



RESPONSIBLE RESTRUCTURES: FACING THE FUTURE TOGETHER

With one in three businesses expecting to cut jobs in the third quarter of 2020, employers must take an inclusive approach and minimise the impact for the future.

Introduction

Even while the immediate threat of COVID-19 is still affecting communities, our economy is facing the worst recession in 100 years. The Bank of England expects GDP to shrink 9.5% in 2020 and the effect on jobs to be profoundⁱ. While predictions in May suggested a quick rebound, by August, unemployment was expected to take much longer to return to pre-pandemic lows.

A survey of 2,000 companies by the Chartered Institute of Personnel and Development (CIPD) and Adeccoⁱⁱ found that one in three businesses are planning to cut jobs as the government's furlough scheme winds down between August and October. Research conducted by the Institute of Employment Studies has shown that redundancies are being planned at double that of the previous recession, with 380,000 jobs at risk between May and Julyⁱⁱⁱ. More than 4 in ten employers have implemented recruitment freezes and many are freezing or cutting pay to minimise job losses.

Responsible businesses must balance the need to reduce costs with the need to remain competitive and innovate to achieve sustainability. We know that diversity in all its forms is a game changer when it comes to productivity and innovation^{iv}. We cannot allow gains of the last few decades in terms of gender



equality, race equality and workplace inclusion to be undone in our response to this crisis.

The pandemic has forced us to rethink how we work, learn and interact with both people and the planet, with businesses proving daily that they can adapt at pace and scale.

This toolkit supports employers to balance the tough economic choices they need to make now with business success and sustainability in the longer term. If the UK is to rise to current and future challenges, we believe it is essential for businesses to build back responsibly with diversity and inclusion at their core.

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CALLS TO ACTION

Business in the Community has three immediate and essential asks of businesses that are considering restructures and redundancies.

Protect and support

- Make redundancy the very last resort.
- Seek alternatives such as a freeze on recruitment and outsourcing, redeployment, or reduced hours, in consultation with staff.
- If redundancies are unavoidable, consider the practical steps you can take for all affected employees to help them plan for their future and prevent them from becoming long-term unemployed.
- Understand your demographic make-up and conduct Equality Impact Assessments (see Appendix for more details) to ensure no groups are being unfairly disadvantaged.

Upskill and reskill

- Develop essential skills in your existing employees using the [Skills Builder Universal Framework](#) and make essential skills training available to employees facing redundancy to help them to move more easily between roles, employers and industries.
- Ensure all employees have acquired basic skills in maths, English and digital technology and support employees wishing to reskill into new technical or job-specific areas.

Involve and empower

- Involve the people who will be affected by decisions in both the decision-making process and deciding how those decisions are carried out.
- Make efforts to include representatives from disadvantaged and excluded groups and create open and safe communications channels for representatives to gather and feed in diverse viewpoints.

How Business in the Community (BITC) can help

BITC is developing an advisory product, available to all members, to support businesses facing restructures or redundancies through this process and to lessen the impact on disadvantaged groups. It will support participants:

- To understand the business benefits of conducting Equality Impact Assessments
- To identify what decisions, policies and procedures can be effectively assessed using this method
- To understand the process for effectively carrying out an Equality Impact Assessment
- To be empowered to carry out Equality Impact Assessments within their organisation
- To understand the action they can take as a result of the findings of an Equality Impact Assessments

More details of this advisory service will follow the publication of this guide.

THE CASE FOR INCLUSIVITY

As we face a global recession and high levels of unemployment, promoting and protecting social mobility in the job market over the coming months and years will be vital.

The Social Mobility Commission identifies the benefits of socio-economic diversity as creativity, resourcefulness and the diversity of thinking needed for innovation.^v

These are the crucial ingredients for businesses to be able to build back better across the full range of responsible business areas from education to wellbeing and the environment.

The economic potential of inclusivity in terms of race is significant. The McGregor-Smith review puts the potential benefit to the UK economy from full representation of black, Asian, and minority ethnic groups across the labour market, through improved participation and progression, at an estimated to £24bn annually^{vi}.

Matthew Syed's book Rebel Ideas^{vii} shows how racial diversity and diversity of experience enable innovation and success.

57%

of the top 35 companies in the Fortune 500 in 2017 were founded or co-founded by immigrants or the children of immigrants

Syed found that the immigrants or children of immigrants are twice as likely to become entrepreneurs and make disproportionate positive contributions to technology, patent production, and academic science.

“[Inclusion and diversity] are powerful enablers of business performance. Companies whose leaders welcome diverse talents and include multiple perspectives are likely to emerge from the crisis stronger.” - McKinsey and Company

Take race and gender together and powerful things happen. McKinsey and Co reports that businesses with gender diverse senior teams are likely to financially outperform competitors by 25%, while ethnically diverse senior teams are likely to outperform by 36%. The greater the inclusion, the better. Executive teams with more than 30% women are 48% more likely to outperform teams with fewer women.^{viii}

Flexible working became the new norm almost overnight as the UK's workforce was told to work from home and anecdotal evidence from this period points to a rise in productivity and a desire for many to continue to work from home.^{ix}

However, flexibility needs to be considered not just in terms of where and when people work but also in terms of how their work is structured.

Syed gives the example of a workshop at Google in 2014 which encouraged sales and administrative employees to adapt their tasks and relationships to better align with their interests, skills and values. Those who attended the workshop were found to be 70% more likely to get a promotion or move into a preferred job.

EXISTING DISADVANTAGES

Despite the business case for inclusion and diversity, the numbers show that inequalities persist, and some companies are seeing inclusion as a luxury they cannot afford in a crisis.^x

When it comes to talking about inequality in the UK, it is difficult to get a comprehensive picture. We tend to look at income, age, health, race, and gender inequalities separately, but we know that when you consider people rather than numbers, they are deeply interrelated. The recent focus on intersectionality in the media recognises this but we are still a long way from a genuinely intersectional understanding of inequality.

The Social Mobility Commission talks about “double disadvantage” across class, disability, ethnicity and gender^{xi} but even this does not recognise the multiple disadvantage faced by many people across protected characteristics and other, legally unprotected, forms of disadvantage such as being a carer or having a criminal conviction.

Women

Women at work in the UK typically earn less than men, hold fewer senior roles and are disproportionately represented in ‘precarious’ or unstable work. The recent Times Top 50 Employers for Women report highlighted that the gap between women’s and men’s pay had widened in favour of men, with 78 per cent of the biggest companies in Britain reporting a disparity.^{xii}

The situation is especially acute for women of colour. While ethnicity pay-gap data is not

routinely collected by the Office of National Statistics, research has found Bangladeshi and Pakistani women experiencing an aggregate gender pay gap with White British men of 26.2 per cent.^{xiii}

Black and minority ethnic groups (BAME)

The inequalities faced by BAME workers are well-documented, with the [Government’s Race Disparity Audit in 2018](#) showing that people from BAME backgrounds were almost twice as likely to be unemployed as those from white backgrounds.^{xiv}

The Carnegie Trust’s [Race inequalities in the workforce report](#) also highlights how BAME young adults are 47% more likely to have a zero-hours contract those who are white making them more vulnerable to cutbacks.

Young people and older workers

Young people (aged 16-29) and older workers (aged 50+) are the age groups most affected by the COVID-19 crisis^{xv}. Prior to the COVID-19 crisis, the unemployment rate for 16-24s was 11.7%, in comparison to 4.1% for the wider population. So far they have been hardest hit by recent job losses as a result of the pandemic and the government’s latest Job Retention Scheme statistics^{xvi} showed that young people aged 17 to 29 were the most likely of all ages to be furloughed.

One in four (2.5 million)^{1xvii} older workers have been furloughed and the number of people aged 50+ claiming unemployment benefits almost doubled from 300,000 to 580,000 between February and June 2020.^{xviii} These figures raise concerns that these groups will be hardest hit in forthcoming redundancies as the furlough scheme comes to an end.

Like young people, older workers (aged 50+) are also expected to be particularly at risk in a recession. They tend to remain unemployed for longer and face significant age bias in recruitment.

The overall impact on older workers is likely to be much more significant than in the last recession as there are more older people in work. Just before the COVID-19 crisis, older workers made up almost a third (32.6%) of the UK workforce compared to 24.5% back in 2010 – an increase of almost 3.7m people. There is a particular concern about carers (the peak age for caring is 55-64) and those with health conditions and disabilities, who may face additional challenges in returning to work.

Carers

A quarter of the workforce is now juggling work and providing unpaid care to an older, disabled, or ill relative or friend. Many of the services and groups that support older and vulnerable people have not yet re-opened or are only providing limited services, putting more pressure on working carers. This in turn impacts on carers' health and wellbeing; it may also affect their ability to do their work and make them more likely to leave their job or take up redundancy packages.

EXCLUDED GROUPS ARE MORE LIKELY TO BE IN LOW-PAID WORK. Low earners are seven times more likely than high earners to work in a sector that was shut down because of COVID-19.

BAME young adults are 47% more likely

to have a zero-hour contract than those who are white, making them vulnerable to cutbacks.

People with disabilities

While more than 3.7 million disabled people were in work before the pandemic, disabled people were still more than twice as likely to be unemployed as non-disabled people.^{xix}

LGBT

According to Stonewall^{xx}, 18 per cent of LGBT people who were looking for work said they were discriminated against because of their sexual orientation and/or gender identity while trying to get a job in the last year.

One in eight black, Asian and minority ethnic LGBT employees (12 per cent) has lost a job in the last year because of being LGBT, compared to four per cent of white LGBT staff.

Excluded groups

Even in a thriving economy, certain groups that fall outside the Equality Act 2010's protected characteristics still struggled to gain employment. BITC's [Responsible Business Tracker](#) identifies the following excluded groups: carers, ex-military, people with criminal convictions, long-term unemployed, people who have experienced homelessness, refugees, and survivors of modern slavery. These groups are more likely to be in low-paid, insecure and low-skilled roles and are therefore particularly vulnerable in a recession. In February 2020, just before COVID-19, Government estimates showed there were a record number of people employed on zero-hour contracts for their main job, representing 3% of all people in employment.^{xxi} Early analysis of job

losses once the pandemic hit showed that low earners were seven times more likely than high earners to have worked in a sector that is now shut down.^{xxii}

Ex-military personnel are almost twice as likely to be unemployed as civilians. People with criminal convictions are still widely discriminated against and, despite having the right to work, refugees face barriers in terms of qualifications, language, and documentation.^{xxiii}

As the UK's non-essential workforce moved to home working during the pandemic, a divide opened between them. Low-paid, key workers had to continue to face the virus on the frontline, while other low-paid workers in non-food retail and hospitality were most likely to have been let go or furloughed.

LEARNING FROM PREVIOUS RECESSIONS

The last recession can provide some insight into the expected impact of the current economic crisis on certain groups.

Many of the reasons behind this are complex, but research on the impact of the 2008 recession shows that economic pain is not distributed evenly and is more likely to exacerbate or worsen existing structural disadvantage and inequality.

For example, after the 2008 recession, the unemployment rate for young people was three times that of working age adults. Although some level of relative disadvantage is a standard feature of most labour markets due to inexperience and as a rule of thumb the youth

unemployment rate is usually double the standard rate^{xxiv}.

Data from the Government Equalities Office released in 2010 showed that members of the Caribbean and African community saw unemployment levels rise by 6.9 per cent – from 13.2 per cent in the first quarter of 2008, to 20.1 per cent in the third quarter of 2009. This compares with a 2.8 per cent rise in white unemployment, up from 4.8 per cent to 7.6 per cent, over the same period.^{xxv}

The impact of the previous recession by gender is more complicated. Whilst the indicators suggest that men were worse off than women, others have countered that this was because of the pre-existing disadvantage experienced by women and the fact that many did not qualify for Job Seekers' Allowance or redundancy pay.^{xxvi}

As the Government's Job Retention Scheme is wound down and employers consider how to respond to economic pressures, progress made on inclusive employment since the last recession could be wiped out in a single year.

Only by considering the impact of current financial decisions on workplace diversity in all its forms can businesses mitigate the negative consequences of going backwards on diversity in terms of the productivity and innovation they need to survive and thrive in the future.

HOW EMPLOYERS CAN SAFEGUARD THE FUTURE

Employers can and must play a vital role in avoiding the devastating impact of the current recession on diverse and inclusive workplaces in three ways:

- **Protect and support**
- **Upskill and reskill**
- **Involve and empower**

Redundancies should always be a last resort. Recent guidance from Acas says: "Some businesses have found innovative ways to deal with the crisis through restructuring that has allowed them to safeguard jobs in consultation with trade unions."

They recommend the following alternatives to redundancy:

- consult staff to seek their views on ideas that can help mitigate the financial difficulties that the business may be facing, eg a recruitment freeze or limits on overtime.
- look at more flexible ways of working – you can agree to update employment contracts to allow more flexible working such as remote working to reduce office costs, compressed hours or job shares
- temporarily stop working or reduce working hours – you can agree with staff to stop working for a while or to work fewer hours
- move employees into other suitable jobs – you should try and move employees who would otherwise be made redundant into other jobs within the organisation. If a role

is suitable and you do not offer it to them then it could be judged as an unfair dismissal.^{xxvii}

If redundancies are unavoidable, consider the practical steps you can take for all affected employees to help them plan for their future and prevent them from becoming long-term unemployed.

Protect and support

Understanding the current diversity of your workforce and applying an equality impact lens to any policies or changes being considered is vital.

An Equality Impact Assessment (EqIA) is "a way of systematically taking equal opportunities into consideration when making a decision...on significant changes to policy or services and decisions that could have disproportionate impacts on individuals or groups protected under the Equality Act 2010."^{xxviii}

In 2019, a BITC member and national employer in the construction sector changed its delivery model and was rigorous in its application of an Equality Impact Assessment which was applied at every decision point in their restructure process. The unwavering use of the EqIA resulted in the organisation reducing the numbers 'at risk of redundancy' and mitigating job losses with no disproportionality in those that remained with the organisation, or those that left the organisation.

Equality Impact Assessments have been widely used in the public sector, although recent Government guidance around this has relaxed requirements in light of COVID-19.

BITC believes this approach is more important now and all businesses should use Equality Impact Assessments to:

- i) take an informed, mindful approach to changes such as pay cuts and redundancies
- ii) seek to make changes considering the findings to ensure that workplace diversity is not negatively affected.

BITC recommends using Equality Impact Assessments across all demographic groups including:

- Race
- Gender
- Age (older and younger workers)
- Disability
- Low-paid staff (earning under the real Living Wage as set by the Living Wage Foundation)
- Carers

While it may not be possible to monitor for the full range of excluded groups discussed in this guide, monitoring employees on low pay will help to ensure you protect some of the most economically vulnerable people in your workforce.

You can find the principles of an Equality Impact Assessment Framework in the [Appendix](#).

For groups which are disadvantaged in the labour market but may not be considered through an EqIA, such as those from lower socio-economic backgrounds or facing barriers to work, measures should be taken to ensure that they too are not disproportionately affected. For example, consider the impact on employees whose entry-routes into your organisation came through specific partnerships or programmes eg with youth charities, employability providers, supported internships etc.

Provide additional support with job application skills to people who have been in the same job for many years. Without this support many may 'choose' to leave. For example, older workers, may choose to take early retirement or redundancy packages over applying for jobs as they fear facing age bias or feel that other applicants may have more recent experience of going through a selection process.

In any significant workplace change we also recommend considering how to support the wellbeing of these groups. BITC's full suite of wellbeing guides can be found [here](#).

Upskill and reskill

Whether your business is restructuring, growing, or contracting, all employers have a responsibility to equip their employees with the skills they need to adapt to the changing nature of work. This is even more important in an increasingly tight jobs market and an economy attempting to build back better.

Essential skills have been identified as the skills we all need to succeed in work and life. Even before the crisis, businesses were clear that young people were not leaving school with the essential skills that they need such as listening, problem-solving and teamwork. These skills are now even more important. They enable flexibility and adaptability, support collaboration and provide a foundation for learning job-specific skills^{xxx}.

BITC's research in 2019 identified the main benefits of employees having essential skills as confidence, improved working relationships and improved productivity.^{xxx}The [Skills Builder Universal Framework](#) defines eight essential skills and the steps individuals can use to develop and demonstrate these.

Developing these in your existing employees and making essential skills training available to employees facing redundancy can help them to move more easily between roles, employers and industries. For more details, visit www.bitc.org.uk/essential-skills



Employers should also work to ensure all employees have acquired basic skills in maths, English, and digital technology and to support employees wishing to reskill into new technical or job-specific areas.

Involve and empower

Involving the people who will be affected by decisions in both the decision-making process and deciding how those decisions are carried out will ensure a fair and inclusive approach to difficult circumstances.

Ensuring employees have a voice, either through union representation or through employee representatives who can offer confidentiality and anonymity, will open up conversations and provide a vehicle for honest feedback and new ideas. Liaise with your employee networks, if you have them, eg Women's networks, BAME networks, Carers groups, LGBT+ and Generations networks to understand how you can best support the needs of different groups within your workforce.

Line managers are likely to be affected by changes themselves as well as being the first line of communication with employees. Training line managers to take a compassionate, flexible and open approach to supporting employees, while providing them with additional support to undertake this role is essential.

ORGANISATIONS THAT CAN HELP

Being an inclusive employer means working with your employees and partners in your community who can provide support and expertise. Here are just a few organisations that can help.

Acas

Acas provides independent support for employers on managing redundancies and employees on their rights. They also offer a dispute resolution service. Visit: <https://www.acas.org.uk>

Business in the Community

BITC inspires and engages employers to become more responsible and to tackle some of society's biggest issues. Employment support includes equality and diversity, wellbeing, excluded groups, future skills and good work. Visit: www.bitc.org.uk

Business Disability Forum

Business Disability Forum (formerly the Employers' Forum for Disability) exists to transform the life chances of disabled people, working through and with business to create a disability-smart world. Visit: <https://businessdisabilityforum.org.uk>

DWP/JobCentre Plus

The employer help website outlines the full range of government support for businesses and employees and provides employer advice. Visit:

<https://employerhelp.dwp.gov.uk> and
<https://www.gov.uk/guidance/inclusive-recruitment-support>

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Thanks too to charity and public sector partners listed above who are providing invaluable support for employers on these issues.

APPENDIX

Equality Impact Assessment Principles

Below we have outlined the key principles of how to use Equality Impact Assessments to model the impact of business restructuring on specific groups, and how to prevent negative impacts on at-risk colleagues:

1. Take an informed approach

Ensure you know the demographic profile and wage distribution of your workforce at the beginning of 2020; as a minimum you should consider the protected characteristics and where possible other information known to impact earnings.

This can include information on caring responsibilities, location, levels of education, part time or full-time hours and contract status.

2. Model the impact of your plans

Whether it's restructures, downsizing, redeployment, or other measures driven primarily by the changed economic circumstances, businesses should model the impact that any changes will have on different groups within their workforce, considering the indicators listed above.

Consider also potential 'long tail' impact on other business metrics such as gender and ethnicity wage gaps, talent pipelines and regional presence.

3. Consider alternative action

If your plans, individually or when considered as a whole, have a disproportionate impact on protected or disadvantaged groups within your workforce and / or wider diversity and inclusion metrics, take alternative action.

This might include considering how you can target certain groups in any recruitment or other areas of growth or development – for example using the benefits of a newly flexible approach to many roles to recruit diverse candidates.

Aiming to ‘finish up’ with a similar, or more diverse profile, than you began with will help your business weather the ongoing challenges. It is also responsible business practice.

ENDNOTES

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