

Written evidence submitted by the Clerk of the House (MAC0053)

Update on Written Submission – Memorandum from the Clerk of the House

1. This memorandum is an update to my written submission to your committee on 18 June 2019 concerning your inquiry – The Macpherson Report: Twenty years on.¹
2. I submitted that memorandum following your evidence session with Imran Khan QC.² Imran Khan’s evidence raised concerns around the findings of the *Stand in my Shoes* report by the Parliamentary Workplace Equality Network ParliREACH that highlighted issues of race, ethnicity and cultural heritage in Parliament. This memorandum serves to update you on further progress made to address the concerns raised in the report and later in evidence.

Actions by the House of Commons updated March 2021

3. The House of Commons Diversity and Inclusion (D&I) Strategy and Corporate Action Plan 2019 – 2022³ sets out our ethnicity and cultural challenge and is committed to explicitly ensuring that ethnic, racial and cultural diversity remains a top priority. A programme of work for Black, Asian, and Minority Ethnic (BAME) inclusion has been developed and will be incorporated into the D&I Corporate Action Plan and progress continues to be made against these actions.⁴

Access Restrictions

4. New access rules, removing grade restrictions have been in place since January 2020⁵. Security staff and doorkeepers have received specific training in the new rules. The new rules have provided more access for all staff including BAME staff.
5. The rules and practices governing access to services and facilities around the Commons Estate had been identified as contributing to a ‘them and us culture’ by Dame Laura Cox in her report⁶. As many staff have been working remotely since March 2020 and many facilities have been closed, there is not enough evidence at this time to determine the impact of their removal on the culture of the organisation. However, Phase Two of the Pass Checking Review referred to at para 9 of this submission is considering the extent to which BAME colleagues feel comfortable to take advantage of the recent rule changes.

¹ <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/the-macpherson-report-twenty-years-on/written/105774.pdf>

² <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/the-macpherson-report-twenty-years-on/oral/103155.pdf>

³ Diversity and Inclusion Strategy 2019 -2022 <https://www.parliament.uk/mps-lords-and-offices/offices/commons/house-of-commons-commission/hoc-diversity-inclusion-strategy/>

⁴ The House of Commons has been using the term Black, Asian and Minority Ethnic (BAME). This will be reviewed in the coming months in light of changes made to government guidance: <https://www.ethnicity-facts-figures.service.gov.uk/style-guide/writing-about-ethnicity>

⁵ Access Arrangements: <https://intranet.parliament.uk/Documents/Access-in-the-Commons-booklet.pdf>

⁶ Dame Laura Cox Report Independent Enquiry Report: <https://intranet.parliament.uk/Documents/dame-laura-cox-independent-inquiry-report.pdf>

Racial Bias

6. The Stand in my Shoes report included several first-hand accounts of BAME colleagues who said that they are more frequently and more forcefully asked to have their passes checked.
7. ITN ran their own survey in February 2020 on the experiences of BAME Members of Parliament. They have reported that 62% of BAME Members⁷ stated they had experienced racism or racist profiling on the Parliamentary Estate.
8. A new programme of training is being developed for those Parliamentary Security Department (PSD) staff whose role it is to check passes. This is following the outcome of the pass checking review and subsequent report. The report has recommended that training to combat racial bias and equip staff with the skills to build positive relationships and trust needs to be redesigned.
9. A review of the process for checking security passes started in 2020. The review was conducted by a panel that included Members and staff of both Houses, as well as external specialists and members of ParliREACH. The review consists of two phases. The first considered pass checking for security purposes and was completed in November 2020. The review panel put forward a series of recommendations to address issues identified and the Parliamentary Security Department have responded to these by giving dedicated resource to the implementation and integration of the recommendations. A new body, the Pass Checking Oversight Board, has been established to oversee implementation of recommendations, and monitor progress over time. It includes representatives from both Houses and reports on a quarterly basis to the Boards of both Houses. The board is chaired by the Director of Parliamentary Security who is committed to ensuring that everyone in the Parliamentary Security Department lives the values of both Houses and treats all members of the parliamentary community with respect and courtesy. The second part of the review, which considers access, is now underway.
10. A cultural audit (Everyone has a Voice survey) and a Health, Safety, Stress and Wellbeing audit (Health and Safety Executive (HSE) Stress and Wellbeing Survey) have been implemented since last year. The HSE survey measured stress and wellbeing, and found that on 5 out of 7 measures, BAME colleagues shared the same attitudes as White colleagues. The Everyone has a Voice survey measured employees' experience of organisational culture, and found disparities between BAME and White colleagues' perceptions on a number of measures.

⁷ <https://www.itv.com/news/2020-02-17/more-than-half-of-black-asian-and-minority-ethnic-bame-mps-asked-by-itv-news-have-experienced-racism-in-parliament>

Both surveys found that BAME colleagues reported higher levels of experiencing bullying and harassment:

The HSE survey identified that:

- Compared to White staff (5%), proportionately nearly twice as many BAME employees (9%) recorded that they often/always experienced personal harassment in the form of unkind words or behaviour.
- Lower proportions of BAME staff (80%) reported that they were *never/seldom* subject to bullying and harassment compared to their White colleagues (89%). BAME staff working in In-House Services and Estates and non desk-based roles were significantly more likely to report that they were subject to personal harassment *and* had encountered bullying than other BAME colleagues.

The Everyone Has a Voice survey found that:

- More than a fifth (22%) of BAME staff had *personally experienced* bullying or harassment in the last 12 months compared to 15% of White employees.
- Compared to White staff, proportionately nearly three times as many BAME staff reported that they had *personally experienced* discrimination at work in the last year (27% BAME, 10% White).

BAME Representation

11. The House will voluntarily publish its ethnicity pay gap for the second time. The planned publication date is 31 March 2021. The ethnicity pay gap is the difference between the average earnings of white and BAME staff, expressed relative to the earnings of white staff. The median ethnicity pay gap for the House of Commons at 5 April 2020 currently 12.4 % (8.7% in 2019) and for the Parliamentary Digital Service (which is bicameral) it is 8.8 %. (10.2% in 2019). Our initial assessment of the House of Commons data is that there three main contributing factors which account for the increase:
 - 7.7.% increase in FTEs mostly in pay bands where non-BAME colleagues are a majority (SCS, A, B)
 - Almost half (47%) of the new staff joined Strategic Estates with pay flexibilities (market supplements, retention payments) and in higher pay bands with fewer BAME staff (this was just before the official establishment of the Sponsor Body and later in the Delivery Authority)
 - Reduction in declaration rates (87% in 2019 and 82% in 2020) contributing to a seemingly decreasing BAME community
12. Further investigation will be needed in order to take appropriate action and this will be a priority for the Diversity & Inclusion team going forward. The House of Commons is also conducting an inclusive recruitment review this year in order to identify how it can better attract a wide range of talent and skills to the organisation.

13. There is currently 10% BAME representation in SCS and A pay bands (as a proportion of those who shared this information - of all those surveyed 85% of staff in pay bands SCS and A provided their ethnicity data). This has increased from 6% in 2015. The benchmark to be achieved over the next two years is 13%, in line with the economically active national population.
14. The Press Pause policy aimed at ensuring diverse shortlists has been extended to pay band B. The work of the Diversifying Senior Leadership programme has been incorporated into the new HR strategy 2020 -2025. The strategy is focused on inclusive recruitment and will seek to support the implementation of the D&I strategy targets. Areas of focus include:
 - diverse panels,
 - diverse and inclusive sourcing partners, and
 - creative ideas to encourage and facilitate access to Parliament for those who are BAME.
15. New recruitment data disaggregated by ethnicity was recently introduced. This will allow House teams to monitor their quarterly performance in recruiting BAME staff. The data provides information at each stage of the recruitment process to identify issues and to develop strategic solutions for improvement.
16. The first cohort have completed the BAME sponsorship programme in October 2020. A new Connected Leadership programme was introduced in October 2020 with ten leaders joining the programme. In 2021, a further three cohorts of fifteen leaders will participate in the programme. The programme has ringfenced places for BAME staff.
17. The House of Commons BAME Internship Programme is continuing, and the number of places extended. The Scheme is open to BAME candidates for roles across the House of Commons Service. The aim is to develop and retain the interns to help diversify our internal staffing pipeline, particularly in teams with low BAME representation. All the interns from the 2020 intake have secured either fixed term or permanent roles within the House Service.
18. The Pathway to Success Leadership Development programme, in partnership with Operation Black Vote, Oxford University's Magdalen College, Blavanik School of Government, and Lloyds Banking Group, is a new initiative working to equip BAME individuals with the tools and knowledge required to stand for political office. Thirty participants attended the first programme held in September 2019. Although unsuccessful, three participants stood as Parliamentary candidates at the 2019 General Election held in December. The second cohort of the programme is due to take place in March and April 2021. The number of places on the programme has been increased from 30 to 60. This is due to the overwhelming number of applications received, totalling over 1000 for the initial 30 places.

Actions taken to remove racial bias and improve BAME representation

19. The House of Commons Executive Board agreed that a BAME Advisory Group should be set up and chaired by the Clerk of the House of Commons for one year. The Group has been established to help expedite the effort to improve the lived experience of BAME colleagues by systematically removing barriers and focusing on outcomes that can be seen, heard, felt and communicated. This also extends to removing structural inequalities that may exist and in doing so closing the gap between the organisation's ambitions to be a diverse and inclusive workplace and the lived reality of Black and BAME colleagues. The BAME Advisory Group is a subgroup of the House of Commons Diversity and Inclusion Steering Group.
20. The BAME Advisory Group identified five key outcomes to be delivered through seven workstreams.

Key outcomes

- Black, Asian, and Minority Ethnic staff feel visible, valued, that they can be themselves and that they belong.
- All colleagues collaborate to make the House an inclusive organisation.
- Strong representation of Black, Asian, and Minority Ethnic staff at all levels of the organisation, particularly at senior levels.
- Staff have confidence and competence in anti-racism. We demonstrate our zero tolerance to racism, and are demonstrably removing racial bias in our systems and processes.
- The public trust and believe that the House is a diverse and inclusive employer.

Workstreams and actions include:

Inclusive Culture

- A sustained approach to equality diversity and inclusion programmes that embeds inclusive behaviour.
- Review of the Independent Complaints and Grievance Scheme to ensure it is taking account the views of BAME colleagues, trusted by BAME colleagues and is equipped and demonstrating that it is addressing racism and supporting BAME colleagues.
- The development and monitoring of Inclusive leadership in our people and our senior leadership be visible in their inclusion commitment and authentic leadership.
- Ensure inclusive access including; a review of access restrictions; a review of the security pass-checking process to address the perception of racial profiling.

Retention and Progression of staff

- Creation of clear career pathways and opportunities for staff progression at all levels.

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- Increased mentorship and sponsorship activities for BAME staff including reciprocal mentorship.

Recruitment

- A full recruitment review is to be undertaken, codesigning with the House departments inclusive and proactive processes that address barriers to BAME applicants end to end.

Internal Brand and Public Trust

- Building an employer brand.
- Reviewing external communication channels and content to ensure that anti-racism is clear and diverse representation is apparent.

Internal Comms

- Ensuring representation of diverse staff in all media.
- Continue to showcase the work on removing racial inequality.

Wellbeing of BAME Staff

- Ensuring wellbeing support is accessible to BAME staff.
- Ensuring comprehensive early intervention and resolution of staff complaints.

Data Driven Decision Making

- Staff understanding of how and why to provide their ethnicity data
- Data disaggregated by ethnic group is reported regularly and used to inform future work.

Monitoring and Assurance

21. Work to address any racial bias, improve the lived experience of BAME staff, improve BAME representation particularly at senior levels and general culture change is well underway with many of the actions progressing or completed. The actions of the BAME Advisory Group workstreams are expected to be concluded by June this year in line with the actions of the Corporate Diversity and Inclusion Strategy 2019 -2022.
22. Progress of the actions in the workstreams of the BAME Advisory Group are presently monitored by the group but will be incorporated into the Corporate Diversity Action Plan from June 2021 when the term of the BAME Advisory group ends. The actions and outcomes for the Diversity and Inclusion Strategy are monitored by the Diversity Steering Group that is held quarterly, chaired by the Clerk of the House of Commons and reporting to the Commons Executive Board. The progress of diversity and inclusion within House teams is monitored by people boards held each quarter to monitor the progress and outcomes of team “people plans.”
23. The table below shows the recommendations that have been actioned by the House of Commons and Parliamentary Digital Service in response to ParliREACH’s Stand in my Shoes report. Five of the six recommendations have been actioned at this time.

| The 'Stand in my shoes' report recommendations | Actioned by the House of Commons and Parliamentary Digital Service |
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| <p>Recommendation 1 Both Houses must commit to publishing a race/ethnicity pay gap audit for 2019.</p> | <p>This is the second year that the House of Commons and Parliamentary Digital Service will voluntarily publish its ethnicity pay gap. The ethnicity pay gap was first published in April 2020 and will be published again on 31 March 2021 and the House of Commons has committed to publishing the ethnicity pay gap each year going forward.</p> |
| <p>Recommendation 2 Diversity (explicitly including ethnic, racial and cultural diversity) should be one of the key objectives in both Houses' corporate strategies and in all team strategies. This would demonstrate the importance of diversity to the organisation and Parliament's commitment to improve.</p> | <p>Creating a diverse and inclusive working environment is one of the four strategic aims in the Corporate Strategy of the House of Commons and Parliamentary Digital Service. It is our goal to strengthen diversity and inclusion within leadership and management; achieve ethnic diversity of staff at senior levels; support career progression opportunities for staff; and embed diversity and inclusion in our service delivery and ensure good practice across the House Service. Diversity and inclusion is also incorporated from the Corporate Strategy into the new HR Strategy as a key objective in the new HR Strategy. Following the introduction of the new HR strategy House and PDS teams are developing their individual "people plans" that should include improving diversity and also ethnic, racial and cultural diversity.</p> <p>The Diversity and Inclusion team have been moved to the centre of the organisation to reflect its importance, and strengthen the leadership of the function.</p> |
| <p>Recommendation 3 Grade and role related access restrictions for toilets, restaurants, bars and other Parliamentary facilities in both Houses should be removed with</p> | <p>New access rules, removing grade restrictions have been in place since January 2020⁸. Security staff and doorkeepers have received specific training in the new rules. The new rules</p> |

⁸ Access Arrangements: <https://intranet.parliament.uk/Documents/Access-in-the-Commons-booklet.pdf>

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| <p>immediate effect and only reinstated after one year if a business case can be made for particular restrictions.</p> | <p>have provided more access for all staff including BAME staff.</p> |
| <p>Recommendation 4 A leadership programme designed specifically to enable BAME colleagues to progress in both Houses should be established. This has previously been approved by the Commons Executive Board but has since stalled. We would like to see progress on this in the Commons within a year.</p> | <p>A new Connected Leadership programme has been introduced in October 2020, with ten leaders joining the programme. In 2021, a further three cohorts of fifteen leaders will participate in the programme. The programme has ringfenced places for BAME staff.</p> |
| <p>Recommendation 5 There should be a review of the openness and transparency of current recruitment and promotion processes across both Houses. Recruitment and promotion policies should ensure that: All roles and promotion opportunities are properly advertised, A report is produced on the diversity of the outcomes of each board, and The Press Pause mechanism is used more widely, for internal and external posts, across both Houses and at least include all posts at A grade and above in the Commons .</p> | <p>A new House of Commons HR Strategy has been launched in October 2020, focusing on diversity and inclusion. As part of this strategy work has started on the review of our current recruitment strategies and policies, and the impact these have on our staff and workplace culture. The Recruitment Review team will review and assess the processes currently used to attract, recruit and onboard staff members, both internal and external, to ensure that we are well positioned as an employer of choice. In addition to identifying different ways of recruiting in today's market, the team will maintain a focus on inclusion and ensure that our approach to recruiting and engaging new talent includes an ability to reach diverse and wide ranging communities. This will also include diverse panels, diverse and inclusive sourcing partners, and creative ideas to encourage and facilitate access to Parliament for those who are BAME.</p> <p>New recruitment data disaggregated by ethnicity was recently introduced. This will allow House teams to monitor their quarterly performance in recruiting BAME staff. The data provides information at each stage of the recruitment process to identify issues and to develop strategic solutions for improvement.</p> |

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| | The Press Pause policy aimed at ensuring diverse shortlists has been extended to include paybands A and B. |
| Recommendation 6 For all senior managers, their performance in promoting and supporting a diverse workforce at all grades and challenging excluding policies, behaviours and discrimination should be assessed in annual appraisals. | A new coaching approach to performance management was launched in April 2020 involving coaching style conversations to identify work priorities and individual development needs. Seasonal conversations are held four times to identify areas of individual focus for the next few months. The scheme is currently being reviewed with an inclusion lens and with the support of members of the BAME Advisory Group. |

General Culture Change

24. The Independent Complaints and Grievance Scheme (ICGS)⁹ was implemented in 2018 and includes a Behaviour Code, a Bullying and Harassment Policy, and a Sexual Misconduct Policy which are in place for all staff. The Bullying and Harassment Policy refers to harassment relating to race or ethnicity and the Sexual Harassment Policy refers to intersectionality.
25. There is mandatory training in place (Valuing Everyone) for all Parliamentary Staff. in relation to the ICGS Scheme. Members and their staff are also strongly encouraged to undertake this training, and the vast majority of Members have now done so. To date 2914 (92%) of House Staff including the Parliamentary Digital Service, and 577 (89%) of Members and 606 (19%) Members staff have now been fully trained.
26. The Cultural Transformation team established in 2019 and tasked with translating the recommendations from Dame Laura Cox report into tangible, measurable and lasting change has progressed actions in the D&I strategy 2019-22:
 - a) Implement the actions arising from the Dame Laura Cox report (4.2)
 - b) Further develop the ICGS and promote positive behaviours we expect of all in an inclusive culture, challenging unacceptable behaviour (4.18)

The three key recommendations of the Dame Laura Cox Report have now been implemented.

- The ICGS is now available for those with non-recent complaints of bullying harassment or sexual misconduct. Those complaints are being investigated by a new pool of independent investigators. The ICGS Memorandum of Understanding has

⁹ ICGS: <https://intranet.parliament.uk/people-offices/icgp1/>

been agreed by both House Administrations and a new single helpline was launched on 3 July.

- Following agreement by the House, an Independent Expert Panel (IEP) has been established to determine complaints of bullying or harassment in relation to Members of Parliament submitted under the Independent Complaints and Grievance Scheme (ICGS). In cases where the IEP recommends the most extreme sanctions, such as suspension or expulsion of any Member, the House must approve the recommendation via a motion in the Chamber and any such motion will be taken without debate.
- The House of Commons Service has introduced new values that describe what we want our culture to be and how we will work together to deliver our shared strategy and our new vision, 'Everyone has a voice'. The values aim to interpret how we embody the Parliamentary Behaviour Code for the Commons House Service. There are four Values: Inclusive, Courageous, Trusted and Collaborative. Each value is described by three supporting behaviour statements to expand on what they mean for how we behave in the House of Commons. The Cultural Transformation Team works closely with the Diversity and Inclusion Team and colleagues across the House to encourage and support inclusive behaviours.

27. An independent 18 month review of the ICGS, which reported in February 2021, found that members of the Parliamentary community from a BAME background were less likely to have used the ICGS helpline, despite the fact that (as noted above) they are more likely to report experience of bullying and harassment in staff surveys. We will undertake further research and engagement activities to address this.
28. The new training designed for panellists of recruitment selection boards will have a greater focus on inclusion.
29. Inclusive language guidance and sessions for staff development, with a focus on race and ethnicity, are still to be developed.
30. The House of Commons continues to be signed up to the Race at Work Charter; by doing so we have committed to that Charter's calls to action.¹⁰ This is to ensure that the House of Commons Service is tackling barriers that ethnic minority people face in recruitment and progression and that the House is representative of British society today.

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¹⁰ <https://www.bitc.org.uk/race/>