

| | |
|---|-----------------------------|
| Committee(s): Barbican Centre Board | Dated: 17/11/2021 |
| Subject: Lewis Silkin External Review into racism at the Barbican Centre | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 1, 2, 3, 4, 8 & 10 |
| Does this proposal require extra revenue and/or capital spending? | N |
| If so, how much? | N/A |
| What is the source of Funding? | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | N/A |
| Report of: The Deputy Town Clerk and Chief Executive | For Decision |
| Report author: Liam Jarnecki, Town Clerk's Office | |

Summary

In June 2021, the City of London Corporation announced, following a request from Barbican Centre Board, that Lewis Silkin LLP would oversee an external review into staff experiences of racism at the Barbican Centre (**External Review**). In parallel, an HR Audit (defined below) was conducted by the City of London Corporation.

Our vision is for a Barbican Centre with equity, diversity and inclusion at its heart, which reflects the diversity of London's communities. The Centre is committed to a radical transformation of culture and behaviours to build a culture in which staff feel confident, valued and respected, and where there is zero-tolerance of all forms of discrimination. The Barbican is a leading international arts and learning centre, a magnet for people from across the globe. This is all down to our staff.

The External Review considered the experiences of racism and discrimination highlighted by staff at the arts centre in the recent Barbican Stories publication and worked with staff to identify further incidents or matters of concern. Lewis Silkin was asked:

(a) To identify and investigate specific concerns of race or other discrimination; and

(b) To listen and report on broader cultural themes.

The External Review was also asked to make recommendations on the actions the Barbican and City Corporation should take with regards to policies and processes and, if appropriate, individual conduct.

The reports resulting from the External Review (Appendix 1) and the HR Audit (**HR Audit Action Plan**, Appendix 2) have now been received by the Town Clerk, who has overseen the drawing up of an Action Plan to address the issues raised.

The Board is asked to note the content of the reports and endorse the **Tackling Racism Action Plan** (Appendix 3) so that the drive for change can be continued at pace.

Recommendations

Members are asked to:-

- Note the content of the reports resulting from the External Review and the HR Audit.
- Authorise the Town Clerk to:
 - implement the Action Plan (as defined below) including delegating responsibility for specific actions to the appropriate people;
 - take such further steps as are deemed appropriate by him with regard to the Specific Allegations (as defined below); and
 - implement the actions recommended by the HR Audit.

Main Report

Background

1. Barbican Stories, published on 10 June 2021, is a collection of first-hand and witnessed accounts of discrimination at the Barbican Centre, written anonymously by current and former employees who have experienced racism. The Barbican Stories acted as a catalyst for the action that the Barbican Centre Board and Management took next which included the following key steps:
 - a. Instructing Lewis Silkin LLP to conduct the External Review;
 - b. Appointing Nina Bhagwat as the Interim Director of Equity, Diversity and Inclusion from August 2021 to drive the Barbican's anti-racism work and to ensure the Barbican's inclusion agenda progresses swiftly;
 - c. Tasking Sandeep Dwesar and Will Gompertz, as Joint Interim Managing Directors from September 2021, with leading a programme of cultural change, including taking steps towards the Barbican's anti-racism objectives;
 - d. Setting out an anti-racism 10 step action plan for cultural change; and
 - e. Commissioning a City of London HR Audit of the Barbican Centre which was published in August 2021.

2. These immediate measures represent the beginning of what is anticipated to be a long journey of cultural change at the Barbican. This report seeks the Barbican Centre Board's formal endorsement of the proposed plan of action. It also seeks the commitment and support of the Board to stand with the Barbican, sponsor the proposed changes and help guide the Centre through cultural change.
3. The City Corporation has now received the HR Audit and External Review Report and have formulated an Action Plan in response to these with the benefit of specialist legal advice.

Current Position

4. Ten key themes emerge out of the External Review which may be categorised and summarised as follows:
 - a. Concerns about the External Review itself;
 - b. Lack of confidence in Barbican leadership;
 - c. Structural / organisational problems;
 - d. Lack of confidence in Human Resources function and processes;
 - e. Problems with progression / recruitment / promotion for people of colour;
 - f. Casual staff issues;
 - g. Lack of understanding and knowledge about racism;
 - h. Bullying;
 - i. Third party behaviour; and
 - j. Programming issues.
5. Actions to address each of these themes have been set out within the Action Plan (Appendix 3) including a summary which has been prepared aiming to highlight and clarify the relative priorities of the steps identified in the Action Plan.
6. The External Review Report also identified a significant number of allegations about incidents which involve named (or identifiable) employees or former employees (the **Specific Allegations**). These allegations have been kept confidential as they contain sensitive and personal details relating to both complainants and those accused of wrongdoing. It would be inappropriate to share the Specific Allegations with the Board; it is crucial that there is some protection of the identity of those people who have been brave enough to come forward and share their experiences and stories. Furthermore, it is recognised that these are allegations, not findings, of wrongdoing at this stage, so there should be no compromising the integrity of the processes that will now arise from those allegations addressed later in this report.
7. The Specific Allegations broadly fall under the following themes:
 - a. Allegations relating to HR;
 - b. Allegations relating to the Visual Arts Team;
 - c. Lack of awareness/lack of confidence in leadership;
 - d. Stereotypical assumptions about race;
 - e. Bullying behaviour;

- f. Racist comments/conduct;
 - g. Sexist comments/conduct;
 - h. Belittling of women of colour's achievements;
 - i. Failure to be offered job opportunities;
 - j. Failure to escalate concerns appropriately; and
 - k. Retaliation.
8. Each allegation has been considered individually in detail and appropriate action will be taken in respect of every single one, save those where the External Review recommends that no further action can be taken. The action taken will be proportionate, taking account of the recommendations from the External Review team, the legal advice received, the recommendations in the HR Audit and the Action Plan that is already in place. There is therefore a further, confidential but substantial action plan in respect of the Specific Allegations (the **Specific Allegations Action Plan**) which includes recommendations for further investigation, disciplinary action, one-to-one feedback and training, and coaching.

Proposals

9. It is proposed that the Action Plan and the Specific Allegations Action Plan should be implemented and that the Town Clerk be authorised to proceed with implementing these, delegating specific tasks as deemed appropriate.
10. It will be crucial both for ensuring implementation of the plan and for gaining the trust of the Barbican staff for a senior Member of the Board (or the Board as a whole) to sponsor the implementation of the plan, to champion it and to ensure accountability.
11. The progress of the Action Plan will be presented to the Board at each regular Board meeting going forwards.

Corporate & Strategic Implications

12. The Tackling Racism Action Plan (Appendix 3) directly supports Objectives 1 – 4 of the Corporate Plan (People are safe and feel safe, People enjoy good health and wellbeing, People have equal opportunities to enrich their lives and reach their full potential, Communities are cohesive and have the facilities they need). In addition, there are demonstrable links with Objective 8 (access to the skills and talent we need), which can only be achieved through a diverse workforce and with Objective 10 (inspire enterprise, excellence, creativity and collaboration) which is at the heart of the City Corporation's vision for the Barbican Centre.

Financial and Resource implications

13. In preparing the Action Plan and the Specific Allegations Action Plan, thought has been given to budgetary and resourcing constraints and proportionate action recommended. Both matters will be kept in contemplation as implementation is progressed. Two additional members of staff (comms and

policy) continue to work on a fixed term basis, allocated from existing resources.

Legal implications

14. The legal implications of taking (or not taking) action in respect of individual allegations has been considered and will continue to be considered as the Action Plan and the Specific Allegations Action Plan are implemented.

Risk Implications

15. Due to the sensitive nature of this issue, there are considerable risk factors of a significantly negative impact, not least in reputational terms to the Barbican Centre Board and the City Corporation itself.

Equalities implications

16. This issue is rooted in its equality implications and ensuring not just public sector compliance with the Equality Act 2010 – but ensuring that actions taken as set out within this report make a positive impact on all Barbican personnel including people protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. Equality Impact Assessments will be conducted as required.

Climate implications

17. None

Security implications

18. None

Conclusion

19. The concerns about racism at the Barbican are not a small issue that can be resolved quickly. This is a big, all-encompassing issue and the External Review must be seen as the start of what will likely be a long journey to address it and meaningfully change culture at the Barbican Centre. The Board's collective support and commitment to this journey is required in order to ensure progression.
20. In summary, Members are asked to approve the overall Action Plan set out in the appendices and actively support this movement towards real change at the Barbican Centre, holding the Board, the Town Clerk and those who are delegated responsibility for the actions accountable for successful implementation of the plan.

Appendices

- Lewis Silkin LLP External Review Final Report dated 17 November 2021 (**Report**);
- City of London HR Audit of the Barbican Centre Report dated 9 September 2021 (**HR Audit**);
- **Action Plan** comprising a summary of a consolidated List of Actions (**Summary of Action Plan**) along with tables of thematic issues identified in the Report and actions listed to address these issues.

Liam Jarnecki

Project Manager, Barbican Renewal

T: 07736631439

E: Liam.Jarnecki@cityoflondon.gov.uk