and formal mechanism for employees to raise grievances about their working environment, conditions or treatment at work. details the formal procedures to be followed where informal action has not resulted in the required standard being sustained on a consistent basis and/or informal action is not appropriate in the circumstances.
 - fosters a working environment that is appropriate
 - resolve minor issues in an informal setting
 - gives employees the confidence to raise concerns and grievances without fear of reprisal
 - supports and encourages improvement
 - enables employees to learn from mistake and experience
 - takes into consideration the working relationship with colleagues, stakeholders and customers and their needs and expectations
5. The aim of the Policy to provide a fair and consistent approach to the way employee grievances and matters of poor standards of behaviour, conduct, performance, capability and attendance will be dealt with; deal with such

matters swiftly and at the lowest level within the procedure as is appropriate in the circumstances; follow good management practice and ACAS Code of Practice on Disciplinary and Grievance Procedures in the handling of such matters.

6. The specific procedures to which this policy applies relate disciplinary, grievance capability sickness absence management and probation.
7. Matters of Bullying and Harassment can be raised by staff as a grievance and will be dealt with in accordance with the above principles

Current Position

8. The draft Bullying and Harassment Procedure attached as appendix 1, if approved, will be added to suite of procedures that sit under the Managing People Policy. The new draft procedure whilst based on the current grievance procedure provides more detailed guidance and definitions and examples of unacceptable behaviour in relation to bullying and harassment.
9. The new procedure will ensure that such matters are correctly identified as bullying or harassment and taken seriously working within the principles of securing resolution swiftly and at the lowest level possible within the procedure possible. At the same time, the procedure is clear about matters which are more appropriately dealt with as disciplinary matters.
10. Separate guidance for employees and managers is being drafted to sit alongside the procedure. Dealing with and addressing bullying and harassment will also be reinforced in our training offering.

Options

11. To retain the current arrangement of raising matters of bullying and harassment using the current grievance procedure.
12. To introduce a specific Bullying and Harassment Procedure with associated guidance and training

Proposals

13. Whilst there is already a facility to raise matters of bullying and harassment in the workplace under the grievance procedure following ACAS guidelines, this is clearly an important matter of concern raised through the BAME network and endorsed by the Tackling Racism Taskforce. Bullying and harassment is

a complex area and clarity and guidance on how such matters can be raised and should be addressed is in the best interest of all staff.

Corporate & Strategic Implications

14. The introduction of a bespoke bullying and harassment policy complements the wider equality and inclusion agenda and action plan. It also addresses the corporate plan aim to contribute to a flourishing society where people are safe and feel safe; enjoy good health and wellbeing and have equal opportunities to enrich their lives and reach their full potential.

Implications

15. Harassment in relation to a protected characteristic is unlawful under the Equality Act 2010. Employers are responsible for preventing bullying and harassment and are liable for harassment suffered by their employees. In addition to complaints of unlawful harassment, there is a risk of breach of contract claims and personal injury claims arising from acts of bullying and harassment and the failure to manage complaints effectively by the employer.
16. Failure to address bullying and harassment concerns in a timely and appropriate fashion also impacts on employee wellbeing and the ability to function effectively at work

Conclusion

17. The draft Bullying and Harassment Policy attached as appendix 1 is recommended for endorsement by the Committee. It aligns with our Managing People Policy principles and associated procedures whilst at the same time identifying the specific and often complex matters of bullying and harassment to ensure that such matters are recognised and addressed appropriately and swiftly.

Appendices

- Appendix 1 – Draft Bullying and Harassment Procedure

Tracey Jansen

Assistant Director of Human Resources

Bullying and Harassment Procedure

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Statement of intent

1. The City of London Corporation is committed to promoting good employee relations within a working environment that fosters team working. Employees and others working at all levels of the organisation have a responsibility to maintain professional relationships. They are expected to avoid actions or using words that would harm the mental or physical wellbeing of others. They will, as stated, in the Code of Conduct policy, demonstrate appropriate behaviours defined internally and that adhere to the Principles of Public Life. The Managing People Policy and Equal Opportunity Policy each set out in more detail the standard of conduct expected of all those who work for or on behalf of the City of London Corporation. The Director of Human Resources will be responsible for advising on the day to day operation and interpretation of this procedure.
2. Everyone has the right to be treated with fairness, dignity and respect whilst at work. In addition, the Equality Act 2010 places an obligation on organisations and their employees to avoid unlawful discrimination in relation to specified protected characteristics. These are age, disability, race, religion or belief, sex, sexual orientation, marriage and civil partnership, gender reassignment and pregnancy and maternity. This ensures that we establish an environment in which everyone can feel safe and work effectively and confidently as set out in the Equality of Opportunity Policy.
3. The City Corporation has a zero-tolerance approach to bullying and harassment. Bullying and harassment constitute misconduct and in the most serious cases, may result in dismissal from employment without notice. All allegations of inappropriate behaviour or language in the workplace will be taken seriously, with thorough investigation and appropriate action taken, as necessary.

Scope

4. The aims of this procedure are to ensure that all employees are aware:
 - of what constitutes bullying and harassment
 - the protected characteristics set out in the Equality Act
 - of their right to report incidences of bullying or harassment (as defined in the Equality Act 2010¹) and how this will be addressed.

¹ <https://www.legislation.gov.uk/ukpga/2010/15/section/26>

Bullying, harassment and associated discrimination can occur or be experienced in relation to more than one protected characteristic. It is acknowledged that the experience of victims who have multiple protected characteristics is often heightened.

5. The formal process for complaints set out in this procedure applies to all employees except Chief Officers, teachers and police officers for whom separate procedures apply. Whilst the procedure is available to individuals directly employed by the City of London Corporation, incidents raised by other workers should be taken seriously and dealt with appropriately by managers and Chief Officers.
6. This procedure covers behaviour that occurs in the office, online and outside working hours where this may impact upon work or working relationships (ref: Social Media policy).

Purpose

7. The purpose of this procedure is to ensure we have a working environment in which instances of bullying and harassment are always treated as unacceptable and employees have the confidence to complain about such behaviour, should it arise, in the knowledge that concerns will be dealt with appropriately, fairly and without bias. Complaints will be investigated promptly, ensuring employees' rights are protected.

Legal position

8. There is no legal definition of bullying. The employment and conciliation service ACAS states that workplace bullying is behaviour from a person or group that is unwanted or makes you feel uncomfortable. Some definitions also refer to it being a repeated pattern of behaviour. Bullying can take the form of physical or verbal aggression, excluding or ignoring people, spreading malicious rumours or constantly criticising and undermining a competent worker.
9. The Equality Act 2010 defines harassment as: unwanted behaviour that is related to one of the protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation) which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. In the case of sexual harassment, unwanted behaviour is defined as behaviour of a sexual nature. Harassment can be a one-off or repeated pattern of behaviour under this definition.
10. No employee will be victimised or suffer detriment for making a complaint of bullying or harassment. No manager shall threaten an individual, either explicitly or implicitly, that their complaint will be used as the basis for decisions affecting that individual. Such conduct will be treated as a serious disciplinary matter.

11. The City of London Corporation has a common-law duty of care to their employees. In addition, under the Health and Safety at Work Act 1974, employers have a duty to ensure that, so far as is reasonably practicable, the health, safety and welfare of employees are protected. This means that they are responsible for ensuring that employees are cared for at work and do not have to work in unsafe or unhealthy conditions.

Definitions

12. In this procedure “Complainant” refers to the employee experiencing the bullying or harassing behaviour; “Alleged Perpetrator” refers to the person against whom the complaint is brought. The term “parties” refers to the complainant and the person against whom the complaint is brought.
13. **Bullying** is behaviour from a person or group that is unwanted and makes the individual feel uncomfortable, intimidated, degraded, humiliated, insulted or offended.
14. **Harassment** is ‘unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant’s dignity’. Note that the harassment provisions in the Equality Act 2010, do not apply to all nine protected characteristics (pregnancy, maternity, marriage and civil partnership are excepted).
15. **Victimisation** occurs when an employee is subjected to detriment because they have made (or supported a complaint) or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.
16. **Direct Discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have.
17. **Discrimination by Association** is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
18. **Indirect discrimination** can occur when a condition, rule, policy or even a practice applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that an employer acted reasonably in managing its business i.e. that it is ‘a proportionate means of achieving a legitimate aim’. A legitimate aim might be any lawful decision made in running a business or organisation, but if there is a discriminatory effect, with the sole aim of reducing costs is likely to be unlawful. A ‘proportionate means’ requires fairness, must be reasonable and should include consideration of ‘less discriminatory’ alternatives (where available) to any decision made.

19. **Perception Discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic.
20. **Third Party Harassment** makes employers potentially liable for harassment of its employees by people (third parties) who are not employees, such as customers, contractors or their representatives. Employers are potentially liable when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place and has not taken reasonable steps to prevent it from happening again.

DRAFT

Procedure for dealing with Bullying and Harassment and Process Map

21. The line between bullying and harassment and other behaviour such as workplace banter or performance management may not always seem clear. It is important to remember that how behaviour is received and the actual impact it has on the recipient is a key consideration.
22. It should be noted that whether allegations are made informally or formally, prompt action will be taken. This procedure and process map provides steps to reassure staff and offer multiple avenues for raising concerns and types of resolutions.

Dealing with Single Incident and/or initial concerns

23. Discussing an issue can make a significant difference in helping to identify the problem and thinking through how to solve them. This may include, taking the person aside for a discussion or writing an email to explain how their actions made you feel. Opening up an informal discussion can often help to rebuild relationships allowing the opportunity to reflect and adjust behaviours that may produce an amicable resolution.
24. Silence permits bullying and harassment to continue. If the complainant is unable to reach a resolution, they may wish to talk to a colleague, friend or relative in order to obtain another perspective on the situation, particularly if the unwanted behaviour continues. This also ensures that a third party knows about the unacceptable behaviour.
25. The complainant should write down each incident including the date, time, emotions, who was around and what was said and done. This is important because if the matter is escalated specific examples may be required. They can speak to bystanders if appropriate, try to avoid being alone with the alleged perpetrator and utilise the services of the Employee Assistance Programme who can offer advice and support if necessary.

Stage 1 Informal resolution

26. Any employee who wishes to make a complaint of bullying or harassment will first be encouraged to discuss the matter informally with their line manager if they feel able to do so. If they do not feel able to approach their line manager, then they can instead discuss the matter with another manager or senior officer.
27. Informal resolution should always be viewed as a constructive and a credible response. It provides an opportunity for managers, employees and colleagues to discuss situations in a supportive, empathetic and solutions-focused way.

Constructive dialogue promotes positive behaviours and effective relationships in the workplace, fostering an environment of mutual understanding and respect.

28. Solutions may include: an early resolution meeting, coaching or mediation. These would generally be undertaken by the manager, but in some situations a third party may be selected. These measures should help to identify a mutually acceptable outcome to remedy the situation being complained about. Informal resolution aims to support colleagues by securing lasting and constructive solutions in a non-adversarial way. Any agreement reached is both voluntary and confidential.
29. An initial outcome of informal resolution may be that line manager determines that the matter should be dealt with formally.
30. If an employee believes that their concerns have not been resolved to their satisfaction through the informal approach, then they can progress to the formal procedure.

Stage 2 Formal bullying and harassment complaint resolution – Initial meeting

31. An employee must put their formal complaint in writing to the manager setting out the nature of the complaint, what steps they have taken to resolve it and what resolution they seek. They should do so within one month of the date the employee tried to resolve the matter informally or from the issue occurring where it is agreed by the manager that the matter should be raised formally. At the very latest the employee's formal complaint should be submitted within three months of the last incident occurring. A complaint form is available to assist employees with setting out their complaint.
32. On receipt of the formal complaint the manager (referred to as the Resolution Manager for the purposes of this procedure) will arrange to meet with the employee at a formal Complaint Resolution Meeting, usually within 5 working days of receipt of the complaint. The Resolution Manager will usually be accompanied by an HR representative.
33. The employee is entitled to be accompanied at the meeting by a fellow worker or trade union representative. The employee and their companion must make every effort to attend any meetings arranged to consider their complaint. If the employee's companion cannot attend on the date arranged the employee may offer a reasonable alternative date and time so long as it is no more than five working days after the original date.
34. The purpose of the formal Complaint Resolution Meeting is to:
 - establish and clarify the facts about the employee's complaint
 - consider the resolution they seek

- consider steps they have taken to resolve the matter informally
 - explore what action can reasonably be taken to resolve the matter
 - confirm that save for exceptional circumstances any employee complained about will be provided with an agreed summary of the complaint made against them and will be given the opportunity to respond. The Resolution Manager will determine how this will take place (e.g. by interview with the Resolution Manager, making a written statement in response or in some circumstances attendance at the resolution meeting)
 - discuss the level of confidentiality that can be maintained and who else will need to be involved if at all, in order to resolve the complaint.
 - seek solutions rather than apportion blame in a constructive, honest and collaborative fashion.
 - draw up relevant parts of the decision and/or action plan to be shared with other parties to the complaint.
 - discuss where the behaviour complained of concerns to serious disciplinary allegations, as prompt action may be needed under the Disciplinary procedure.
35. Separate meetings may be convened with both parties. In the case of a bullying or harassment allegation it may be inappropriate that both parties meet to try to resolve the situation until investigations have been conducted and conclusions drawn. Either party is entitled to bring a representative to these meetings.
36. If the complainant is being bullied or harassed because of their sex, disability, gender identity, race, religion or sexual orientation, others may be asked if they are also being bullied as it may be a collective issue. It may also be appropriate to ask colleagues who have witnessed this behaviour, whether they will give their support.

Stage 2 Format of the Complaint Resolution Meeting

37. The employee will outline their complaint and may bring to the meeting any documentation by way of example such as the notes they have kept of incidents and can suggest colleagues who may be able to substantiate their complaint or concern.
38. The Complaint Resolution Manager may ask the employee questions about the circumstances of the complaint in order to establish all the relevant facts, dates, background and surrounding circumstances etc.
39. The Complaint Resolution Manager has the right to ask the employee to respond to questions directly put to them, although the employee may on request confer with their representative at any time during the meeting.
40. Once the Complaint Resolution Manager has a clear understanding about the complaint, there could be 4 possible outcomes at this stage:

- The Complaint Resolution Manager may be able to suggest a solution/action plan at the meeting.
- The Complaint Resolution Manager may decide to adjourn (usually reconvening within ten working days) in order to consider the matter further, check facts, dates, documentation, etc - and may wish to interview other employees in connection with the complaint/concern.
- The Complaint Resolution Manager may decide that due to the complexity of the matter a formal investigation is warranted which they will usually undertake in person or might allocate to another manager within the department.
 - In exceptional circumstances an independent manager outside the service may be more appropriate due to the nature of the complaint and in such cases the Director of HR representative will be consulted and will determine if this is an appropriate route.
 - However, investigations must be prioritised by all involved, be proportionate and balanced. The investigation should involve only those who are necessary in order to make an informed decision and should be concluded without delay, usually within 3 weeks of the complaint resolution meeting.
- The Complaint Resolution Manager decides that after careful consideration there is no case to answer.

41. The Complaint Resolution Manager will also consider any temporary changes to the workplace or to working arrangements that might be appropriate whilst the complaint is being dealt with. This will be done in conjunction with the line manager

Stage 2 Formal resolution – Outcome letter

42. The Complaint Resolution Manager will confirm their decision in writing which will usually include:

- a summary of the issues and the employee's proposed solution and any immediate action/s agreed at the meeting
- the decision and any action plan and review period/ date and the right to appeal against the decision
- Where appropriate, the employee complained about will be informed of the outcome where it relates to them.

Stage 3 Appeal

43. If the employee considers the complaint has not been satisfactorily resolved, they have the right to submit an appeal in writing to their Director within 10 working days of receipt of the outcome of the Complaint Resolution Meeting. The appeal will outline

which elements of the decision and/or action plan are not agreed and the resolution sought. Any further details in support of the appeal must be provided within 10 working days of receipt of the outcome of the Complaints Resolution Meeting. The written appeal will be shared with the Complaints Resolution Manager.

44. The appeal will normally be heard by a more senior manager than the person who considered the initial complaint. Appeals will normally be arranged within 10 working days from receipt of the appeal. The Appeal Officer will be impartial and not previously involved in the case detail, therefore this may be an Independent Level One officer and will be supported by an HR representative. The employee has the right to be accompanied by a fellow worker or a trade union representative. The format of the appeal will be to consider the grounds put forward by the employee and resolution sought rather than a complete review of all of the evidence gathered at the Stage 2 Complaints Resolution Meeting. The employee may request that their appeal is a review of the paperwork only, without the attendance of either party at a hearing.

45. At the Stage 3 Appeal Meeting:

- the employee will outline their appeal detailing why they remain dissatisfied
- the Appeal Officer may ask questions of them and discuss possible alternative solutions as appropriate
- the Complaints Resolution Manager will comment on the grounds of appeal and the resolution being sought
- the Appeal Officer may ask questions of the Complaints Resolution Manager about the steps taken to address the complaint
- the Appeal Officer may outline their decision at the meeting or may decide to give the matter further consideration in which case the employee will be notified in writing of the decision within 5 working days of the meeting.

Other matters

Record keeping

46. Written records will be treated as confidential and stored in accordance with the Data Protection Act. A copy of the outcome letter will be placed on the file of the person who raised the complaint whether it is substantiated or not. A copy will only be placed on the file of the person complained about if the concern is substantiated and will remain on file for 12 months.

Overlapping grievances with other formal procedures

47. In circumstances where a concern or complaint raised results in a disciplinary investigation being commissioned, this will be the resolution to the complaint and the

employee may not further the complaint under the grievance procedure, unless there remain issues which were not investigated under the disciplinary procedure.

48. Where a complaint is raised during the course of a disciplinary, sickness, capability or other formal procedure, in some circumstances it may be appropriate to suspend the formal action in order to deal with the complaint. In other circumstances where they are related it may be appropriate to deal with the matters concurrently as one investigation but with clear outcomes under each procedure. The Director of Human Resources will determine the appropriate way forward in these circumstances. Similarly, where counter-complaints are raised these will be dealt with together.

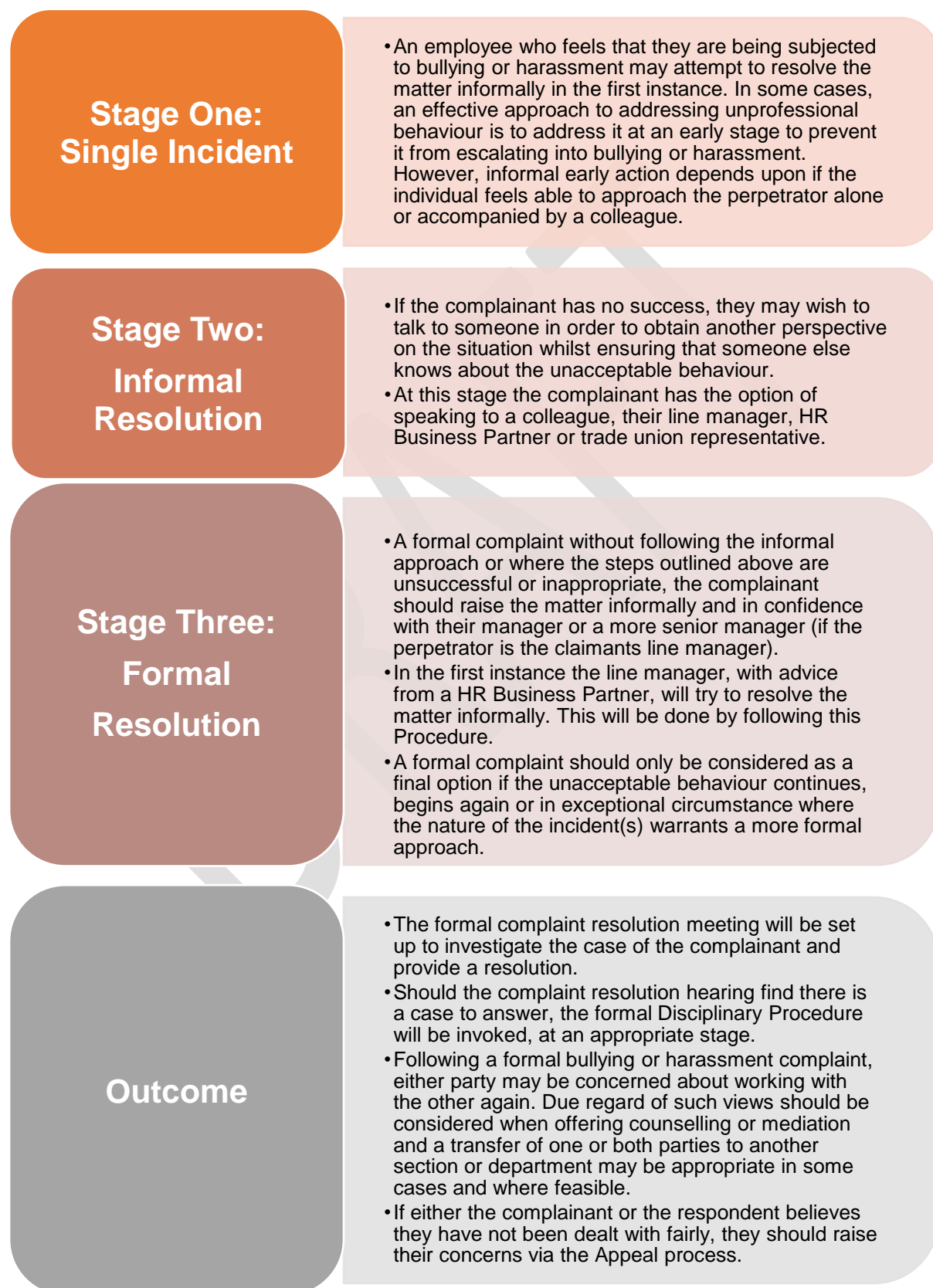
Matters out of scope

49. At any stage of a complaint of bullying or harassment, this may result in a disciplinary investigation being commissioned alongside other actions put in place to address the complaint. Whilst the complainant may progress their complaint in relation to any other proposed actions put in place, the decisions to undertake a disciplinary investigation is a management decision and cannot be appealed against under this procedure.
50. Where an employee who raises a complaint does not wish their identity to be revealed or does not want those complained about to be informed, there may be little that can be done to address the complaint and in such circumstances the employee will be advised accordingly.
51. Issues relating to service delivery or whistleblowing are not matters that will be addressed under this procedure.
52. Issues raised under the grievance procedure cannot be subsequently raised under the bullying and harassment procedure.

Working environment during the course of a complaint

53. Employees are expected to work together during the course of the investigation. In exceptional circumstances it may be considered appropriate to relocate or re-assign employees. The manager at the informal stages or the complaint resolution manager at the formal stages will keep the complainant updated of progress on a regular basis. The employee will be encouraged to seek additional support such as through a colleague, the Employee Assistance programme, staff networks or their trade union.

Bullying and Harassment Process Map



List of appendices

- Appendix 1 - Examples of Unacceptable Behaviour
- Appendix 2 - Glossary of terms including examples of discriminatory behaviours

Links / Other resources

- Code of Conduct
- Equal Opportunity Policy
- Managing People Policy
- [Acas](#)
- [Equality Act 2010](#)
- [Health and Safety Executive - Employers responsibilities](#)
- [Corporate Health, Safety and Wellbeing Policy](#)
- [Employee Assistance Programme](#)
- Human Resources [Business Partners](#)
- [Unions](#)

Appendix 1

Examples of Unacceptable Behaviour

The City of London recognises that bullying and can often be experienced by an individual on the grounds of multiple protected characteristics, not just one. For example, a black bisexual man or a woman with a disability, or a Muslim trans person - and that these experiences are a distinct and often heightened form of bullying and harassment.

However, it should also be noted that in many instances of bullying are not due to a protected characteristic, instead being motivated by a general dislike, resentment, jealousy etc.

The lists of examples are not exhaustive but, provide an overview to assist understanding of what may be found offensive whether intentional or not and includes cyber bullying. It should also be noted that intersectionality/multiple identities can affect the way that people experience discrimination and bullying or harassment.

List of generic behaviours

- **Physical bullying:** Violence or sexual assault
- **Verbal bullying:** Making offensive remarks including comments about someone's gender, race, disability, religion or sexual orientation - this form of bullying is also discriminatory behaviour that may be unlawful.
- **Social bullying/exclusion:** Being unfriendly, not talking to someone or excluding them from social groups and activities
- **Cyber bullying:** using the internet, interactive and digital technologies or mobile phones to torment, threaten, harass, humiliate, embarrass or otherwise target another person.

Harassment contrary to the Equality Act 2010

The following descriptions of conduct indicate whether bullying and harassment is likely to be related to a relevant characteristic and therefore potentially unlawful harassment contrary to the provisions of the Equality Act 2010.

Note that harassment contrary to the Equality Act 2010 can often be experienced by an individual with multiple protected characteristics, e.g., a black bisexual man, a woman with a disability, or a Muslim trans person. It may not always be obvious whether the harassment relates to one of these characteristics alone or a combination.

Harassment	Description	Types of behaviour
Age	Relates to behaviour including ridiculing or demanding behaviour focused on people because of their age, either actual or perceived or	<ul style="list-style-type: none">• Regarding them as “too old” or “too young”; or making assumptions about lifestyle based on perceived age.

	through association with individuals of a particular age.	<ul style="list-style-type: none"> • Denying training, development or promotion opportunities due to age • Pressurising the person to retire • Questioning ability due to age • Making patronising comments
Disability	Relates to behaviour including derogatory remarks, mimicking, invasive personal questions, staring, ostracising or patronising which are directed at any disabled individual or group of disabled people whether they are perceived to be, are disabled or through association. The behaviour results in the individual(s) feeling threatened or compromised.	<ul style="list-style-type: none"> • Making inappropriate gestures or mimicking behaviour • Refusing to make reasonable adjustments • Holding events at inaccessible venues • Denying training, development or promotion opportunities because of the need to act as a carer for a disabled person i.e. having a family member, partner or child with a disability • Making assumptions about someone's abilities based purely on their disability or perceptions about their disability • Making fun of an impairment • Mimicking speech impairment • Using inappropriate terms e.g. cripple, spastic, handicapped • Inappropriate personal questioning relating to disability
Gender Reassignment	Relates to behaviour including transphobia, derogatory remarks, ridicule, jokes or stereotypes of any individual's perceived, actual gender, gender reassignment, gender identity and/or gender expression or through association.	<ul style="list-style-type: none"> • Refusing medical leave for a person undergoing gender affirming medical treatment. • Refusing to respect a person's gender identity and/or gender expression. • Refusing access to appropriate toilets and changing facilities which reflect their acquired gender • Disclosing the person's gender identity and/or trans status to others (N.B. this is unlawful)

		<ul style="list-style-type: none"> • Intrusive personal questions relating to a person's gender identity and gender reassignment • Unwanted comments on dress and appearance • Actual or threatened disclosure of a person's trans history • Refusal to correctly address an individual by consistently misgendering/using incorrect pronouns
Marriage and Civil Partnership	<p>This relates to direct or indirect discrimination and victimisation on the grounds of marriage and civil partnership. It relates to behaviour which inadvertently or deliberately excludes an individual based on actual or perceived marital or civil partnership status.</p>	<ul style="list-style-type: none"> • Inadvertently or deliberately excluding partners from social events, on the grounds of sexual orientation or gender identity • People in civil partnerships not being accorded the same rights as married people for work related benefits, such as flexible working, adoption leave, paternity pay and leave • Civil partners being denied benefits that are automatically given to married people in the same job, such as employment or training opportunities
Pregnancy and Maternity	<p>This relates to direct discrimination and victimisation on the grounds of pregnancy and maternity.</p>	<ul style="list-style-type: none"> • Being demoted or prevented from having training or promotion opportunities because of becoming pregnant or being on maternity leave. • Being dismissed or made redundant while on maternity leave without following correct and fair procedures. • Being disciplined for having performance issues due to illness connected with pregnancy. • Being refused sick leave due to illness connected with pregnancy. • Being dismissed or treated unfavourably while undergoing

		<p>IVF treatment without following correct and fair procedures.</p> <ul style="list-style-type: none"> • Being refused paid time off for ante-natal care. • Making inappropriate comments about amount of absence/toilet breaks. • Unwanted comments on dress and appearance.
Race	<p>Relates to derogatory remarks, racist statements, graffiti, jokes, or any other action of a racist nature based on an individual's perceived or actual race, ethnicity, nationality and colour or through association with someone from a particular ethnicity, nationality and colour. This pertains to any action which results in the individual(s) feeling threatened or compromised.</p>	<ul style="list-style-type: none"> • Exclusion from normal workplace conversation or activities • Inappropriate gestures • Sending emails or displaying material containing racist content • Making inappropriate assumptions based on ethnicity, nationality or colour • Making assumption about lifestyle/interests • Using inappropriate terms when referring to race (including ethnicity, nationality and colour) • Using derogatory nicknames • Making racist comments or jokes • Stereotyping • Mimicking someone's accent
Religion and Belief including No Belief	<p>This is where a person is subjected to derogatory remarks, stereotypes, making assumptions or other inappropriate behaviour on the grounds of perceived, actual religion or belief including no belief or through association with someone of a particular religion or belief.</p>	<ul style="list-style-type: none"> • Making statements or assumptions about religion or belief • Excluding people based on their religion or belief. • Arranging team lunches during periods of fasting or religious occasions which may make it difficult for colleagues to attend. • Inappropriately enforcing a dress code which may not accommodate religious dress. • Making assumptions based on religion or belief • Sending emails or displaying material containing offensive content

		<ul style="list-style-type: none"> • Making inappropriate comments or jokes about someone's religion or belief or no religion or belief • Stereotyping • Inappropriate comments about use of prayer rooms
Sex	<p>This relates to any harassing conduct including sexual harassment based on the sex of the recipient. It relates to any individual's perceived or actual sex. It includes behaviour which results in the individual feeling threatened or compromised. Sexual harassment should be noted here and the fact that it can be experienced by all genders. Trans people may also experience sexual harassment based on perceptions or assumptions about them in relation to their appearance or sexuality.</p>	<ul style="list-style-type: none"> • Unnecessarily requiring individuals to work full-time or insisting on staff working long hours. This may disadvantage more women than men as it is still mainly women who take primary responsibility for childcare so cannot work full-time or long hours. • Unnecessarily requiring variable hours such as shifts and unplanned overtime. This is likely to disadvantage women compared to men because of the difficulties of getting flexible childcare. • Exclusion from normal workplace conversation or activities • Refusing to offer a position based purely on a gender stereotype i.e. not offering a secretarial post to a man • Inappropriate gestures, suggestive looks or unwelcome sexual advances • Sending emails or displaying material containing sexist content • Making rude or abusive comments or requests for sexual favours • Making sexually explicit jokes. • Stereotyping. • Unwanted comments on dress and appearance. • Unwanted touching, groping or the invasion of personal space (getting too close).

Sexual Orientation	<p>Relates to behaviour which is homophobic or biphobic and condemns or ridicules people because of their perceived, actual sexuality (Lesbian, Gay or Bi) or through association with someone of a particular sexual orientation. This could include derogatory remarks, jokes e.g. making informal/joke comments about being a bi person being “greedy” or promiscuous, graffiti which results in the individual feeling uncomfortable, excluded threatened or compromised.</p>	<ul style="list-style-type: none"> • Inadvertently or deliberately excluding same-sex partners from social events. • Making assumptions based on sexuality • Exclusion from normal workplace conversation or activities • Using inappropriate terms • Using derogatory nicknames • Inappropriate personal questioning relating to sexual orientation or domestic circumstances • Actual or threatened unwanted disclosure of sexuality • Unwanted comments on dress and appearance
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Appendix 2

Glossary of terms including examples of discriminatory behaviours

In this policy and procedure “Complainant” refers to the employee experiencing the bullying or harassing behaviour; “Perpetrator” refers to the person against whom the complaint is brought. The term “parties” refers to the complainant and the person against whom the complaint is brought.

Bullying

Bullying is behaviour from a person or group that is unwanted and makes them feel uncomfortable, intimidated, degraded, humiliated insulted or offended.

Emma is a newly appointed administrator. Her colleague Anne who is also an administrator, repeatedly interrupts Emma and discounts suggestions that she makes at meetings. Emma feels humiliated and offended. This is an example of bullying behaviour.

Direct Discrimination

Direct Discrimination Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Deborah, head of a large team, turns down Raj’s application for a managerial position in her department. Raj learns that Deborah did this as she believes that he will not ‘fit in’ the team as they do not have any BAME staff and the team would be uncomfortable around him because of his race. This is direct discrimination on grounds of race.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Discrimination by association already applies to race, religion or belief and sexual orientation. It has now been extended to cover age, disability, gender reassignment and sex.

Paul has been successful in gaining a place on the Apprenticeship Programme. However, after he tells his boss that he has a disabled child who has frequent medical appointments which he must attend, his place is withdrawn. This may be discrimination against Paul because an assumption was made that he will need considerable time off due to his association with a disabled person.

Harassment

Harassment is 'unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity'. However, harassment under the Equality Act 2010, does not apply to pregnancy and maternity and marriage and civil partnership.

Sebastian is a gay man who recently married his partner of 5 years in the local church. Sebastian is being harassed by his line manager Cathy who frequently taunts him about sexual orientation and faith. She belittles him in the office referring to him as a 'fairy who should not be allowed in a church let alone married in one'. This is harassment directly related to Sebastian's sexual orientation.

Indirect Discrimination

Indirect discrimination can occur when a condition, rule, policy or even a practice applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that an employer acted reasonably in managing its business i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision made in running a business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including the consideration of 'less discriminatory' alternatives to any decision made.

Ade, a Unit Head, decides that all meetings in his Unit will be held at 8.30am. This is indirect discrimination because although the policy applies to everyone, it has a disproportionate impact on staff with childcare responsibilities the majority of whom tend to be women.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic.

Emma, who is heterosexual, is being harassed by her colleagues and has been 'outed' by a group of colleagues at work who believe her to be a lesbian. Offensive notes have been left on her desk and she is consistently subjected to taunts and abuse. This unacceptable behaviour is based on her colleagues' perception of her sexual orientation and is a form of harassment.

Third Party Harassment

The Equality Act makes employers potentially liable for harassment of its employees by people (third parties) who are not employees, such as defendants, defence solicitors, judge and magistrates, court staff, victims and witnesses and contractors or their representatives (cleaners). Employers are liable when harassment has occurred on at least two previous occasions that the employer is aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

Jane manages a Community Care team. Mohammed, one of the social workers within the team, has recently had to take several enquiries from a client. The nature of the phone calls have been increasingly offensive and abusive, with references being made about Mohammed being Asian and Muslim, he is extremely unhappy at being the target of this abuse whilst carrying out his daily duties, so he complains about this behaviour to Jane. This is an example of third-party harassment as it happened on more than two occasions and is related to his race and religion.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Stacy has reported her line manager Ian for frequently calling her by her previous first name ('Steven') and using the incorrect pronouns. Ian has been moved to another department whilst allegations of bullying on grounds of gender reassignment are investigated. Another manager in the department along with members of their team who were previously supportive of Stacy's transition, ostracise Stacy, leading to her taking time off with stress. This is victimisation based on her complaint.

Committee Establishment Committee	Date: 17/09/2020
Subject: Annual Employee Profile Report 2019 - 2020	Public
Report of: Director of Human Resources	For Information
Report author: Tracey Jansen and Carol Simpson - Corporate Human Resources	

Summary

This report sets out the workforce profile information for the year 2019-2020. It also includes the Gender, Ethnicity and Disability Pay Gaps previously reported for the snapshot date 2018. It provides a breakdown of the workforce by six protected characteristics identified in the Equality Act 2010. These are sex, age, ethnicity, disability, religion and belief and sexual orientation. The appendix to the report is included in our Annual Equality and Inclusion Performance report which is published on the internet.

Recommendation

Members are asked to note the report and the Employee Profile Report 2019 -20 at Appendix 1

Main Report

Background

1. Equality and inclusion fall under the remit of this Committee and the Committee receives a number of update reports throughout the year. The Equality and Inclusion Board chaired by the Town Clerk and Chief Executive oversees the E&I Action Plan in relation to employment and service delivery. The Equality and Inclusion Action Plan is currently being updated to include the areas of interest raised by the Tackling Racism Taskforce and will be reported to a future meeting of this Committee. This report is the annual update presenting data on the employee profile broken down by 6 protected characteristics defined by the Equality Act 2010. These are sex, age, disability, ethnicity, sexual orientation and religion or belief. The analysis includes salary and grade; the top 5% earners; Gender, Ethnicity and Disability Pay Gap; turnover, recruitment and new starter and leaver information during the year.
2. The workforce profile data is used to inform the public sector equality duty in relation to employment. This data along with the HR dashboards and workforce planning data helps to inform the Human Resources priorities and the Equality and Inclusion Board Action Plan.

Current Position

3. Attached as Appendix 1 is an analysis of the workforce as at the end of March 2020. Overall there has not been any significant change in the composition of the workforce. The various initiatives that we have put in place will take time to embed before we will be able to see any discernible difference. It should be noted that recruitment during the year dropped by nearly 16% and this in turn has an impact on how quickly we can influence the workforce profile.
4. The top 5% of earners has been analysed over a number of years and was formerly a key performance indicator for local authorities. We now include data on the gender, ethnicity and disability pay gaps and these have previously been reported in detail to the Committee. Women, ethnic minorities and employees with disabilities continue to fare poorly in this category of analysis. This is largely due to under-representation in senior grades. The measures to address these differentials have been reported to the Committee and as noted above the current Equality and Inclusion Action Plan is being updated to reflect the areas of interest raised by the Tackling Racism Taskforce.

Corporate & Strategic Implications

5. Monitoring our workforce by protected characteristics provides us with key data that informs the equality and inclusion agenda and progress being made to address areas of concern. E&I initiatives link to the Corporate Plan aim of 'contributing to a flourishing society'.

Implications

6. There are no specific costs arising from this report, but the data helps us to identify where there is a disproportionate impact in relation to protected characteristics. The Tackling Racism Taskforce initiatives are reported separately on the agenda.

Conclusion

7. This report sets out the latest annual employee profile by six of the protected characteristics. The data enables us to understand our workforce better and identifies areas of concern that need to be addressed. It also enables comparison and benchmarking with industry and monitors progress being made to reduce imbalances identified in our workforce.

Appendices

- Appendix 1 – City of London Corporation - Employee Profile March 2020.

Tracey Jansen

Assistant Director of Human Resources

E: tracey.jansen@cityoflondon.gov.uk

Carol Simpson

Strategic HR Manager

E carol.simpson@cityoflondon.gov.uk

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CITY OF LONDON CORPORATION – EMPLOYEE PROFILE MARCH 2020

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1 INTRODUCTION

This document illustrates and describes the profile of the workforce which informs the City Corporation's Public Sector Equality Duty; our equality and inclusion action plan; and HR policy review and development.

2 SCOPE

The analysis provides information on all employees both full time and part time and directly employed temporary employees. The departments covered are: Chamberlain's, City Surveyor's, Community & Children's Services, Comptroller & City Solicitor's, Mansion House & Central Criminal Court, Markets & Consumer Protection, Open Spaces, Remembrancer's, the Built Environment and Town Clerk's.

This report also includes, unless where stated, the following institutions: The Barbican Centre, Guildhall School of Music & Drama, the City's three schools - City of London Freeman's School; City of London School; and City of London School for Girls.

Excluded are the City of London Police Officers and support employees whose data is reported separately to the Police Committee. Also excluded are casual and agency workers, contractors and consultants.

The employee profile data reflects the workforce recorded as at the 31 March 2020, unless otherwise stated.

Information is drawn from basic payroll and HR information system data. Additional sensitive information is added on a voluntary basis by employees through the employee self-service facility on the HR information system. Because employees are not required to provide all personal and sensitive information, this means that not all the categories include 100% data capture. This is indicated under each heading. In other cases, the employee has specifically recorded 'not stated' or 'declined to specify' on employee self-service and this is indicated accordingly. In accordance with the General Data Protection Regulations and the Data Protection Act 2018, all employees have been sent a privacy notice describing how the City Corporation as a data controller collects and uses personal information during and after employment with the City Corporation.

We have published our Gender Pay Gap in accordance with the Gender Pay Gap Regulations 2017. We have also publishing our Ethnicity and Disability pay gaps. These are included in the report.

Employee Profile - Protected Characteristics: The data analysis looks at 6 protected characteristics identified in the Equality Act 2010. These are: Sex, Age, Ethnicity, Disability, Religion and Belief and Sexual Orientation. Where numbers in relation to protected characteristics are very small these have been grouped together, where it is appropriate to do so, to maintain the integrity of the data, but also to ensure that no individual/s are easily identifiable.

Categories of analysis: This report covers an analysis of the overall employee profile; salary and grades; top 5% of earners and Gender, Ethnicity and Disability Pay Gaps; turnover and recruitment; starters and leavers.

3 OVERVIEW OF THE WORKFORCE

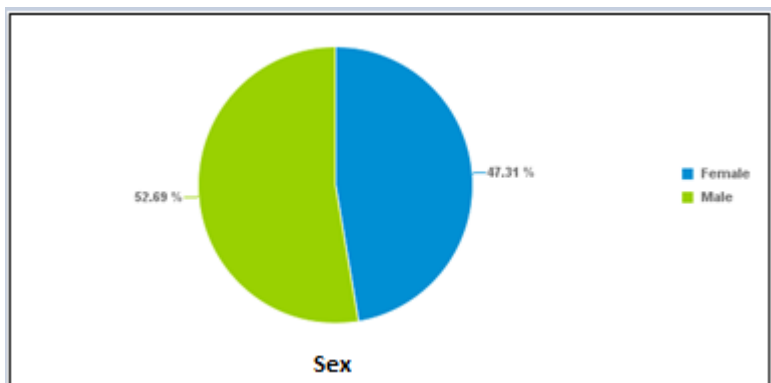
As at 31 March 2020 there were a total of 3646 employees across the departments and functions in scope, covering a wide range of service areas. There have been 484 starters including fixed term workers and 479 leavers including fixed term workers during the reporting period. Fixed term work may be for a number of reasons such as cover for maternity leave, fixed term/grant funding, finite project work, secondments and traineeships etc. 17.1% of staff are part time (defined as employees working less than 85% of a full time equivalent (FTE) post). For ease of reference it should be noted that 1 employee is equivalent to approximately 0.0275% of the workforce and 1% of the total workforce is approximately 36.4 employees.

3.1 SEX

Data is held on 100% of the workforce.

As shown below, 47.31% of the workforce is female and 52.69% are male. This is a comparable to the split for 2018/19 (46.60% female and 53.40% male). The average for all London Councils is 62.1% female and 37.9% male respectively (Source: London Councils- Human Capital Metrics Survey Scorecard 2019/20 – draft version). It should be noted that whilst some comparison can be useful, the City Corporation's local authority function is smaller than London Boroughs and other Local Authorities which makes a direct comparison with them difficult. An alternative comparison can be made with the City Statistics briefing January 2020 which identifies the workday population of the "square mile" as 522,000 jobs, split 64% male to 36% female.

The proportion of part-time employees who are female is 69.77% and 30.23% are male. This figure is broadly the same as the national picture of women as a percentage of all part-time workers according to the Office of National Statistics (ONS).

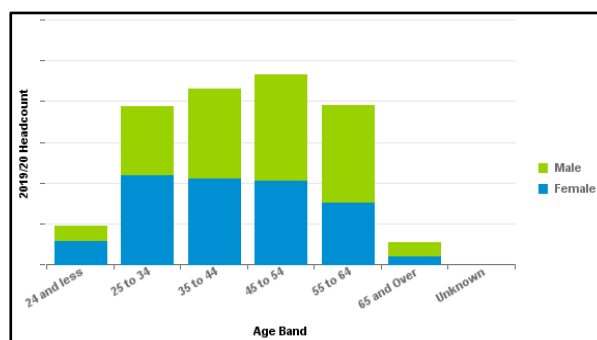


Sex	Headcount 2018/2019	% 2018/2019	Headcount 2019/2020	% 2019/2020
Female	1700	46.60%	1725	47.31%
Male	1948	53.40%	1921	52.69%

3.2 AGE

Age data is held on 100% of the workforce.

The age distribution is essentially unchanged from the previous year.



Age Band	2018/19 % Female	2018/19 % Male	2019/20 Headcount Female	2019/20 % Female	2019/20 Headcount Male	2019/20 % Male	2019/20 % Total Workforce
>24	6.18%	3.95%	114	6.61%	75	3.90%	5.18%
25-34	26.59%	18.53%	436	25.28%	338	17.60%	21.23%
35-44	25.18%	23.25%	422	24.46%	441	22.96%	23.67%
45-54	24.00%	28.49%	411	23.83%	521	27.12%	25.56%
55-64	16.18%	22.79%	302	17.51%	480	24.99%	21.45%
65+	1.88%	2.98%	40	2.32%	66	3.44%	2.91%
Total	100%	100%	1725	100%	1921	100%	100%

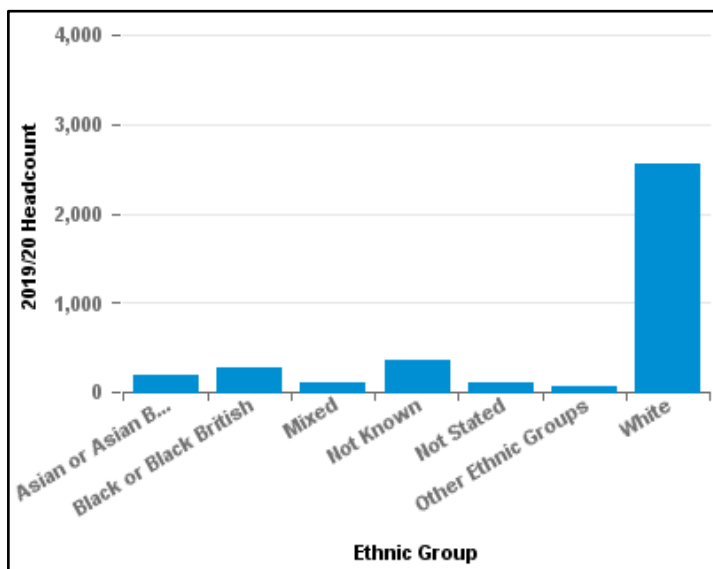
3.3 ETHNICITY

Ethnicity data is held on 87.36% of the workforce.

For the purpose of this analysis employees are classified as belonging to the following ethnic groups. These are the standard classifications on the HR Information System and allow for comparison with other London Councils:

- **White:** White - British, White - EU, White - other European, White - Any other White background, Irish
- **Asian or Asian British:** Asian - Bangladeshi, Asian - British, Asian - Indian, Asian - Pakistani, Asian - Any other Asian background
- **Black or Black British:** Black – African, Black – British, Black – Caribbean, Black - Any other Black background
- **Mixed:** Mixed - Asian & White, Mixed - Black & White, Mixed - Any other Mixed background
- **Other Ethnic Groups:** Chinese, Any other background, Any other ethnic group

The ethnicity profile has broadly remained the same since last year compared to white (16.97% in 2017-18 and 17.82% in 2018-19 and 17.47% 2019-20). The most recent comparative data for London Councils shows that across all London Boroughs, the workforce is 59.5% White and 40.5% Black Asian and Minority Ethnic (BAME). This compares to 69.89% White; 17.47% (BAME) and 12.64% Not Known/Stated at the City Corporation. Comparison can be made with the City Statistics briefing January 2020 which identifies the workday population of the “square mile” in 2018 as having a 28% BAME workforce.

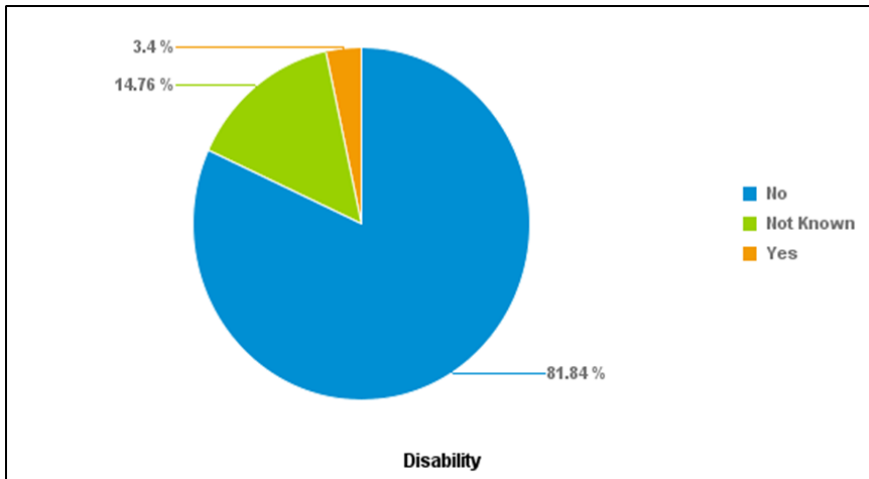


Ethnic Group	2018/19 Headcount	2018/2019 %	2019/20 Headcount	2019/20 %
Asian or Asian British	207	5.68%	197	5.40%
Black or Black British	279	7.65%	274	7.52%
Mixed	100	2.74%	105	2.88%
Not Known	343	9.40%	364	9.98%
Not Stated	100	2.74%	97	2.66%
Other Ethnic Group	64	1.75%	61	1.67%
White	2555	70.04%	2548	69.89%
Total	3648	100%	3646	100%

3.4 DISABILITY

Disability data is held on 85.24% of the workforce.

3.4% of the total workforce have declared themselves as having a disability. Employees are asked to state whether they “self-certify” as having a disability on the HR information system and similarly job applicants are asked to indicate Yes or No to the statement of “I consider myself to have a disability”. Therefore, it should be noted this indicator does not necessarily accurately measure whether an employee meets the definition of “disability” under the Equality Act 2010.

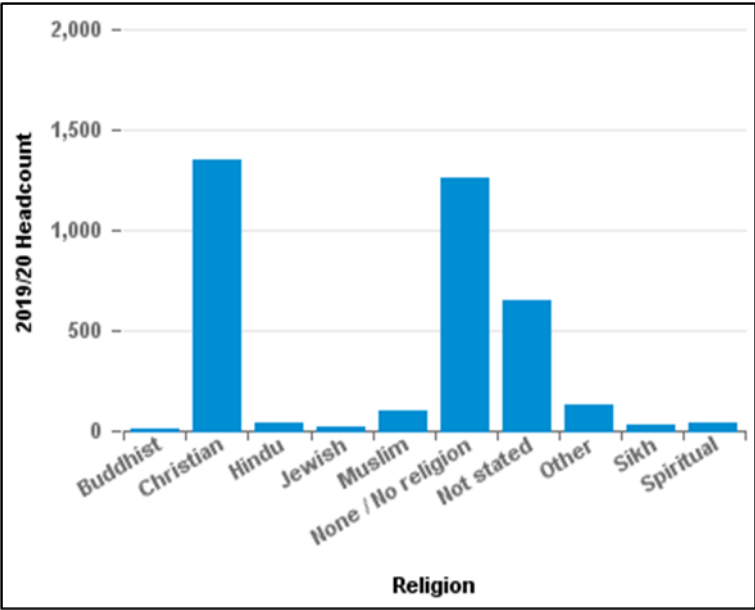


Disability	2018/19 Headcount	2018/2019 %	2019/20 Headcount	2019/20 %
No	3016	82.68%	2984	81.84%
Not Known	514	14.09%	538	14.76%
Yes	118	3.23%	124	3.40%
Total	3648	100%	3646	100%

3.5 RELIGION AND BELIEF

Religion and belief information is held on 82.06% of the workforce.

Of the overall workforce 36.97% is Christian. 34.67% stated that they have None/No religion or belief which has increased slightly since last year. Total other religions and beliefs is 10.42% and not known 17.94%.



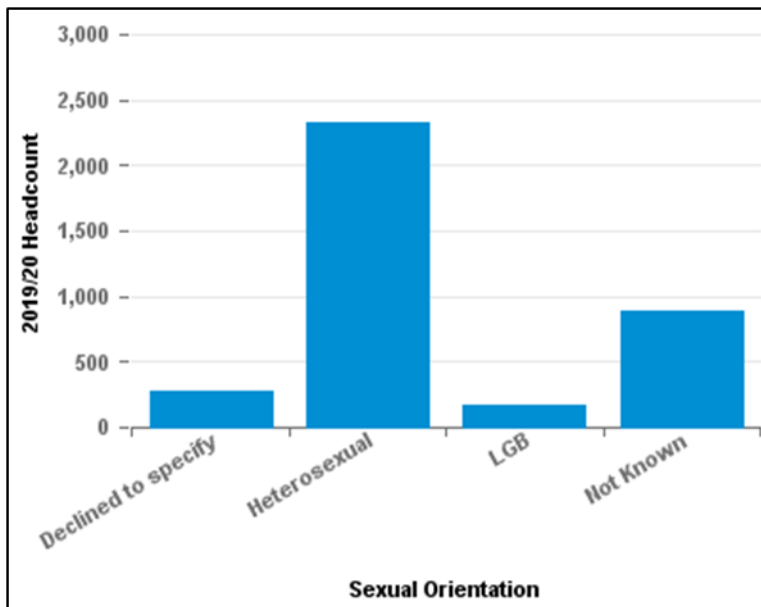
Religion	2018/19 Headcount	2018/2019 %	2019/20 Headcount	2019/20 %
Buddhist	15	0.41%	13	0.35%
Christian	1369	37.53%	1348	36.97%
Hindu	46	1.26%	45	1.23%
Jewish	26	0.71%	23	0.63%
Muslim	111	3.04%	99	2.72%
None/No Religion	1269	34.79%	1264	34.67%
Not known	622	17.05%	654	17.94%
Other	132	3.62%	134	3.68%
Sikh	31	0.85%	30	0.82%
Spiritual	27	0.74%	36	0.99%
Total	3648	100%	3646	100%

3.6 SEXUAL ORIENTATION

Sexual orientation information is held 75.7% of the workforce.

The Government uses a figure of 5% - 7% of the population as Lesbian, Gay, Bisexual Trans (LGBT) which the LGBT charity *Stonewall* feels is a reasonable estimate. There has been a significant increase in data capture since last year.

In the table below LGBT are grouped together as they are individually small in numbers:



Sexual Orientation	2018/19 Headcount	2018/2019 %	2019/20 Headcount	2019/20 %
Declined to specify	258	7.07%	273	7.49%
Heterosexual	2326	63.76%	2319	63.60%
LGB	160	4.39%	168	4.61%
Not known	904	24.78%	886	24.30%
Total	3648	100%	3646	100%

4 SALARY AND GRADE PROFILE

This section provides details of salary and gradings in relation to protected characteristics.

Salary Scales

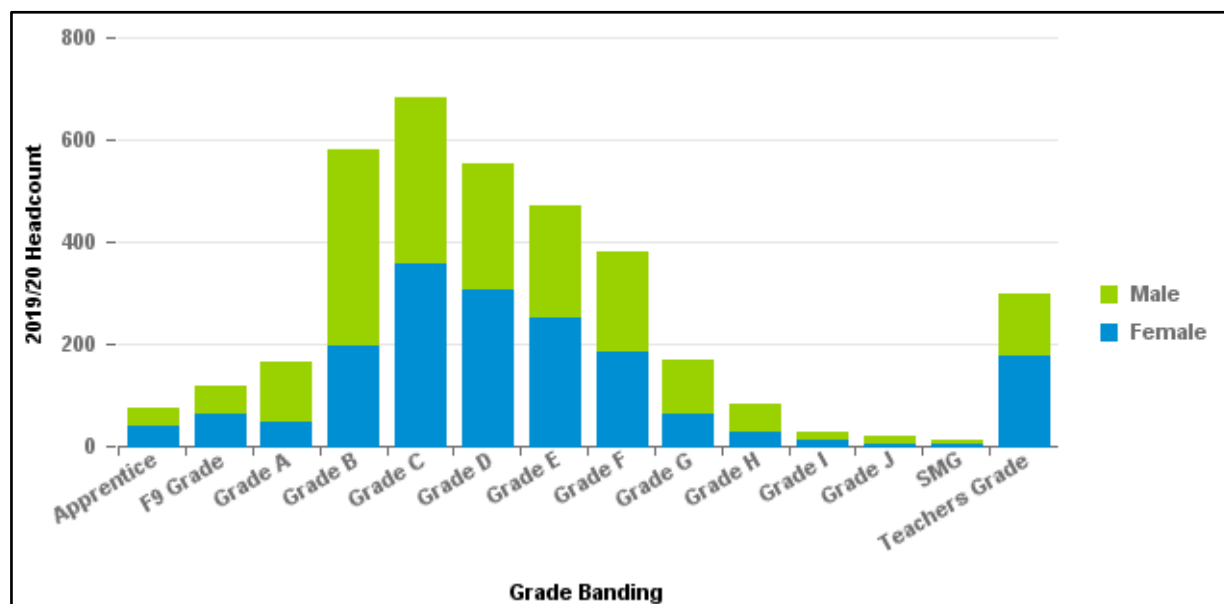
The pay of City Corporation employees is determined locally. This differs from most other Local Authorities whose pay is governed by the National Joint Council for Local Government (NJC).

Grade	Min Salary (£)	Max Salary (£)	2019/20 Workforce headcount	2019/20 Workforce %	2019/20 Female Headcount	2019/20 Female %	2019/20 Male Headcount	2019/20 Male %
Apprentice	19,620	20,010	76	2.09%	38	50.00%	38	50.00%
Grade A	16,040	17,020	165	4.53%	49	29.70%	116	70.30%
Grade B	17,510	20,330	580	15.94%	196	33.79%	384	66.21%
Grade C	22,860	26,520	681	18.71%	355	52.13%	326	47.87%
Grade D	28,700	33,290	553	15.20%	307	55.52%	246	44.48%
Grade E	33,290	38,570	472	12.97%	250	52.97%	222	47.03%
Grade F	42,150	48,880	381	10.47%	185	48.56%	196	51.44%
Grade G	50,330	58,380	168	4.62%	61	36.31%	107	63.69%
Grade H	58,380	67,650	84	2.31%	27	32.14%	57	67.86%
Grade I	67,650	78,410	29	0.80%	13	44.83%	16	55.17%
Grade J	80,770	93,650	21	0.58%	5	23.81%	16	76.19%
Chief Officers*	82,390	253,270	13	0.36%	3	23.08%	10	76.92%
F9 Grade	No fixed values	No fixed values	118	3.24%	61	51.69%	57	48.31%
Teachers	29,490	60,250	298	8.19%	175	58.72%	123	41.28%

Figures exclude London Weighting and other allowances

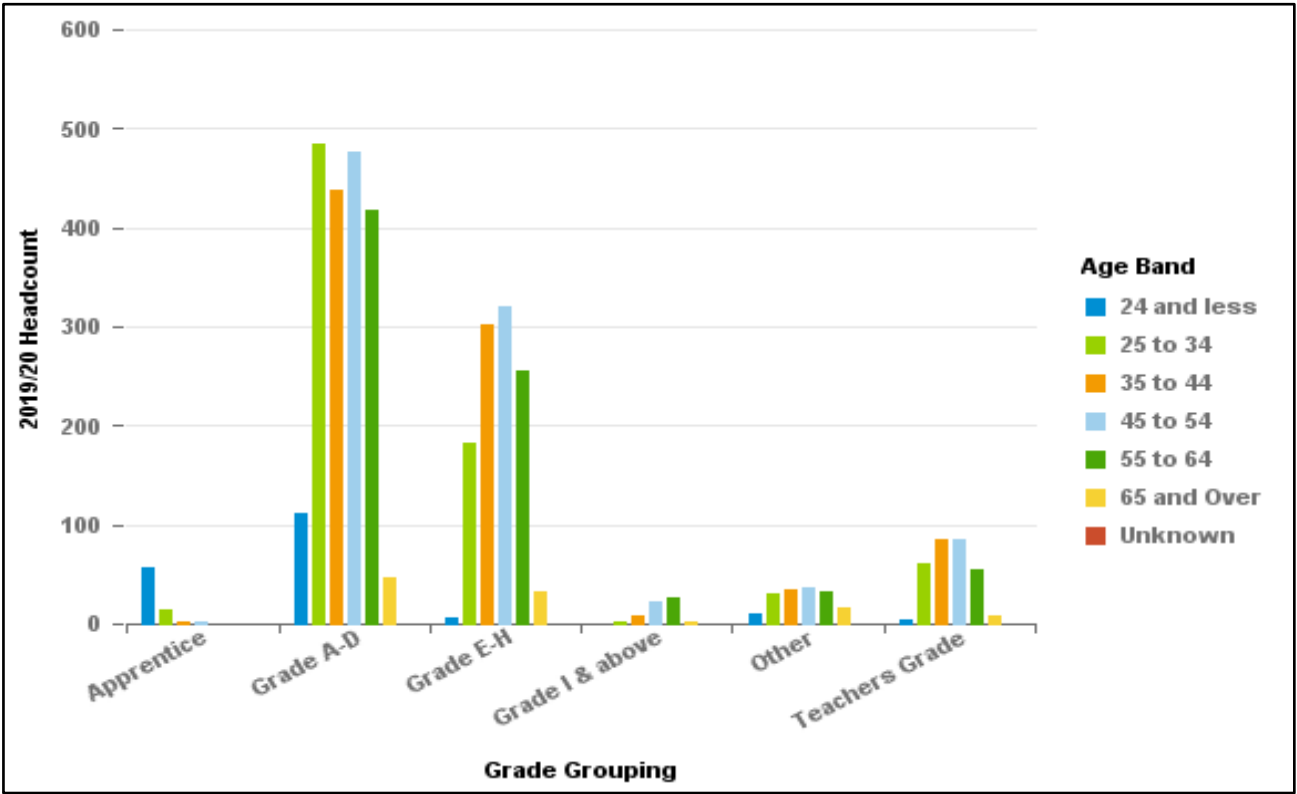
*Chief Officers have individual salary scales within this range and includes Head Teachers

4.1 SEX AND GRADE PROFILE



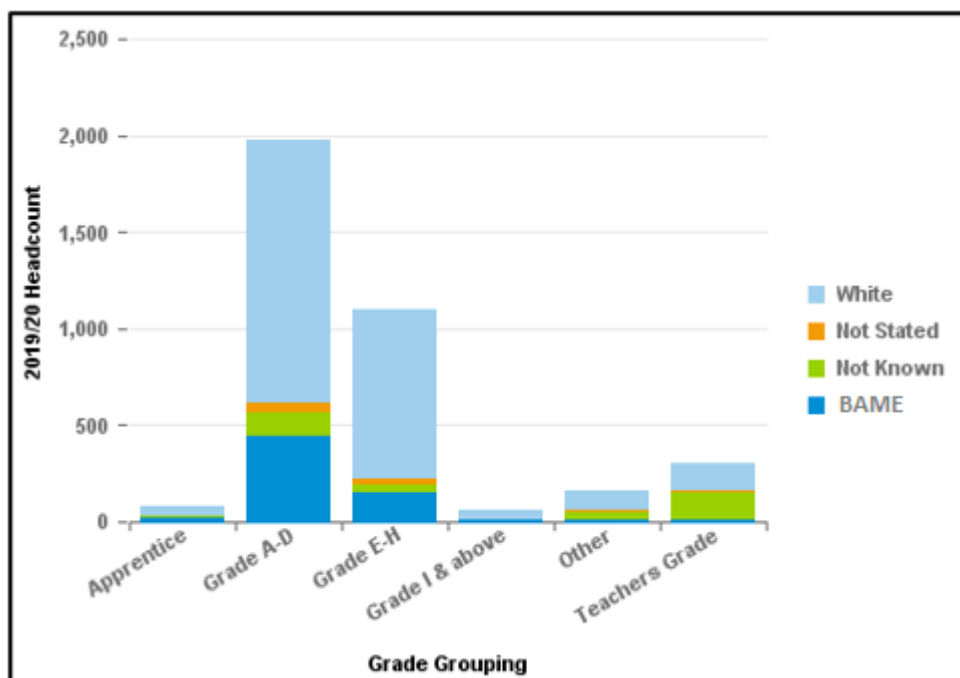
Grade Banding	2018/19 Female Headcount	2018/19 Female %	2018/19 Male Headcount	2018/19 Male %	2019/20 Female Headcount	2019/20 Female %	2019/20 Male Headcount	2019/20 Male %
Apprentice	40	43.48%	52	56.52%	38	50.00%	38	50.00%
A-D	895	44.84%	1101	55.16%	907	45.83%	1072	54.17%
E-H	497	46.54%	571	53.46%	523	47.33%	582	52.67%
I and above	17	30.91%	38	69.09%	21	33.33%	42	66.67%
Other	64	53.78%	55	46.22%	61	51.69%	57	48.31%
Teachers	188	58.57%	133	41.43%	175	58.72%	123	41.28%

4.2 AGE AND GRADE PROFILE



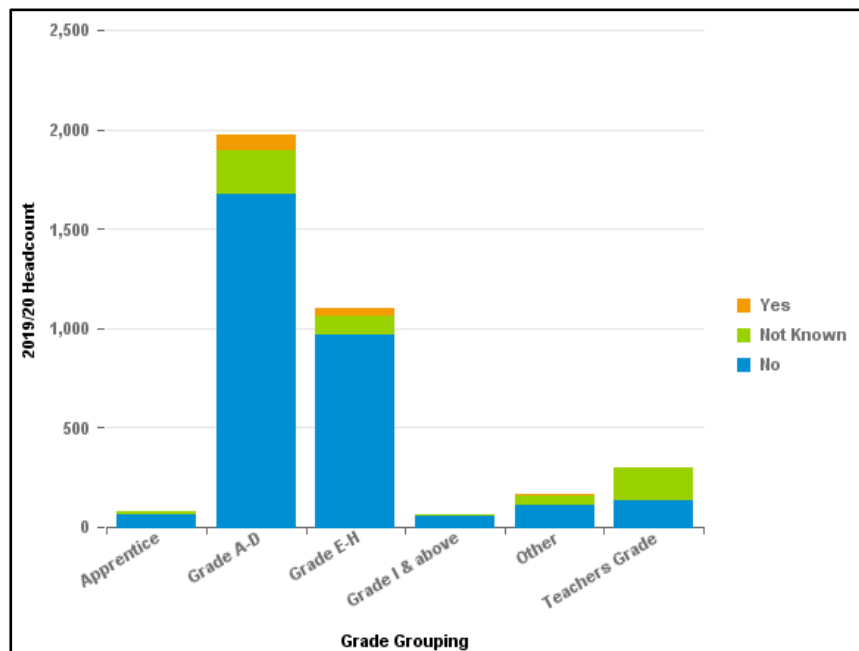
Grade Grouping	24 and less	25 to 34	35 to 44	45 to 54	55 to 64	65 and Over
Apprentice	1.55%	0.38%	0.08%	0.05%	0.00%	0.00%
Grade A-D	3.02%	13.20%	11.89%	12.97%	11.38%	1.28%
Grade E-H	0.16%	4.98%	8.25%	8.74%	6.94%	0.90%
Grade I & above	0.00%	0.05%	0.22%	0.63%	0.73%	0.08%
Other	0.30%	0.84%	0.93%	0.98%	0.90%	0.46%
Teachers Grade	0.11%	1.63%	2.31%	2.34%	1.50%	0.22%
All Staff Total 2019/20	5.14%	21.08%	23.68%	25.71%	21.45%	2.94%
All Staff Total 2018/19	4.96%	22.18%	24.22%	26.43%	19.69%	2.51%

4.3 ETHNICITY AND GRADE PROFILE



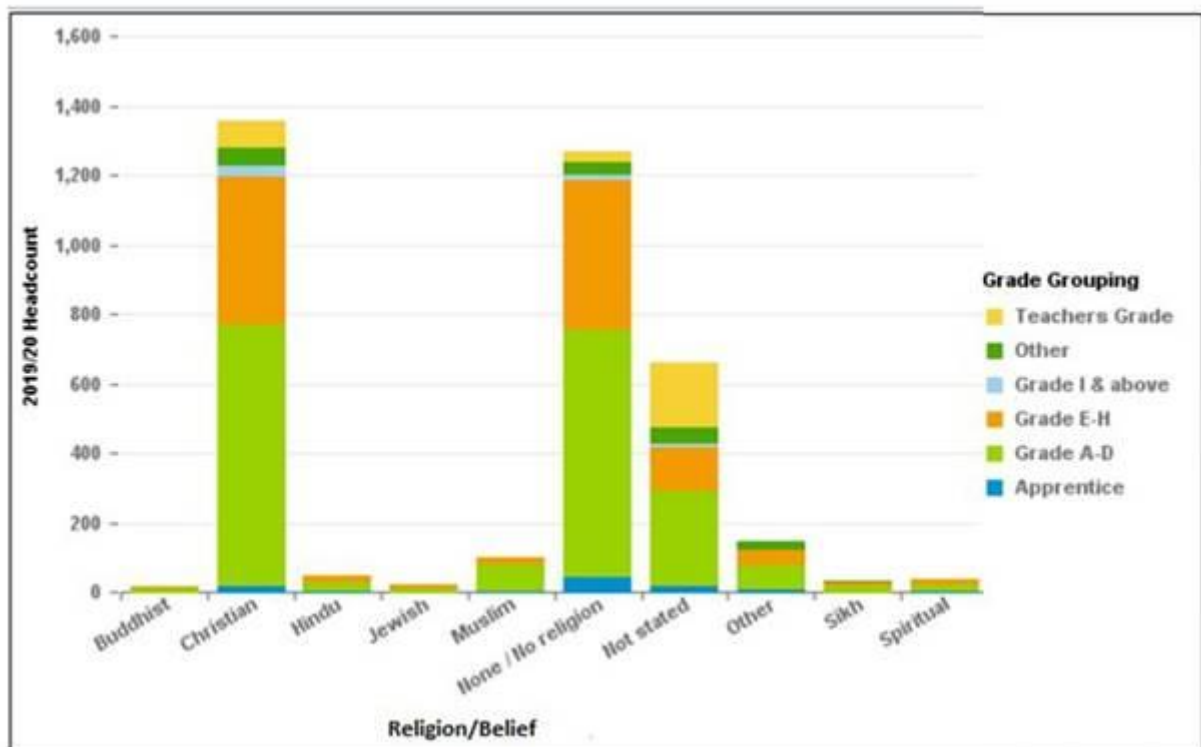
Grade Grouping	BAME	Not known	Not stated	White
Apprentice	25.00%	11.84%	2.63%	60.53%
Grade A-D	22.39%	6.13%	2.79%	68.70%
Grade E-H	13.71%	3.91%	2.18%	80.20%
Grade I+	9.52%	9.52%	1.59%	79.37%
Other	8.02%	25.93%	3.70%	62.35%
Teachers	2.01%	48.66%	4.03%	45.30%
All Staff Total 19/20	17.47%	9.98%	2.66%	69.89%
All Staff Total 18/19	17.82%	9.40%	2.74%	70.04%

4.4 DISABILITY INDICATOR AND GRADE PROFILE



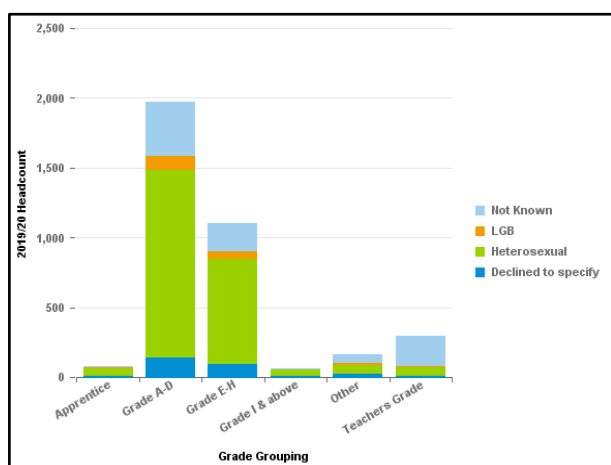
Grade Grouping	No	Not Known	Yes
Apprentice	85.53%	13.16%	1.32%
Grade A-D	84.85%	11.09%	4.05%
Grade E-H	87.74%	8.99%	3.27%
Grade I+	92.06%	6.35%	1.59%
Other	66.67%	30.86%	2.47%
Teachers	45.30%	53.69%	1.01%
All Staff Total 19/20	81.84%	14.76%	3.40%
All Staff Total 18/19	82.68%	14.09%	3.23%

4.5 RELIGION AND BELIEF AND GRADE PROFILE



Grade Grouping	Buddhist	Christian	Hindu	Jewish	Muslim	None / No religion	Not known	Other	Sikh	Spiritual
Apprentice		0.35%	0.03%		0.05%	1.09%	0.41%	0.08%		0.05%
Grade A-D	0.27%	20.61%	0.63%	0.27%	2.07%	19.46%	7.49%	2.01%	0.41%	0.52%
Grade E-H	0.08%	11.54%	0.57%	0.30%	0.54%	11.62%	3.38%	1.22%	0.33%	0.38%
Grade I & above		0.93%			0.03%	0.49%	0.27%			
Other		1.31%		0.03%		0.98%	1.39%	0.63%	0.08%	
Teachers Grade		2.12%		0.03%		0.93%	4.98%	0.03%		0.03%
All Staff Total 2019/20	0.35%	36.86%	1.22%	0.63%	2.69%	34.57%	17.91%	3.97%	0.82%	0.98%
All Staff Total 2018/19	0.41%	37.45%	1.25%	0.71%	3.03%	34.72%	17.05%	3.79%	0.85%	0.74%

4.6 SEXUAL ORIENTATION AND GRADE PROFILE



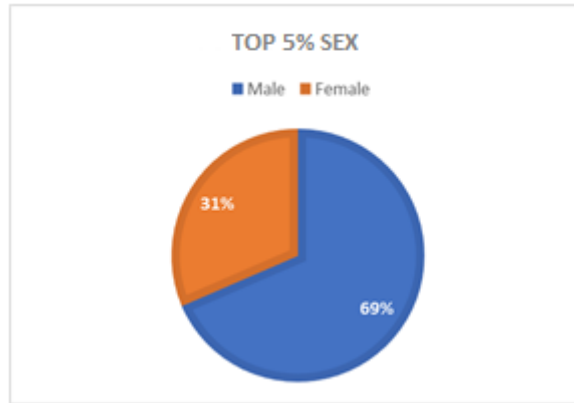
Grade Grouping	Declined to specify	Heterosexual	LGB	Not Known
Apprentice	0.16%	1.55%	0.11%	0.24%
Grade A-D	3.86%	36.56%	2.61%	10.70%
Grade E-H	2.59%	20.52%	1.44%	5.42%
Grade I & above	0.14%	1.33%	0.11%	0.14%
Other	0.71%	1.69%	0.27%	1.74%
Teachers Grade	0.27%	1.71%	0.11%	6.02%
All Staff Total 2019/20	7.73%	63.37%	4.65%	24.25%
All Staff Total 2018/19	7.23%	63.61%	4.39%	24.77%

5 TOP 5% OF EARNERS AND GENDER, ETHNICITY AND DISABILITY PAY GAPS

The following section examines the profile of the top 5% of earners. This includes basic pay, London Weighting and Market Forces Supplements. There are currently 162 employees in the top 5% of earners in the City of London Corporation as at 31 March 2020. The ranking used to establish the top 5% of earners is based on the top 5% of gross salaries. Section 5.7 sets out the Gender, Ethnicity and Disability Pay Gaps for 2018/19. As with our gender pay gap the difference is in the main attributable to the lower numbers of ethnic minorities staff and staff with disabilities in more senior roles. This is addressed in our Equality and Inclusion Action Plan.

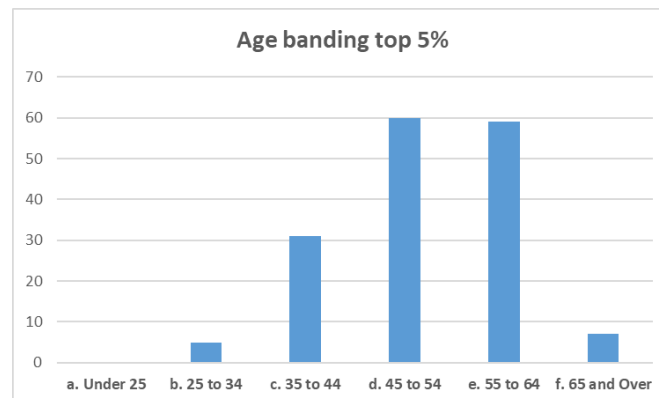
5.1 TOP 5% EARNERS BY SEX

Sex	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
Male	111	68.52%	52.69%	116	73.0%
Female	51	31.48%	47.31%	43	27.0%
Total	162	100.00%	100.00%	159	100.00%



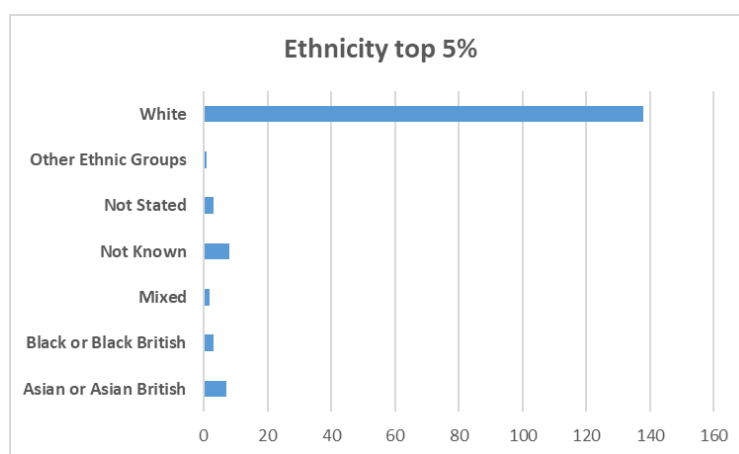
5.2 TOP 5% EARNERS BY AGE

Age band	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
a. Under 25	0	0.00%	5.18%	0	0.0%
b. 25 to 34	5	3.09%	21.23%	2	1.3%
c. 35 to 44	31	19.14%	23.67%	35	22.0%
d. 45 to 54	60	37.04%	25.56%	58	36.5%
e. 55 to 64	59	36.42%	21.45%	56	35.2%
f. 65 & Over	7	4.32%	2.91%	8	5.0%
Total	162	100.00%	100.00%	159	100.00%



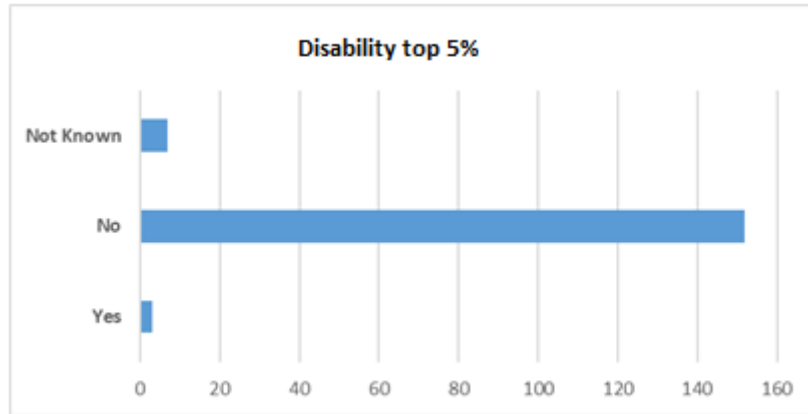
5.3 TOP 5% EARNERS BY ETHNICITY

Ethnicity	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
BAME	13	8.02%	17.47%	14	8.8%
Not Known	8	4.94%	9.98%	5	3.1%
Not Stated	3	1.85%	2.66%	2	1.3%
White	138	85.19%	69.89%	138	86.8%
Total	162	100.00%	100.00%	159	100.00%



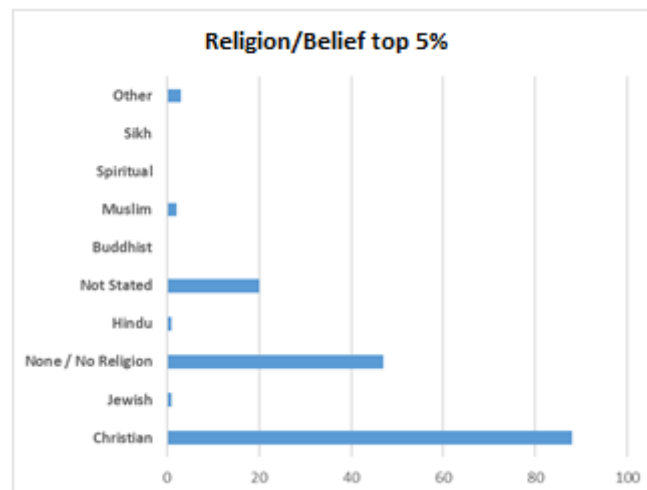
5.4 TOP 5% EARNERS BY DISABILITY INDICATOR

Disability	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
Yes	3	1.85%	3.4%	4	2.5%
No	152	93.83%	81.84%	149	93.7%
Not Known	7	4.32%	14.76%	6	3.8%
Total	162	100.00%	100.00%	158	100.00%



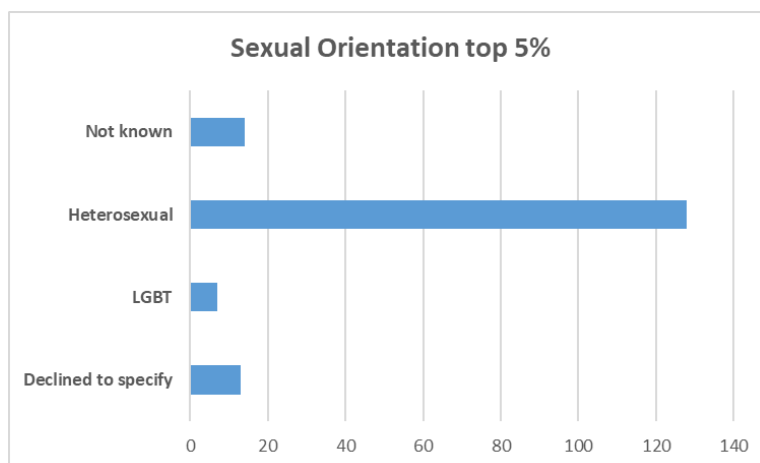
5.5 TOP 5% EARNERS BY RELIGION AND BELIEF

Religion / Belief	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
Christian	88	54.32%	36.97%	83	52.2%
Jewish	1	0.62%	0.63%	0	0.00%
None / No Religion	47	29.01%	34.67%	51	32.1%
Hindu	1	0.62%	1.23%	0	0.00%
Not Stated	20	12.35%	17.94%	19	11.9%
Buddhist	0	0.00%	0.35%	0	0.00%
Muslim	2	1.23%	2.72%	0	0.00%
Spiritual	0	0.00%	0.99%	0	0.00%
Sikh	0	0.00%	0.82%	0	0.00%
Other	3	1.85%	3.68%	6	3.8%
Total	162	100.00%	100.00%	159	100.00%



5.6 TOP 5% EARNERS BY SEXUAL ORIENTATION

Sexual Orientation	2019/20 Number	2019/20 %	2019/20 All Staff %	2018/19 Number	2018/19 %
Declined to specify	13	8.02%	7.49%	16	10.1%
LGB	7	4.32%	4.61%	8	5.0%
Heterosexual	128	79.02%	63.60%	121	76.1%
Not known	14	8.64%	24.30%	14	8.8%
Total	162	100%	100.00%	159	100.00%



5.7 PAY GAPS - GENDER, ETHNICITY AND DISABILITY

THE CORPORATION'S GENDER PAY GAP ("SNAPSHOT" DATE OF 31 MARCH 2018)

5.7.1 Pay Rates

Pay Rates	Gender pay gap - the difference between women's pay and men's pay as a percentage of men's pay
Mean hourly rate	6.4% Lower
Median hourly rate	1.4% Lower

5.7.2 Pay Quartiles

Pay Quartiles	Women	Men	Total
Proportion of women and men in the upper quartile (paid above the 75th percentile point)	42.2%	57.8%	100%
Proportion of women and men in the upper middle quartile (paid above the median and at or below the 75th percentile point)	50.3%	49.7%	100%
Proportion of women and men in the lower middle quartile (paid above the 25th percentile point and at or below the median)	51%	49%	100%
Proportion of women and men in the lower quartile (paid below the 25th percentile point)	44.7%	55.3%	100%

5.7.3 Bonus Pay

Bonus Pay	Bonus Gender Pay Gap - the difference between women's bonus and men's bonus as a % of men's bonus
Mean bonus	13.2% Lower
Median bonus	5.9% Lower

Who received bonus pay:

- Women: 12%
- Men: 12%

THE CORPORATION'S ETHNICITY PAY GAP ("SNAPSHOT" DATE OF 31 MARCH 2018)

5.7.4 Pay Rates

Pay Rates	BAME pay gap - the difference between BAME employees' pay and white employees pay as a percentage of white employees' pay	BAME pay gap - BAME employees' pay as a percentage of white employees' pay	Hourly rate of pay for BAME employees	Hourly rate of pay for white employees	Difference £
Mean hourly rate	20% Lower	80%	£19.10	£23.87	£4.77
Median hourly rate	17.8% Lower	82.2%	£17.01	£20.70	£3.69

5.7.5 Pay Quartiles

Pay Quartiles	BAME	White	Total
Proportion of BAME and white employees in the upper quartile (paid above the 75th percentile point)	7%	77%	84%
Proportion of BAME and white employees in the upper middle quartile (paid above the median and at or below the 75th percentile point)	13%	74%	87%
Proportion of BAME and white employees in the lower middle quartile (paid above the 25th percentile point and at or below the median)	20%	64%	84%
Proportion of BAME and white employees in the lower quartile (paid below the 25th percentile point)	18%	53%	71%

5.7.6 Workforce Composition

Workforce Composition	BAME headcount	White headcount	Non-disclosed headcount	Total headcount
Proportion of BAME and white employees in the upper quartile (paid above the 75th percentile point)	88	947	201	1236
Proportion of BAME and white employees in the upper middle quartile (paid above the median and at or below the 75th percentile point)	164	920	152	1236
Proportion of BAME and white employees in the lower middle quartile (paid above the 25th percentile point and at or below the median)	244	794	197	1235
Proportion of BAME and white employees in the lower quartile (paid below the 25th percentile point)	228	653	355	1236

5.7.7 Bonus Pay

Bonus Pay	Bonus BAME Pay Gap - the difference BAME employees' bonus and white employees' bonus as a % of white employees' bonus	Bonus BAME Pay Gap - BAME employees' bonus as a % of white employees' bonus	Bonus pay of BAME employees	Bonus pay of white employees	Difference £
Mean bonus	6.2% Lower	93.8%	£1,523.31	£1,624.59	£101.28
Median bonus	1.4% Lower	98.6%	£1,095.60	£1,110.96	£15.36

Who received bonus pay:

- BAME paid bonus as % of all BAME: 8%
- White paid bonus as % of all White staff: 15%

Note

- Black, Asian and Minority Ethnic (BAME) includes employees recorded in the following categories (categories taken from the 2001 Census): Asian/Asian British (including Chinese), Black/Black British, Mixed/Multiple Heritage and Other Ethnic Group (i.e.: all other categories than that of White British and White Other). For the calculations exclude any employees whose ethnicity is not known.
- A significant proportion of employees in the lower quartile are casual employees and are therefore less likely to enter their ethnicity information on City People.

THE CORPORATION'S DISABILITY PAY GAP ("SNAPSHOT" DATE OF 31 MARCH 2018)

5.7.8 Pay Rates

Pay Rates	Disability pay gap - the difference between the pay of employees who have declared a disability and the pay of employees who have declared they do not have a disability as a % of the pay of employees who have declared they do not have a disability	Disability pay gap - the pay of employees who have declared a disability as a percentage of the pay of employees who have declared they do not have a disability	Hourly rate of employees who have declared they have a disability	Hourly rate of employees who have declared they do not have a disability	Difference £
Mean hourly rate	8.7% Lower	91.4%	£21.10	£23.10	£2.00
Median hourly rate	8.1% Lower	92%	£18.56	£20.19	£1.63

5.7.9 Pay Quartiles

Pay Quartiles	Disabled	Not disabled	Total
Proportion of disabled and not disabled employees in the upper quartile (paid above the 75th percentile point)	2%	80%	82%
Proportion of disabled and not disabled employees in the upper middle quartile (paid above the median and at or below the 75th percentile point)	3%	79%	82%
Proportion of disabled and not disabled employees in the lower middle quartile (paid above the 25th percentile point and at or below the median)	3%	77%	80%
Proportion of disabled and not disabled employees in the lower quartile (paid below the 25th percentile point)	3%	67%	70%

5.7.10 Workforce Composition

Workforce Composition	Disabled headcount	Not disabled headcount	Non-disclosed headcount	Total headcount
Proportion of disabled and not disabled employees in the upper quartile (paid above the 75th percentile point)	25	984	227	1236
Proportion of disabled and not disabled employees in the upper middle quartile (paid above the median and at or below the 75th percentile point)	38	982	216	1236
Proportion of disabled and not disabled employees in the lower middle quartile (paid above the 25th percentile point and at or below the median)	41	955	239	1235
Proportion of disabled and not disabled employees in the lower quartile (paid below the 25th percentile point)	38	824	374	1236

5.7.11 Bonus Pay

Bonus Pay	Bonus Disability Pay Gap - the difference between the bonus paid to employees who have declared a disability and employees who have not declared a disability as a % of employees who have declared a disability.	Bonus Disability Pay Gap - Pay of employees who have declared a disability as a % of pay of employees who have declared they do not have a disability	Bonus pay of employees who have declared they have a disability	Bonus pay of employees who have declared they do not have a disability	Difference £
Mean bonus	26.8% Lower	73.2%	£1,186.67	£1,620.34	£433.67
Median bonus	0%	100%	£1,095.60	£1,095.60	£0

Who received bonus pay:

- Disabled paid bonus as % of all Disabled: 10.6%
- Non-disabled paid bonus as % of all Non-disabled staff: 14.1%

Note

- The calculations exclude any employees for whom disabled/not disabled is not known.
- A significant proportion of employees in the lower quartile are casual employees and are therefore less likely to enter their disability information on City People.

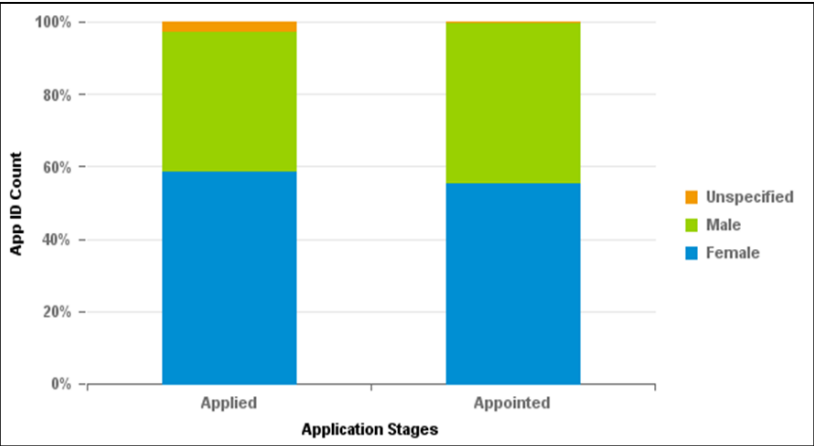
6 TURNOVER

Recruitment Data April 2019- March 2020

The turnover rate including leavers who were on a fixed term contract is 13.11%. This figure is comparable to the turnover across London Councils and a national level of 14.6% according to the Hay Group.

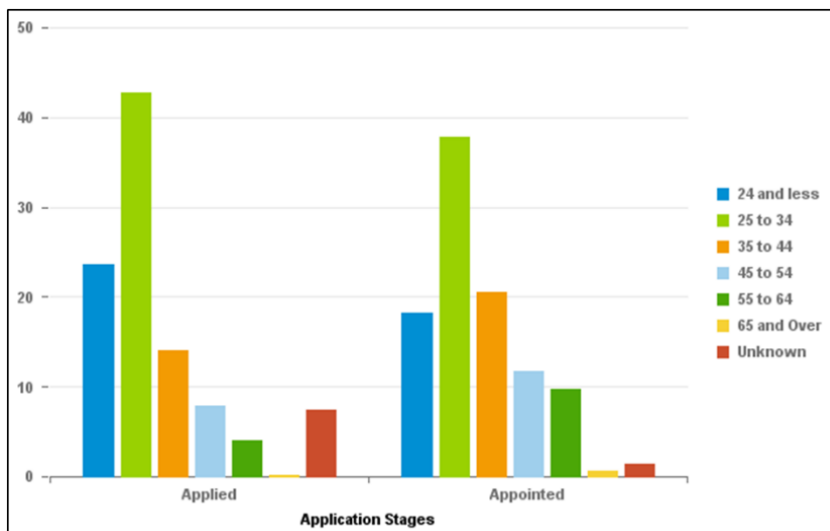
The following charts do not include all recruitment such as recruitment in schools and specialist recruitment where search and section organisations have been commissioned. There was a total of 9975 applicants for posts of which 243 were internal applicant.

6.1 RECRUITMENT BY SEX



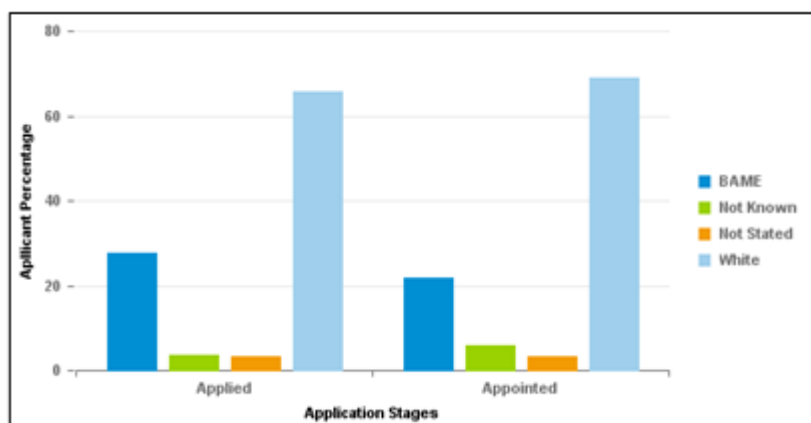
Application Stage	Female %	Male %	Unspecified %
Applied	58.59%	38.39%	3.02%
Appointed	55.17%	44.42%	0.41%

6.2 RECRUITMENT BY AGE



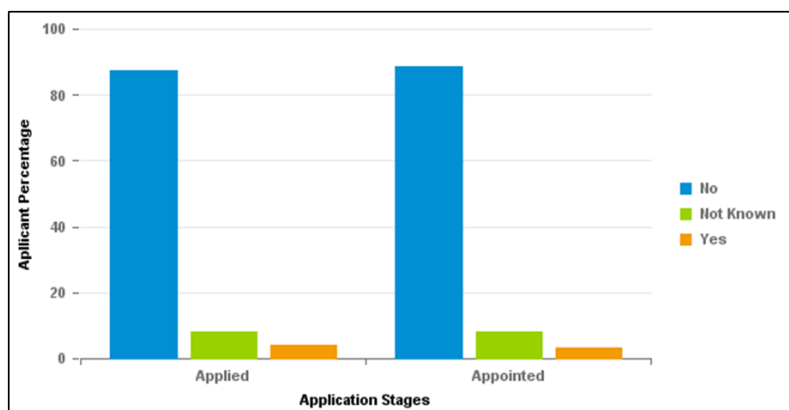
Age	Applied	Appointed
24 and less	23.64%	18.18%
25 to 34	42.78%	37.81%
35 to 44	14.04%	20.45%
45 to 54	7.91%	11.78%
55 to 64	4.03%	9.71%
65 and Over	0.21%	0.62%
Not known	7.38%	1.45%
Total	100.00%	100.00%

6.3 RECRUITMENT BY ETHNICITY



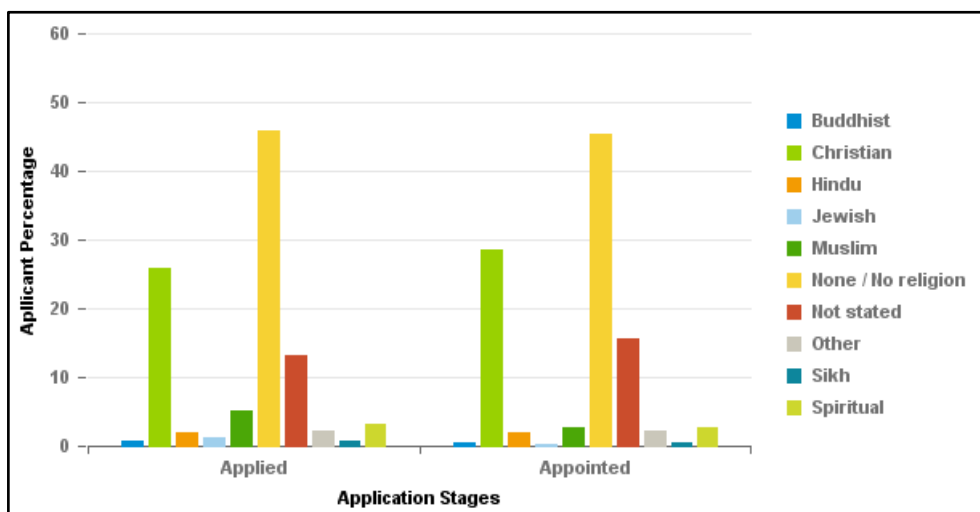
Ethnicity	Applied	Appointed
BAME	27.67%	21.90%
Not Known	3.46%	5.99%
Not Stated	3.16%	3.10%
White	65.71%	69.01%
Total	100.00%	100.00%

6.4 RECRUITMENT BY DISABILITY INDICATOR



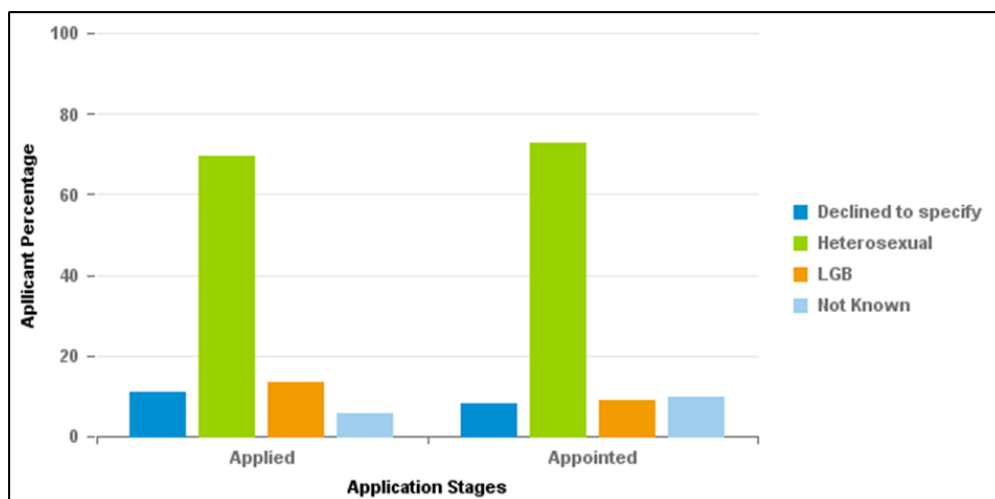
Disability	Applied	Appointed
No	87.48%	88.43%
Not Known	8.27%	8.26%
Yes	4.25%	3.31%
Total	100.00%	100.00%

6.5 RECRUITMENT BY RELIGION AND BELIEF



Religion / Belief	Applied	Appointed
Buddhist	0.85%	0.41%
Christian	25.90%	28.51%
Hindu	1.86%	1.86%
Jewish	1.19%	0.21%
Muslim	5.14%	2.69%
None / No religion	45.85%	45.25%
Not known	13.29%	15.70%
Other	2.12%	2.27%
Sikh	0.61%	0.41%
Spiritual	3.20%	2.69%
Total	100.00%	100.00%

6.6 RECRUITMENT BY SEXUAL ORIENTATION

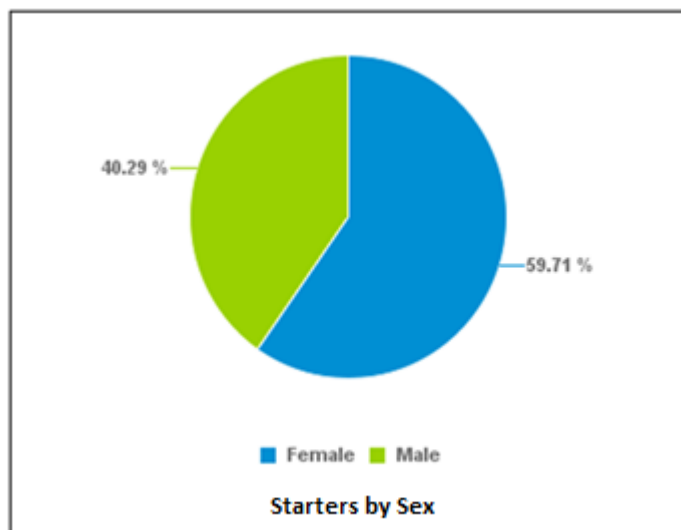


Sexual Orientation	Applied	Appointed
Declined to specify	11.06%	8.26%
Heterosexual	69.58%	72.93%
LGB	13.50%	8.88%
Not Known	5.87%	9.92%
Total	100.00%	100.00%

7 STARTER INFORMATION APRIL 2019 – MARCH 2020

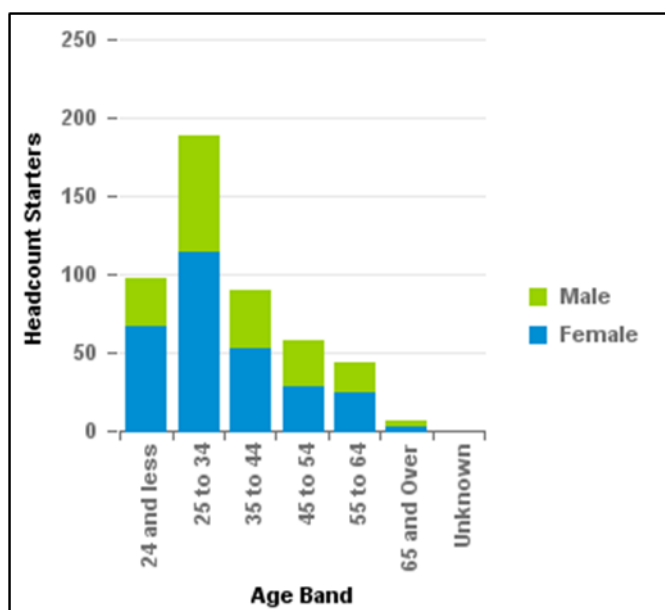
The tables below give a breakdown of the 484 new starters to the organisation including fixed/temporary terms employees. This data does not include those employees who already work for the City Corporation but have changed jobs. There have been 479 leavers in the same period.

7.1 STARTERS BY SEX



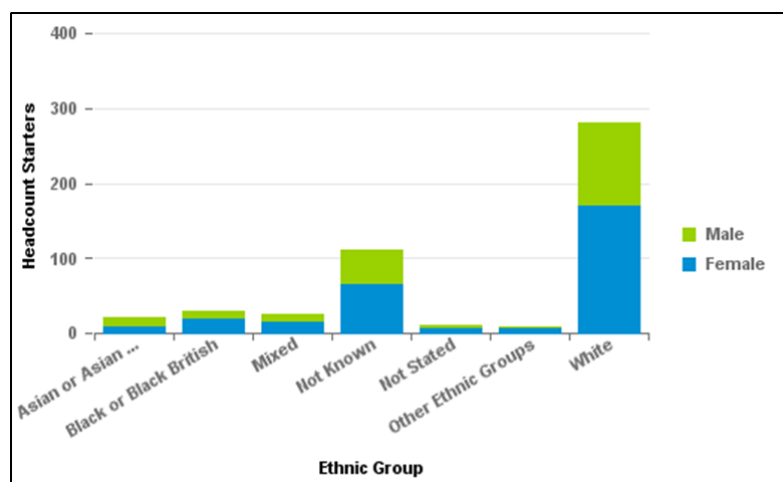
Sex	Headcount	%
Female	289	59.71%
Male	195	40.29%
Total	484	100.00%

7.2 STARTERS BY AGE



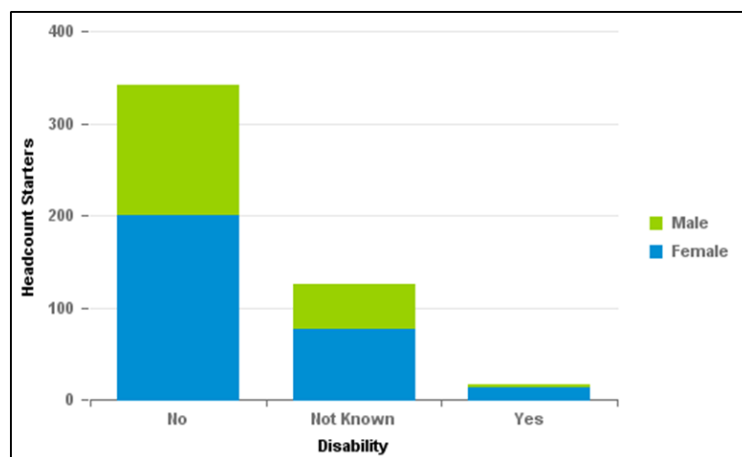
Age Band	Headcount Female	% Female	Headcount Male	% Male
24 and less	67	13.84%	30	6.20%
25 to 34	114	23.55%	75	15.50%
35 to 44	52	10.74%	38	7.85%
45 to 54	28	5.79%	30	6.20%
55 to 64	25	5.17%	18	3.72%
65 and Over	3	0.62%	4	0.83%
Total	289	59.71%	195	40.29%

7.3 STARTERS BY ETHNICITY



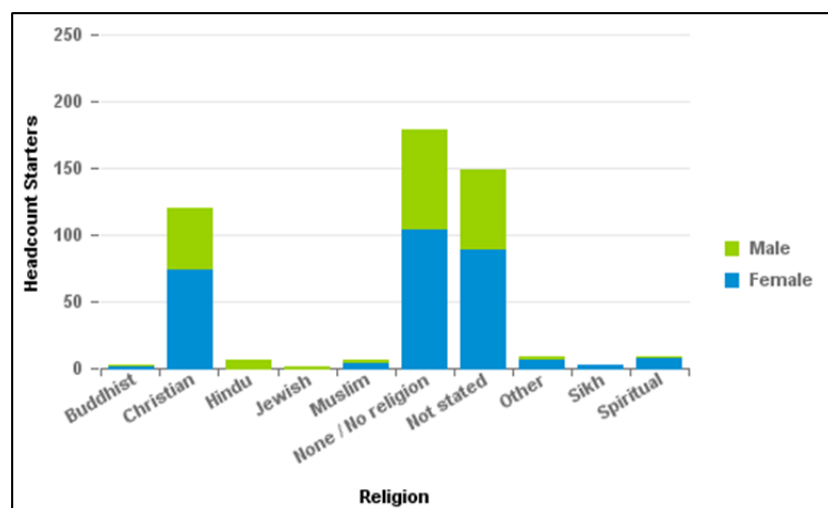
Ethnicity	Headcount Female	% Female	Headcount Male	% Male
Asian or Asian British	9	1.86%	11	2.27%
Black or Black British	18	3.72%	12	2.48%
Mixed	15	3.10%	10	2.07%
Not Known	64	13.22%	46	9.50%
Not Stated	7	1.45%	4	0.83%
Other Ethnic Groups	6	1.24%	2	0.41%
White	170	35.12%	110	22.73%
Total	289	59.71%	195	40.29%

7.4 STARTERS BY DISABILITY INDICATOR



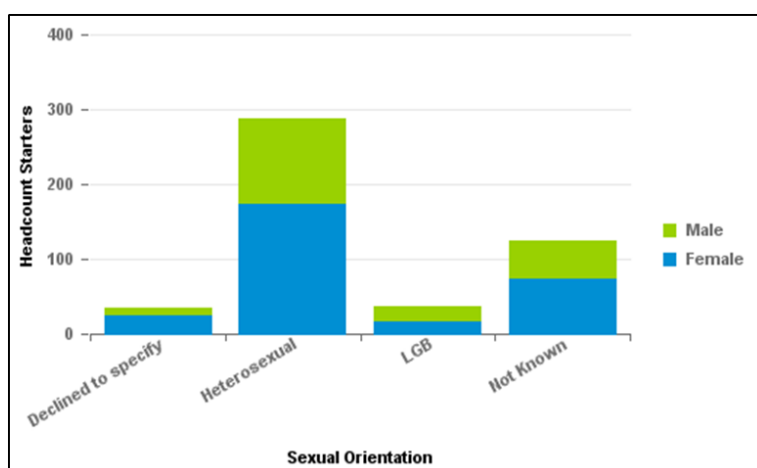
Disability	Headcount Female	% Female	Headcount Male	% Male
No	200	41.32%	142	29.34%
Not Known	76	15.70%	50	10.33%
Yes	13	2.69%	3	0.62%
Total	289	59.71%	195	40.29%

7.5 STARTERS BY RELIGION AND BELIEF



Religion / Belief	Headcount Female	% Female	Headcount Male	% Male
Buddhist	1	0.21%	1	0.21%
Christian	74	15.29%	46	9.50%
Hindu			6	1.24%
Jewish			1	0.21%
Muslim	4	0.83%	2	0.41%
None / No religion	104	21.49%	75	15.50%
Not known	89	18.39%	60	12.40%
Other	6	1.24%	3	0.62%
Sikh	3	0.62%		
Spiritual	8	1.65%	1	0.21%
Total	289	59.71%	195	40.29%

7.6 STARTERS BY SEXUAL ORIENTATION

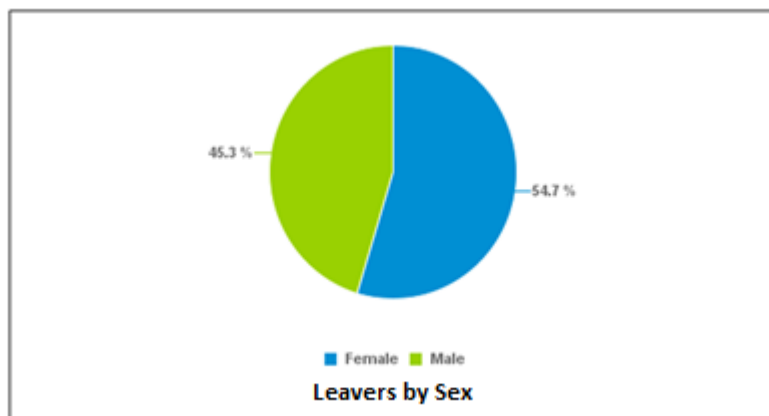


Sexual Orientation	Headcount Female	% Female	Headcount Male	% Male
Declined to specify	24	4.96%	11	2.27%
Heterosexual	174	35.95%	114	23.55%
LGBT	17	3.51%	20	4.13%
Not Known	74	15.29%	50	10.33%
Total	289	59.71%	195	40.29%

8 LEAVER INFORMATION APRIL 2019 – MARCH 2020

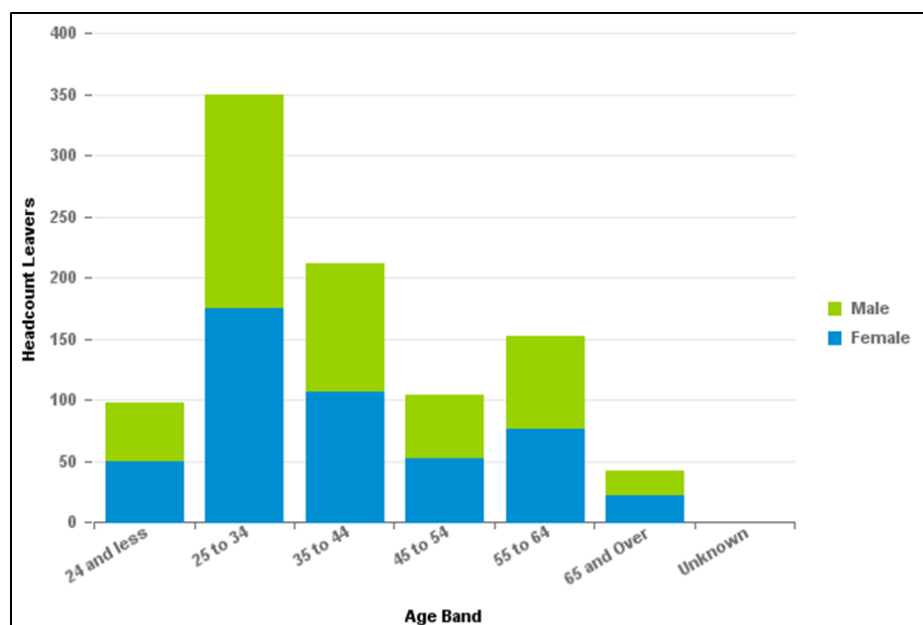
The tables below give a breakdown of the 479 leavers from the organisation.

8.1 LEAVERS BY SEX



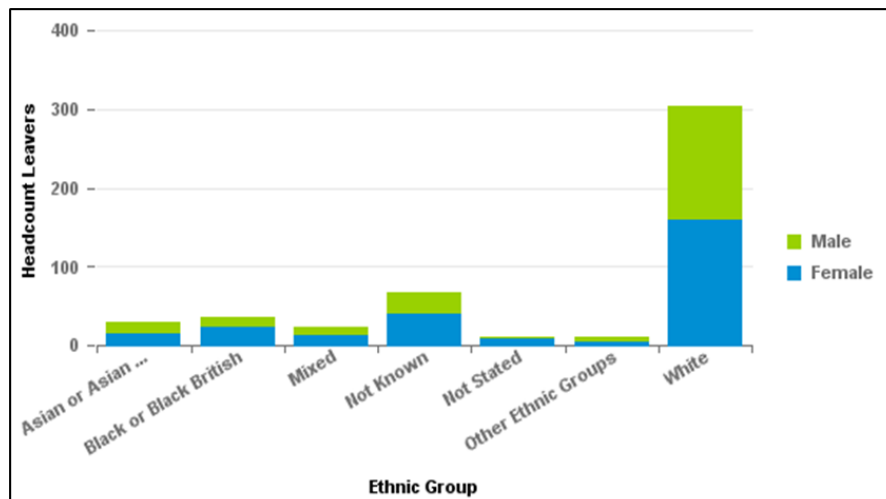
Sex	Headcount	%
Female	262	54.70%
Male	217	45.30%
Total	479	100.00%

8.2 LEAVERS BY AGE



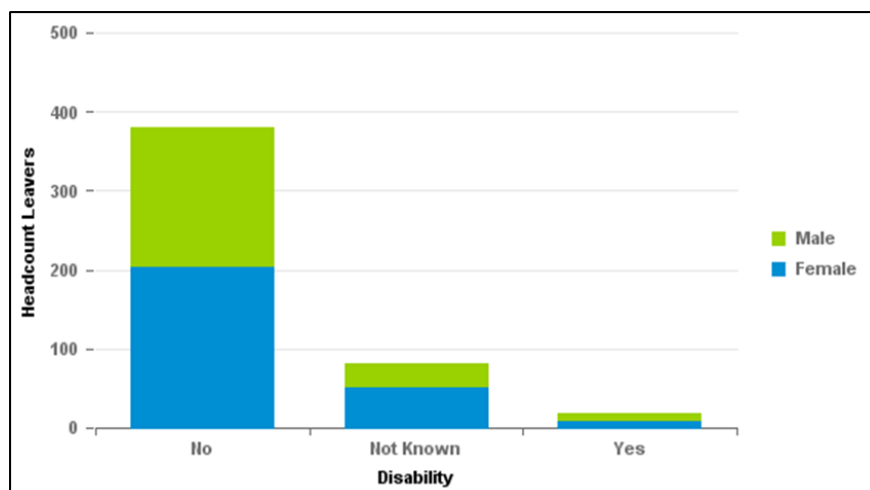
Age Band	Headcount Female	% Female	Headcount Male	% Male
24 and less	31	6.47%	18	3.76%
25 to 34	105	21.92%	70	14.61%
35 to 44	58	12.11%	48	10.02%
45 to 54	28	5.85%	24	5.01%
55 to 64	35	7.31%	41	8.56%
65 and Over	5	1.04%	16	3.34%
Unknown				
Totals	262	54.70%	217	45.30%

8.3 LEAVERS BY ETHNICITY



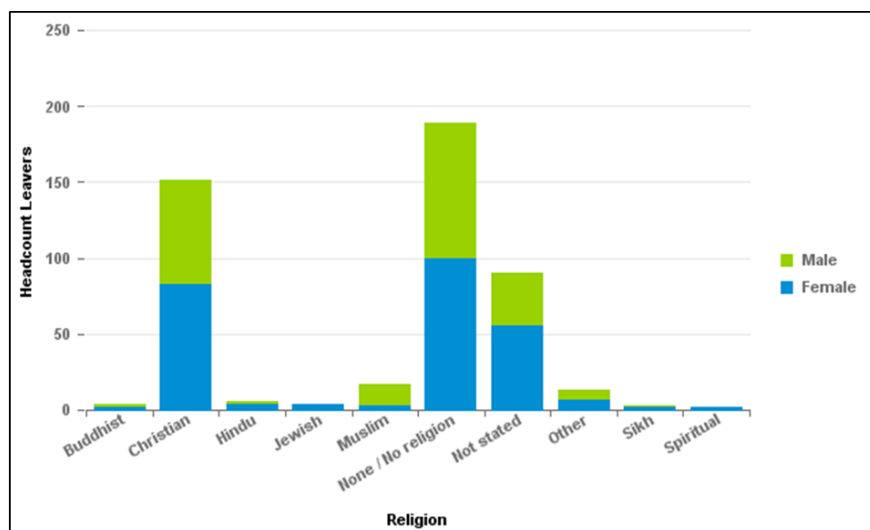
Ethnic Group	Headcount Female	% Female	Headcount Male	% Male
Asian or Asian British	14	2.92%	15	3.13%
Black or Black British	22	4.59%	14	2.92%
Mixed	13	2.71%	9	1.88%
Not Known	39	8.14%	27	5.64%
Not Stated	9	1.88%	2	0.42%
Other Ethnic Groups	5	1.04%	6	1.25%
White	160	33.40%	144	30.06%
Total	262	54.70%	217	45.30%

8.4 LEAVERS BY DISABILITY INDICATOR



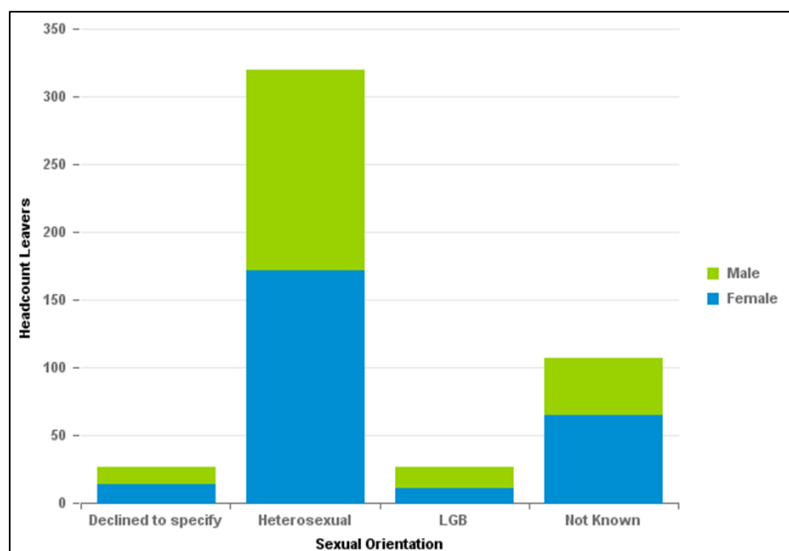
Disability	Headcount Female	% Female	Headcount Male	% Male
No	203	42.38%	177	36.95%
Not Known	50	10.44%	31	6.47%
Yes	9	1.88%	9	1.88%
Total	262	54.70%	217	45.30%

8.5 LEAVERS BY RELIGION AND BELIEF



Religion	Headcount Female	% Female	Headcount Male	% Male
Buddhist	2	0.42%	2	0.42%
Christian	83	17.33%	68	14.20%
Hindu	4	0.84%	2	0.42%
Jewish	4	0.84%	0	0.0%
Muslim	3	0.63%	14	2.92%
None / No religion	100	20.88%	89	18.58%
Not known	55	11.48%	35	7.31%
Other	7	1.46%	6	1.25%
Sikh	2	0.42%	1	0.21%
Spiritual	2	0.42%	0	0.0%
Total	262	54.70%	217	45.30%

8.6 LEAVERS BY SEXUAL ORIENTATION



Sexual Orientation	Headcount Female	% Female	Headcount Male	% Male
Declined to specify	14	2.92%	12	2.51%
Heterosexual	172	35.91%	148	30.90%
LGB	11	2.30%	15	3.13%
Not Known	65	13.57%	42	8.77%
Total	262	54.70%	217	45.30%

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Committee:	Date:
Establishment Committee	
Subject: Revenue Outturn 2019-20	Public
Report of: The Town Clerk, the Chamberlain, the Comptroller and City Solicitor	For Information
Report Author: Laura Tuckey, Senior Accountant, Chamberlain's Department	

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2019-20 with the final budget for the year. Overall total net expenditure during the year was £9.617m whereas the budget was £9.973m representing an underspend of £356,000 as summarised below.

	Original Budget	Final Budget	Revenue Outturn	Variations Better/(Worse) against Final Budget
	£0	£0	£0	£0
Chief Officer				
Total Town Clerk	7,431	7,266	6,859	407
Total Comptroller and City Solicitor	3,347	780	808	(28)
Total Chief Officer	10,778	8,046	7,667	379
Support Services	1,861	1,927	1,950	(23)
Net Expenditure	12,639	9,973	9,617	356

The better than budget position mainly relates to local risk underspends due to savings that have arisen through vacancies (further details can be found in paragraphs 3 and 6 of the main report).

The Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee has agreed to carry forward £32,000 of the £310,000 Town Clerks local risk underspend and the Comptroller and City Solicitor did not submit any carry forward of their £172,000 local risk underspend. These agreed carry forwards will be added to budgets for 2020/21.

Recommendations

It is recommended that this revenue outturn report for 2019-20 and the budgets carried forward to 2020-21 are noted.

Main Report

Budget Position for 2019-20

1. The 2019-20 original budget for the services overseen by your Committee was £12.639m as endorsed by the Court of Common Council in March 2019. This has subsequently been decreased to a final budget of £9.973m. An analysis of the decrease of £2.666m is provided in Appendix 1.

Revenue Outturn for 2019-20

2. As indicated in the table in the summary, actual net expenditure for your Committee's services during 2019-20 totalled £9.617m compared to a budget of £9.973m, resulting in an underspend of £356,000.

Town Clerk - £407,000 decreased net requirement

3. The decreased requirement of £407,000 is comprised of underspends of £310,000 on local risk and underspends of £97,000 on central risk. A breakdown of local and central risk spend is shown in Appendix 2.
4. The reduced local risk requirement of £310,000 was largely due to:
 - Underspends against salary budgets which came to £306,000 which have arisen due to vacancies and delays in recruitment. This underspend represents 4% of the total Town Clerks salary budget.
5. The decreased central risk requirement of £97,000 is mainly due to:
 - A £47,000 underspend against the capital charges budget due to charges being lower than budgeted; and
 - Underspends against the Childcare Voucher Scheme of £27,000 due to the scheme being closed to new applicants since October 2018; and
 - An underspend of £16,000 due to Contingencies not being required in the financial year; and
 - An underspend of £14,000 relating to computer licences costs coming under expected budgets.

Comptroller and City Solicitor - £28,000 increased net requirement.

6. The increased net requirement of £28,000 was comprised of underspends of £172,000 on local risk against an under recovery of income against budget of £200,000 on central risk as shown in Appendix 2.
7. The Local Risk underspend of £172,000 was due to:
 - Underspends on salary budgets which arose throughout the year due to vacancies and delays in recruitment.

8. The Central Risk worse than budget outcome was due to:

- A reduction in property related legal fee income that has resulted in a worse than budget position of £200,000. This was due to a reduced number of property transactions as a result of market conditions.

Carry Forwards to 2019-20

9. In relation to their cash limited budgets, Chief Officers can request up to 10% of the total underspend or £500,000 (whichever is the lesser amount) to be carried forward provided the underspending is not fortuitous and the resources are required for a planned purpose. Such requests are considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

10. Local Risk overspends are carried forward in full to be met from agreed 2020-21 budgets. However, there are no such overspends in relation to the services overseen by the Establishment Committee.

11. The Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee has agreed to carry forward £32,000 of the £310,000 Town Clerks local risk underspend. Details of the use of the carry forwards are set out in Appendix 3.

12. The agreed carry forwards will be added into the 2020-21 budgets.

Appendices

- Appendix 1 – Analysis of movements from 2019-20 Original Budget to 2019-20 Final Budget
- Appendix 2 – Local & Central Risk Breakdown
- Appendix 3 – Carry Forwards

Peter Kane
Chamberlain

John Barradell
Town Clerk

Michael Cogher
Comptroller & City Solicitor

Contact Officers:

Laura Tuckey, Chamberlain's Department
020 7332 1761
laura.tuckey@cityoflondon.gov.uk

Sarah Scherer Town Clerk's Department
020 7332 1982
Sarah.scherer@cityoflondon.gov.uk

Nick Senior, Comptroller and City Solicitor's Department
020 7332 1668
nick.senior@cityoflondon.gov.uk

APPENDIX 1

Analysis of movements 2019/2 Original Budget to Final Budget	£000
Original Local Risk Budget (Town Clerk)	6,948
The Contact Centre moving from Town Clerks to City of London Police	(570)
Apprentice costs met from central allocations	132
Local Risk carry forward from Town Clerk's underspend in 2018/19	77
Addition of the Police Authority Town Clerk post	55
Addition of the Corporate Programme Office post	50
Addition of the Strategic Security Advisor post	50
Contribution Pay & Pension Increases	26
Reduction in income due to Open Spaces moving budget to Town Clerks for Recruitment costs rather than being recharged for service.	15
Final Local Risk Budget (Town Clerk)	6,783
Original Local Risk Budget (Comptroller and City Solicitor)	3,547
Internal Legal fee charge income budget creation	(2,869)
Internal Legal fee non chargeable expenditure budget creation	220
Apprentice costs met from central allocations	42
Contribution Pay & Pension Increases	40
Final Local Risk Budget (Comptroller and City Solicitor)	980
Original Central Risk Budget (Town Clerk)	483
No change to budget	0
Final Central Risk Budget (Town Clerk)	483
Original Central Risk Budget (Comptroller and City Solicitor)	(200)
No change to budget	0
Final Central Risk Budget (Comptroller and City Solicitor)	(200)
Original Support Services and Capital Charges Budget	1,861
Net movements	66
Final Support Services and Capital Charges Budget	1,927
Total Original Budget	12,639
Total decrease	(2,666)
Total Final Budget	9,973

APPENDIX 2

	Original Budget £000	Final Budget £000	Revenue Outturn £000	Variations Better/(Worse) against Final Budget £000
Chief Officer				
Local Risk				
The Town Clerk	6,948	6,783	6,473	310
The Comptroller and City Solicitor	3,547	980	808	172
Total Local Risk	10,495	7,763	7,281	482
Central Risk				
The Town Clerk	483	483	386	97
The Comptroller and City Solicitor	(200)	(200)	0	(200)
Total Central Risk	283	283	386	(103)
Total Town Clerk	7,431	7,266	6,859	407
Total Comptroller and City Solicitor	3,347	780	808	(28)
Total Chief Officer	10,778	8,046	7,667	379
Support Services	1,861	1,927	1,950	(23)
Net Expenditure	12,639	9,973	9,617	356

APPENDIX 3

To Be Approved Carry Forwards	£000
<p><u>The Town Clerk</u></p> <p>The project to supply and fit AV equipment to the offices and corporate meeting room on the 2nd floor in the West Wing was due to be completed by 31 March 2020. All equipment had been ordered and was due to be delivered in good time before the completion date in line with the electrical works that were necessary for the installation. However, this project has been delayed due to the outbreak of COVID-19 and is now on hold until staff and contractors are able to access the Guildhall</p> <p>The timetable for the 15 Project Management Academy training modules were delayed due to the COVID-19 crisis. The launch was planned for March, but this had to be postponed.</p>	<p>14</p> <p>18</p>
Total Town Clerk	32

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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