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High Risk, No Reward: Resolving Employment Rights Problems In London

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Author & Acknowledgements

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About Us

ClearView Research (ClearView/CVR) is an audience insight and strategy agency. We are specialists in working on research, evaluation and engagement projects with young people, minority ethnic groups, culturally diverse communities, people with protected characteristics and those who often go unheard. We are committed to ensuring that our work is always inclusive and equitable. We strive to ensure that all of our participants enjoy the research process and find it accessible, engaging and empowering. We ensure that their voices are central in the materials (e.g. reports and frameworks) that we produce. **We work best with organisations who give a damn and want to make a genuine impact.**

We are proud to be a:

- **MRS company partner** that upholds and acts in a manner compliant with the strict ethical and rigorous rules contained in the MRS Code of Conduct.
- **Certified B Corporation**, which is a certification only awarded to organisations who exemplify the highest standards of social corporate responsibility, transparency and accountability. Our Impact Business Model is recognised for its intended design to create positive outcomes for all our stakeholders and address community-oriented challenges. Our standards and values serve as a foundation for social, economic, environmental and governance best practices for businesses. We exist not just for profit but to benefit all people, communities, and the planet.

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About the Greater London Authority (GLA)

The GLA is the regional authority responsible for the strategic administration of Greater London. It consists of one Mayor (currently Sadiq Khan) and 25 London Assembly members elected every four years by Londoners. With the support of the GLA's staff, they are working to build a better London for everyone – a safer, fairer, greener and more prosperous city for all Londoners.

The Mayor is responsible for making London a better place for everyone who visits, lives or works in the city by providing citywide leadership, setting an overall vision for London, and creating plans and policies to achieve this. The GLA has powers and interests in a range of policy areas, including transport economic development and emergency planning.

As part of the Mayor's work to make London a fairer city to work in, his officers have commissioned this research to better understand the barriers preventing Londoners from enforcing their rights in the workplace.



Executive Summary

The uncertainty in the labour market during COVID-19 presented new challenges for workers' rights. These included possible violations centred around inappropriate personal protective equipment (PPE), being forced to work when self-isolating or on furlough, unfair dismissal, and decisions around compulsory vaccinations. Efforts to understand how workers¹ can be better supported to defend their rights in the workplace are crucial to ensure people are protected and know what support is available to them. This is particularly the case in the UK where employment legislation requires workers to proactively enforce their own rights at work.

Our research highlights the many barriers that Londoners face in attempting to defend their rights at work and provides vital insights into some of the employment rights breaches that they experience. Importantly, it also finds that those who already face disadvantages due to their migration status, disabilities, gender, ethnicity or other characteristic are more likely to experience employment rights breaches and face significant challenges when attempting to defend their rights.

Barriers to defending your rights

- 1. Participants spoke about language barriers preventing them from defending their rights at work.** This was not only in the sense of people lacking fluency in English to hold their employers to account but also in the sense of lacking the technical language. They found if they did not use the specific buzzwords to challenge an employer, their concern was not taken seriously.
- 2. Participants who were migrant workers or those who had no access to public funds**

showed greater hesitancy when we explored the role of external support organisations.

Participants who had no recourse to public funds explained they would only reach out to trusted organisations that people in their communities had recommended instead of government agencies, for fear of possible knowledge sharing between government organisations.

- 3. The general lack of awareness of external support organisations did not mean, however, that people had not tried to educate themselves about their experiences and/or support available.** Across the board, participants shared how they regularly researched online how they could address the problems they faced at work. Of these, some people were unable to find the correct or relevant information, whilst others did not know how to apply the information they found to their own situation.
- 4. At two extremes, participants identified both hierarchical and informal workplaces as the hardest environments to raise concerns in.** The former sometimes created an environment unreceptive to upward feedback, whilst the tight-knit environment of the latter made it difficult to raise concerns about colleagues. Participants felt that if employers were resistant to make adjustments early into an employment – particularly adjustments for those with additional or disability needs – they were less likely to raise a concern later down the line.
- 5. Many participants – particularly those of Black, Asian and minority ethnic backgrounds, women, and those with disabilities – described how daily experiences of microaggressions or problematic language in the workplace acted as a constant reminder that they did not belong or were not protected by their**

employer. Participants shared that this culture of discrimination in an organisation meant they completely lacked confidence that they would be listened to adequately should they have a concern. For those who did raise concerns, the power play that then occurred caused many to prefer to leave the organisation than try to repeatedly address the issue.

- 6. People would repeatedly refer to the emotional and mental impact of not being able to resolve an issue at work.** Participants would regularly face maltreatment after raising an issue, and then were faced with a choice to stay silent or leave the organisation but risk their source of income. Many felt this choice was not fair.
- 7. Participants lacked hope that employers would be self-starting to create informed and supportive environments to raise concerns.** However, participants were keen to understand how the GLA could contribute to the enforcement of standards and hold organisations more accountable.

Employment rights in London

- 1. Across the capital, most Londoners are employed in permanent positions, but there is some variation in employment status when split by demographics.** Non-UK born Londoners are more likely to be on a fixed term contract than those who were born in the UK. Similarly, those with a disability are less likely to be on a permanent contract. Although we do not know the underlying causes of this, it is concerning considering the fewer statutory rights afforded to people in this form of employment.
- 2. Problems with pay are the most common type of employment rights breach Londoners have faced in the last two years (14%), followed by problems with taking time off work (9%).**

When split by demographics, Black and Asian Londoners in employment are more likely to have experienced both problems with time off work and being paid less than the minimum wage. In contrast, higher earners, White respondents and Londoners without a disability are least likely to have experienced a breach.

- 3. Citizens Advice and Trade Unions are the most widely known organisations that offer support with employment rights issues, with 94% and 93% of respondents respectively saying they know something about them.** When broken down by demographics, White Londoners have greater awareness than any other ethnic group of half of the organisations that provide support, including Acas, Trade Unions, Citizens Advice, mediation services and the Health & Safety Executive. Similarly, higher earners are more aware of mediation services and the national minimum wage than lower earners in London. It is worth noting that there were a large number of organisations that offer support that participants across ethnic groups were not aware of, including White Londoners. The other organisations that people across the board were not aware of included legal advice centres, The Mayor of London's Employment Rights Hub, the Employment Agency Standard Inspectorate, HMRC National Minimum Wage, and the Gangmasters and Labour Abuse Authority. This poses a question around access to information and support available.

Background to the project

The GLA has an ongoing programme of work focused on supporting Londoners to understand and enforce their employment rights. As part of this, in October 2019, the Mayor of London's office invested in and established the Employment Rights Hub, designed with the purpose of helping Londoners to better understand their rights at work, as well as signposting information to trusted sources of support or advice in London. The rationale behind the investment in the hub was that not knowing your rights was a crucial barrier preventing people from voicing their concerns at work. To ensure the information reaches a broad audience, particular focus has been on ensuring the information provided by the hub is accessible across different languages and formats.

The uncertainty in the labour market during COVID-19 presented new challenges for workers' rights. These included possible violations centred around inappropriate personal protective equipment (PPE), being forced to work when self-isolating or on furlough, unfair dismissal, and decisions around compulsory vaccinations. This changing environment pointed to the vital role the Employment Rights Hub plays. Not only did 17% of the working population as a whole face redundancy during the pandemic,² but there were also clear inequalities in who was experiencing the brunt of the crisis. 27% of disabled people and 1 in 2 people who were extremely clinically vulnerable to Coronavirus (48%) were facing redundancy.³ Similarly, 1 in 8 workers unable to work from home felt their employer had not put sufficient measures in place to keep them safe from COVID-19.⁴ Given the overrepresentation of Black, Asian and minority ethnic groups in key worker

occupations, this meant that some ethnic groups increased their risk of exposure.⁵ Going into the COVID-19 pandemic, there was already a high backlog of employment tribunal cases facing the system. Since the pandemic has eased, according to the most recent government data, we have seen the highest level of employment tribunal claims since 2013.⁶ High demand and unmet need for employment rights support, advice and advocacy from advice organisations and trade unions is therefore at an all time high. It is crucial that we understand the broader picture that might prevent people from enforcing those rights in the workplace and allow Londoners to feel more protected in their place of work.

In this context, the GLA commissioned ClearView Research to undertake a co-creative qualitative research project in order to understand what additional barriers exist – in addition to knowledge of rights – that are stopping people from enforcing their rights in the workplace. This occurred in parallel to a survey conducted by YouGov to outline the types of abuses Londoners were facing and the process they would go through to seek support or take action. The qualitative part of the project explored these experiences in-depth with a particular focus on solutions going forward. It was also particularly concerned with building understanding of how these barriers may vary given different sectors, different employment status, different levels of pay, the type of abuse experienced and different demographics. While there are high-risk sectors and conditions that make employment rights violations more likely, they are not unique to any particular sector or employment status. Understanding how these

barriers may vary or intensify across factors is crucial to developing relevant and impactful solutions.

The voices of Londoners who have experienced employment rights abuses or who have struggled to advocate for their rights at work are at the heart of this research, both through co-designing the research process and questions, but also in the identification of the barriers and solutions themselves. It is only through listening to the lived experience of participants that the solutions proposed will be sufficiently nuanced and applicable to people's lived realities.



Project Approach

We designed this research project based on a co-creative, qualitative and deliberative approach to ensure that those with lived experience of employment rights violations were at the centre of the research project. The project consisted of a co-creation group supporting on the design of the process, interviews and workshops, as well as an expert advisory group to advise on the legal context. Focusing on people's stories of employment rights violations is crucial to understand the nuances and multi-layered ways someone can feel intimidated or coerced at work. By using this qualitative approach, we were able to ensure people's stories then became central to how we think about solutions and how to support people in similar scenarios. Similarly, by using a deliberative approach, participants themselves were able to reflect on their own lived experiences to build solutions going forward.

It was crucial throughout the process that we also engaged people from different sectors, with different employment statuses, different levels of pay and with an array of different demographic factors. The challenges that face individuals trying to assert their rights at work will vary hugely with the rights associated with their employment status but also their intersecting identities. Therefore, capturing this variation was central to our method of engagement. In total, through the duration of the project, we engaged 30 Londoners with experience of employment rights violations.

The main objectives of the research project were to:

1. Increase understanding of the practical and interpersonal barriers that prevent Londoners from enforcing or acting on their rights at work

2. Increase understanding of how experiences of enforcing employment rights differ by sector, by level of pay, and by demographic factors
3. Increase understanding of what Londoners need to help them enforce and assert their rights at work
4. Increase understanding of the impact on individuals of not being able to resolve a problem at work

Participant-Led

A co-creation group of six people worked closely with the CVR team on the research design. By having individuals with lived experience of employment rights violations at the heart of the research, the CVR team was supported to carry out the research sensitively and in tune with real-life experiences.

We recruited individuals based on the employment rights violations they had faced and their experiences of trying to assert their rights in this process. We were particularly interested in people who may face multiple inequalities, not just in terms of the type of abuse they have experienced or the type of employment, but in terms of protected and defining characteristics. These included those from a Black, Asian or minority ethnic background, migrant workers, women and other gender minorities, and those with disabilities. We achieved good representation from these different groups within the co-creation group to ensure these views and experiences were represented in the design of the research process itself (see Appendix 1). We focused on achieving representation from these diverse groups on the assumption that these groups will face intersecting challenges

in addition to their employment situation, such as discrimination and prejudice.

The co-creation group worked closely with CVR to design the questions for the interviews and workshops. They were also engaged towards the end of the process to discuss the findings. This engagement at the end of the project can be helpful to provide the CVR team with the needed context to better understand particular findings. It also ensures that we are presenting the findings in ways that are clear and accessible.

Three members of the co-creation group also had additional responsibilities around recruitment and translation. They were selected based on their links to individuals and communities who struggle with writing, speaking and/or communicating in English. Each individual with additional responsibilities supported with the recruitment of people who struggle with writing, speaking and/or communicating in English to take part in interviews. The co-creation group member would then sit in on the interview to provide a trusted presence for the interviewee and offer translation support. We were particularly interested in people who had English needs to take part in interviews, as we were operating on the assumption that language could act as a key barrier preventing people from effectively advocating for their rights at work.

Community Engagement

There were two key aspects to the qualitative community engagement in this research – interviews to understand the barriers that people faced, and workshops to co-design and test solutions.

We conducted 8 interviews with people who self-identified as struggling with writing, speaking or communicating in English. We chose interviews in order to explore possibly

sensitive and personal stories of employment rights violations. In particular, we used the interviews to understand the process people went through to get support, to identify the barriers people faced when enforcing their rights and to explore the impact of these experiences. The 8 interviews were then thematically analysed to draw out barriers and impacts, and how these varied across employment statuses, sectors and demographic factors.

After thematically analysing the findings from the interviews, we then ran two workshops of 90 minutes each with 8 participants per workshop. These were set up as deliberative discussions, split into two parts. The first half was used to reflect on the barriers that the group had faced when advocating for their rights at work. The second part was used to prioritise these barriers and consider possible solutions to them. We also brought in some findings from the interviews and the community polling into the second part of the discussion, to ensure broader barriers that had been identified earlier were also included.

Expert Advisory Group

We were supported by members of the Employment Legal Advice Network and a representative from the South London Refugee Association to ensure the process reflected the broad variety of voices these organisations represent. The group also played an important role in setting the legal and statutory context in which employment rights violations occur. This was integral to ensuring the solutions participants came up with could be contextualised to the legal process that already exists.

Limitations

From a methodological point of view, opting for a qualitative approach means we reached only 30 participants from across London. Although this means that the findings of the research do not act as scalable or generalisable findings, it does enable in-depth understanding of how the environments Londoners are working in can limit their ability to enforce their rights. It also ensures that the varied and multi-layered voices of Londoners is at the heart of the research and solutions going forward. In addition, throughout the research process and this report, we have also been closely informed by the parallel community poll undertaken by YouGov. Where the survey achieved breadth of insight into employment rights violations, the qualitative work CVR undertook achieved the depth of understanding of the barriers, impact and solutions.

In terms of the research project itself, participants and potential participants consistently demonstrated hesitation to take part. The co-creation group members who were tasked with recruiting interviewees shared with us that some potential participants were afraid they might be identifiable to their employer, despite confirming complete anonymity. Other participants, particularly migrant workers and those in precarious employment, showed hesitation at the partnership between ClearView Research and the Greater London Authority. The co-creation group members shared with us that people feared the GLA's role as a government agency and how sharing stories with them might impact their employment or settlement status. This means we may have missed people from the process who face particularly precarious situations. If the GLA would like to understand the challenges these groups face,

we suggest further long-term research to be undertaken to ensure trust and relationships are developed on a sustained basis with these groups.



Definition of Terms

Throughout the report, we will refer to a variety of employment rights violations. These can be defined and broken down as follows:

- **A problem with pay** – for example someone did not get the full amount they were owed, they weren't paid on time, they had money taken away from their pay, or they didn't get a payslip.
- **A problem with time off work** – for example someone wasn't given Statutory Sick Pay when they should have been, they weren't allowed to take the amount of Annual Leave in their contract, they weren't given time off for an emergency, or they weren't given enough rest breaks at work, or rest between the days they work.
- **A problem with working conditions** – for example someone is asked to work in unsafe or dangerous conditions.
- **A problem with leaving a job** – for example someone is unfairly dismissed, or they were made redundant but didn't receive Statutory Redundancy Pay.
- **A problem related to Covid-19** – for example being asked to work if someone is on furlough, or being asked to work when someone was supposed to be self-isolating because of COVID-19.
- **A problem with Statutory Maternity/ Paternity Leave or Statutory Maternity/ Paternity Pay** – for example, not receiving the amount of leave or pay someone is entitled to.
- **Being treated unfairly because of age, disability, gender reassignment, marriage**

or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation – for example experiencing discrimination, harassment or sexual harassment at work



Key Findings

This section will explore the barriers preventing people from raising employment rights violations at work. It will go on to reflect on the impact of facing violations at work, not being able to raise them as an issue and not being able to resolve them. Given this, it will conclude with a consideration of the expected roles different stakeholders in society should play to ensure workers feel more protected and safe to raise concerns at work.

1. Employment Types and Experiences of Rights Violations

The YouGov survey that ran parallel to the qualitative aspect of this research explored the employment types of Londoners, the types of violations people faced and who people go to for support. This section will outline the headline findings from the survey and the questions these brought up to be explored by the qualitative research.

The survey revealed that a permanent job was the most common employment status for Londoners. However, there showed slight variation when broken by people whose day-to-day activities are impacted by their health or disability. For this group of Londoners – people whose day-to-day activities are impacted by their health or a disability – it was found they are less likely to be on a permanent contract and more likely to be on a zero hours contract, an employment agency worker or a casual or seasonal worker. From the survey alone, it is difficult to conclude whether employment status is a matter of choice and convenience, or something more disingenuous such as discrimination or access. This will be unpacked in the following sections when exploring people's experiences in the workplace.

With regards to types of violations, the survey found that the most common employment breaches were around problems with pay at 14% of Londoners, problems with time off work at 9%, being discriminated against at 7% and working conditions at 7%. When broken down by demographics, it was found that Black and Asian Londoners in employment are more likely to say they have experienced difficulties with taking time off work, and Londoners who identify as Black are more likely to say they have been paid less than the legal minimum wage. Given extensive recent focus on the London Living Wage and pushes for employers to sign up, it is worrying that so many Londoners (14%) report experiencing problems with receiving the correct amount of pay, either the legal minimum or the amount agreed in their contract. It is also concerning to see such a stark and differential experience for people from Black and Asian backgrounds concerning breaches of their rights. In contrast, the groups that were least likely to have experienced a breach were those who were over 50 years old, higher earners, people who identify as White and those without a disability. The rest of the study will consider how discrimination can act as a driving force behind multiple other employment rights violations and therefore, explain why these experiences of violations look very different for minority groups.

When asked about their awareness of support organisations, respondents to the survey identified Citizens Advice and Trade Unions as the most widely known support services, with 94% and 93% respectively saying they know something about them. When split by earnings, it was found that higher earners are more aware of the national minimum wage than lower earners Londoners. In addition,

the survey revealed that White Londoners have greater awareness than Londoners who identify as being from a Black, Asian or other ethnic minority group for about half of the organisations (including Acas, Trade Unions, Citizens Advice, mediation services and HSE). We will explore this in more detail when considering the barriers that faced participants when trying to access external support organisations – however, it points to a large disparity in knowledge and a concerning implication for what this means for support accessed.

2. Barriers

This section will outline the personal, practical, and organisational barriers that prevent Londoners from enforcing or acting on their rights at work, as expressed by the research participants. This section seeks to cover the range of experiences participants mentioned, including a range of awareness and knowledge levels. Within this, we spoke with those who have experienced a problem at work but were unsure of their rights or if they had been broken. This section will outline how these experiences of enforcing employment rights differ by sector, by level of pay, and by demographic factors.

2.1 Personal Barriers

Participants referred to barriers – such as not knowing your rights, lacking the confidence to raise an issue or lacking the confidence to speak or communicate in English – as “personal” barriers preventing them from confronting a problem at work. Through the course of the discussions, participants reflected on the extent to which overcoming these barriers was their responsibility and indeed, “personal” or whether, actually lacking the confidence pointed more to an unreceptive or unwelcoming environment. Firstly, we will

consider what participants referred to as “personal barriers” and then, we will go on to reflect where the responsibility of overcoming this barrier ultimately lies.

Through interviews, we spoke to people who self-identified as struggling to write, speak or communicate in English. Across the 8 interviews, these individuals raised language as the main barrier to advocating for themselves at work. All participants showed confidence in their ability to recognise when something was not right at work. However, they all shared that they had been hesitant to voice their concerns because they didn’t know the specific words or have the fluency to respond to employers’ counter-responses. One participant – a cleaner who has recently arrived in the UK – shared, *“Sometimes I can understand when my rights are violated at work, but I am not quite sure what to say in response”*. Another participant – also a cleaner – echoed this viewpoint saying that *“because I don’t understand English really well, I feel like I am marginalised and a bit excluded.”* All participants who struggled with English emphasised the point that their lack of fluency in English not only meant they felt less comfortable raising an issue at work, but that it also opened them up to greater exploitation because an employer knew they had few options. This is confirmed by the survey findings that revealed Londoners born in the UK are less likely to say that they’ve had a problem with pay, time off, discrimination or working conditions than those not born in the UK. Lacking confidence in English more broadly as well as the more technical terminology left many participants feeling like the barriers to describing and arguing your case with an employer were too high, leaving many in precarious or unsafe situations.

However, it was not only lacking fluency in English that made people feel uncomfortable or hesitant to raise concerns, participants also

voiced lacking the knowledge of technical words as a crucial barrier. This was summed up by one participant who had recently lost a job as a construction worker – *“I feel like I lack the magic words that cause your employer to sit up and listen”*. This was echoed by participants across all employment types and all sectors. They felt that if you used certain keywords or legal terminology, your employer would listen and escalate the issue via the correct channels. However, if you described the exact same situation without those keywords, participants felt they were not taken seriously. Participants reflected on the role fear had to play in this – if you use legal terminology, the employer knows you might have access to legal advice and therefore, could be held to account. In contrast, participants felt that as long as you do not use these “magic words”, employers know that you are advocating for yourself without additional support and therefore, may continue to dismiss you.

The third most common barrier that people would refer to as “personal” was the general lack of confidence they possessed to confront an employer. This was typically raised by female participants, people from Black, Asian or ethnic minority backgrounds and people who identified as both women and from a Black, Asian or ethnic minority background. Some people linked this lack of confidence to a lack of self-belief or being an “introvert”. Others linked it to needing validation that raising a concern was *“the right thing to do” or being assured that “they were allowed to raise an issue”*. Although participants themselves did not explicitly link this sense of doubt to discrimination, some would raise it in regard to feeling “left out” from groups at work. They explained this often would make them hesitant to raise an issue for fear of being perceived as a “trouble-maker” or “moaning”. In terms of employment status, people across employment statuses raised this as a

challenge, but it was noted as particularly high risk amongst people on fixed task contracts or zero hours contracts. Many participants on zero hours contracts feared they “could easily be replaced” if they complained – this is largely linked to the fact they have fewer statutory rights as workers and ultimately would not be able to claim unfair dismissal.

In addition to these groups, participants on low pay or migrant workers tended to express the least confidence or optimism around the benefit of raising an issue. They expressed this in terms of not having a choice to raise an issue. One participant employed on a fixed-term contract who arrived in the UK four years ago explained, *“I can’t speak with my manager because if I did that, they would tell me they don’t need me anymore and I’ll lose my job. I will not be able to find the same amount of money elsewhere.”* Another participant who moved to the UK for work explained, *“I came here to work, and I have to step on my ego because I don’t want to lose my job.”* This was particularly the case for one interviewee who had no recourse to public funds – without being able to access the public safety net, losing their job as a result of raising a concern could plunge them into poverty and homelessness. This was a risk they simply could not take. This demonstrates how high risk people viewed the process of advocating for their rights at work and implied high levels of defeatism that the correct protection would be provided to individuals if they raised an issue.

As discussions unfolded, participants reflected on whether the “personal barriers” they had identified were due to their own shortcomings in knowledge or character, or if they were linked instead to an unreceptive environment. When reflecting on why one participant lacked the confidence to raise an issue, he shared, *“maybe it’s more a fear of going against the person that’s feeding you”*. Many

participants shared this realisation by the end of the discussions that what typically feels like a personal issue preventing you from raising a concern, actually tended to be linked to the structure and the power dynamic at play within an organisation. The feeling of insecurity or lack of confidence are instead a product of or fear of how the organisation will respond – the next sections will explore these broader issues.



Case Study:

Name: Adriana*

Ethnicity: White European

Gender: Woman

Employment Status: Zero Hours Contract

CHALLENGE

Adriana is from an Eastern European country and moved to the UK for work. Speaking up for her rights at work is a challenge for her as she does not feel confident when speaking in English. Although she is aware that her employer has violated her right for paid leave, she does not know how to hold her employer to account when they refuse the request. In particular, she feels fearful speaking to her manager about any issues because she has been threatened with dismissal in the past. As she has come to the UK for work and money, she feels like she has little choice but to keep quiet.

IMPACT

Working in an environment that is not safe to speak out in has had a negative impact on Adriana's emotional and mental wellbeing. Although her priority for coming to the UK was to work and be employed, she feels like she is silenced at work and does not know how much longer she can work without a break.

RECOMMENDATIONS

Adriana feels like her manager lacks the training to respond adequately if challenged. She also believes that the government could do more to support migrant workers so they know how to articulate a problem if they encounter a violation. Although she voiced hesitation at liaising with government organisations, she said more work needs to be done for government to ensure employers do not exploit people who do not speak fluent English or have a lot of migrant workers employed.

2.2 Challenges accessing external support and/or information

A key part of this research was to understand the process that people followed or would follow if they faced employment rights violations. Interestingly, participants who were aware of external support organisations, let alone had accessed them, were in the minority. People were most familiar with unions but reflected that if their workplace was not unionised, their employers did not take challenges from a union representative seriously. In terms of other organisations, people expressed a lack of awareness of bodies such as legal advice centres, Acas, mediation services or enforcement bodies such as HMRC, Employment Agency Standard Inspectorate and the Health & Safety Executive. One participant, who had faced unfair dismissal and frequent problems with pay at a previous job, shared, *"I actually have never heard of these [support organisations]. Maybe some I am aware of, but I didn't know that this is what they did. So I think actually, maybe for a lot of people, they might not be aware that these are resources they can use. These would have been really helpful for me."*

As mentioned above, there was also a split in awareness between higher and lower earners and ethnic groups, with White Londoners having a greater awareness than Londoners from a Black, Asian or other ethnic minority group for about half of the organisations (Acas, Trade Unions, Citizens Advice, mediation services and HSE). In the qualitative research, when presented with the landscape of advice and support, most participants who were in full-time, permanent positions shared that had they known about these organisations, they would have reached out.

Participants who were migrant workers or had no access to public funds showed

greater hesitancy when we explored the role of these external support organisations. Participants who had no recourse to public funds and migrant workers more generally explained they would only reach out to trusted organisations that people in their communities had recommended. They showed particular hesitancy around enforcement bodies such as HMRC, the Employment Agency Standard Inspectorate and the Health & Safety Executive, for fear of the level of information sharing that goes on between government organisations. One participant explained it in terms of risk, *"Even if I feel confident I am treated wrongly, I do not want a reason to draw attention to myself"*. This was similar to participants who had recently arrived in the UK – they were unsure of the role of these organisations and whether information shared with support organisations would make it back to their employers. Building trust in these organisations for these particular groups to show that they are acting in the best interests of employees is a key first step to improving their reach.

This lack of awareness of external support organisations did not mean, however, that people had not tried to educate themselves about their experiences and/or support available. Across the board, participants shared how they regularly researched online how they could address the problems they faced at work. One participant who has faced problems with being asked to work in unsafe conditions during COVID-19 shared that she had spent a lot of time researching how she should raise the issue at work but had not come across any of the main support organisations when these were shared with her. She reflected, *"I'm not sure if that means they're hard to find because I did spend hours trying to look... Literally my Google history is just like, How do I talk to someone at work... How do I make a complaint at work?"* Of the participants who had done research online to find advice

and support, there were two main outcomes – those who had been able to find information and those who were not.

Participants who tended to have success finding information online that was relevant to their experiences still did not feel confident to use it. This was largely because the information provided was technical and therefore, difficult to apply to each person's situation. Participants in full-time, permanent jobs spoke about coming across a lot of information from American websites and therefore, they did not know how relevant the advice was for the UK context. Others spoke about the "overwhelming" nature of the information. One participant who had faced discrimination at work, spoke positively about the role of mediation services but critiqued the accessibility of information online, "*There is a lot of information out there and information most of the time confuses people more. What then? And the next question is, what do I do with this? What do I do now? Where do I go?*" Similarly, one participant, who was facing unfair dismissal and was exploring the option of an employment tribunal, explained, "*For court, it's a long process. I don't know enough people in the system so I didn't even know where to start with all that information.*" This shows how people found it difficult to navigate information available and apply it to their own situation. Multiple participants emphasised the need for having someone there to advise on how they could use this information in the workplace. This points to the need for validation previously mentioned – the sense that people need external validation that their experiences meet a certain threshold for support, before they feel confident to raise the concern at work.

There were a variety of participants who were unable to find relevant support online. These participants tended to be migrant workers,

people who struggled with English, people who had no recourse to public funds and those who were on zero hours contracts or worked for agencies – undoubtedly, some of the participants belonged to multiple of these groups. Participants for whom English was not their first language explained they had tried searching online in English as well as their native language for advice and support, but struggled to come across relevant information or advice that they could understand. One participant who recently arrived in the UK and was working in a beauty salon when she faced problems with pay, explained, "*I tried to look on Google for information. I tried to write it in Romanian, but I didn't find anything. And then I tried it in English, but I couldn't understand what was written there. I didn't really know what else to do.*" Similarly, another participant who has been in the UK for under 5 years explained the ineffectiveness of trying to seek information online, "*I can go online, but because I don't know what to do when online, there was no point.*" One participant even reflected, "*It does not matter even if I could find information because what am I meant to do then? I cannot communicate in English to my employer anyway. So I would know something is wrong but have no use for the knowledge.*" For many participants, searching online for information became a source of frustration in and of itself, as it confirmed to them that there was no way out.

Theoretically, organisations that offer support and advice are key stakeholders in ensuring workers feel confident to raise issues at work. However, there is clearly a lack of awareness across the board of the existence of these organisations, as well as how to access their support. Similarly, accessibility of information requires focus – participants showed strong levels of proactivity to improve their knowledge of their situation, but faced repeated barriers in identifying the correct information or being

supported to know how to use it. Awareness of support and accessibility of information from quick online searches are therefore two key areas of focus going forward.

2.3 Organisational Barriers

The organisational barriers that participants identified as preventing them from raising concerns were linked to workplace culture. At two extremes, participants identified both hierarchical and informal workplaces as the hardest environments to raise concerns in. The former sometimes created an environment unreceptive to upward feedback, whilst the tight-knit environment in the latter made it difficult to raise concerns about colleagues. In particular, ongoing discrimination played a key role in silencing some participants.

When describing a workplace environment that would make participants feel confident and safe to raise concerns, people spoke of "receptive", "listening" and "proactive" cultures as key. Multiple participants, across industries and employment types, described an "unreceptive" culture as the reason why they had decided not to raise a grievance in the workplace. These participants spoke about minor disagreements as setting the precedent for how well the employer would go on to deal with more serious infringements of rights. One participant who had requested workplace adjustments early in their job had been repeatedly turned down and excluded from decisions made on her behalf. As a result, "*I don't feel that comfortable raising any issues going forward. So it's kind of a knock on effect. It's difficult when you've had that experience, it sets a precedent – if they're not being understanding or willing to discuss this with you in what is considered a reasonable way.*" Whilst participants knew these early disagreements were not classed as violations of their rights, these minor altercations early

on into their employment did not fill them with confidence that bigger grievances or legal violations would be listened to appropriately. This links to broader work conducted by FLEX (Focus on Labour Exploitation) that operates on the understanding that labour exploitation can occur on a spectrum, from labour compliance to rights violations.⁷

Participants felt that a receptive atmosphere was created if the employer was proactive early into their employment to either inform workers of their rights or to support them with additional needs. This particularly came across with participants who either had disabilities or long-term conditions. Participants with a variety of needs felt unsupported by employers on multiple accounts and described a "defeatist" attitude in raising concerns. If their employer did not make the space for them to discuss or raise additional needs, or if the employer was unsupportive in making workplace adjustments, many participants with additional needs had decided to not raise the issue again. Although participants with disabilities or long-term conditions had noticed a step-change in the level of proactive engagement with their needs during the COVID-19 pandemic, they felt this had been reversed since restrictions had eased. Many participants described how they had "*learnt to live with their condition*" and "*make adjustments themselves*" if their employers were not going to. This could mean opting out of permanent, full-time employment and instead working across a variety of jobs or shifting to self-employment to allow flexibility. This possibly explains the survey findings that revealed respondents with a disability are less likely to be on a permanent contract than Londoners without a disability, as individuals tried to find a set-up that worked for them. By employers not being proactive, many participants have learnt to minimise their voices and needs in the workplace.

Participants also spoke about “threatening” workplace environments as another key aspect of workplace culture that stopped them from raising concerns. This was particularly described by people in small organisations. Participants described a “threatening” environment as one that not only did not welcome critique but that actively negatively treated employees who spoke up. Multiple participants in small organisations had anecdotes about either themselves or other workers who were labelled as “trouble-makers” if they had raised an issue. One participant described his own experience, “They looked at me like a problem after that... so that when they had an opportunity to chuck me out, they did.” This potentially explains the survey findings that revealed a higher proportion of people who have not experienced a breach of their employment rights thought they would feel confident in talking about a potential breach to their manager, compared with those who have. For those who have experienced workplace breaches, people may have faced negative treatment or insufficient support and therefore, feel less hopeful for the future. Participants thought this was particularly pronounced for small organisations because they can be very relationship-based and often informal. Therefore, if someone raises an issue with someone in the team and it is not dealt with professionally, it can change the dynamic. Overall, participants described how this creates a culture where people fear maltreatment and so do not speak up.

Participants regularly identified discrimination as a common reason why employment rights violations occur. In the context of workplace culture, they also reflected on the role discrimination played in stopping people from advocating for their rights in the workplace. Many participants – particularly those of Black, Asian and minority ethnic backgrounds, women, and those with disabilities – described

how daily experiences of microaggressions in the workplace acted as a constant reminder that they did not belong or were not protected by their employer. Participants shared that this history and culture of discrimination in an organisation meant they completely lacked confidence that they would be listened to adequately if they were to raise an issue. One participant who worked for an agency as a teaching assistant explained the frequent microaggressions she would face: *“If there were some issues that we had with a young person of colour, they might be discussing what that person might need, and they would look at me and be like, “Oh, is that true?” Like, I’m one Black person in the room, I don’t speak to every person of colour, and I just think that’s quite ignorant in that sense.”* She reflected on how she found her managers’ attitudes “confusing” and that she lacked faith they would listen when she had a concern as she “doesn’t know what is behind” their actions.

Not only did this cause participants to lack the confidence to raise an issue, but it also made raising concerns around discrimination even harder as it seemed condoned by the broader organisation. Many participants reflected on the intersection of different employment rights violations – that discrimination can often be the root cause of other violations, such as problems with time off work, pay, leaving your job or working conditions. Participants felt that this created a dangerous power dynamic – that you were raising an issue of discrimination to an organisation that condoned discrimination. One participant who was being treated unfairly because of her ethnicity and gender described her experience: “I’m explaining the basics of how structural sexism and racism operate in the workplace. And it feels like something I shouldn’t have to explain. It’s taking time away from my actual job because I have to educate my employer on why what they were doing is discriminatory

and reflects broader societal inequalities. And it’s really tiring. I think there’s an inherent power imbalance – as the younger woman of colour, I am having to explain to an older white male why this is wrong. I’m feeling like this isn’t my job to explain it to you. And even after explaining there is no satisfactory outcome and it just keeps happening again and again.” Raising a concern of an employment rights violation linked to discrimination – whether as the cause of other violations or as the violation itself – poses a very unique and harmful challenge for workers. For many participants, the emotional baggage of explaining why your experience is valid to someone who may have perpetrated discrimination themselves was too high a barrier to confront. As a result, many people spoke of leaving organisations instead of raising the issue as the experience would be too traumatic to undergo.

The culture of an organisation clearly acts as a defining barrier or enabler that causes people to feel confident and safe to raise issues around employment rights. Based on our discussions, it seems the culture of an organisation is shaped by how an employer deals with small adjustments or requests early into someone’s employment or feedback more generally, as well as its track record of supporting and responding to complaints. An organisation that seemingly condones discrimination – where workers face microaggressions on a regular basis – was the biggest factor that discouraged people from raising employment rights violations, particularly if those violations themselves were linked to discrimination.



Case Study:

Name: Raj*

Ethnicity: Mixed Heritage – Black and Asian

Gender: Man

Employment Status: Fixed Term Contract
Worker in Retail

CHALLENGE:

Raj has been consistently discriminated against at work because of his ethnicity. He faced overt discrimination in terms of microaggressions and slurs, perpetrated by his employer. In legal terms, this counts as a case of harassment. He also faced other breaches of his rights. He believes these other breaches have occurred as a result of his ethnicity. After raising concerns of discrimination without success, he has decided to now leave the job as the employment tribunal process felt too emotionally draining to engage in. Raj decided to give up on raising his concerns because he found himself in a toxic situation where he was having to explain why what he had experienced was racist, to his boss – a white man. He found this emotionally taxing and a form of 'gaslighting' where he had to prove his emotions and experiences were valid.

IMPACT:

Raj often feels misunderstood or unseen at work. Occurrences of being called the wrong name or having to explain the basics of discrimination to his employer take its toll. These experiences make him feel tired. This has a detrimental knock-on effect to his productivity and motivation towards his job. Furthermore, continuously feeling invalidated has impacted his mental health.

RECOMMENDATION:

From Raj's perspective, he thinks that a greater understanding of diversity and cultural issues is crucial. This would be a positive step towards ensuring that people from ethnic minority backgrounds feel protected. The barriers Raj faced in raising his concerns were very unique to discrimination – it is crucial that any work done on employment rights need to pay particular attention to the specificity of barriers that people face when enduring discrimination in the workplace.

2.4 Practical Barriers

When discussing the barriers associated with their employers, participants also raised very practical issues that made them feel they lacked the means to escalate an issue within the workplace. These included feeling like your manager lacked the training to know how to respond, the organisation lacked the policies and processes for you to raise an issue, and that there were overlapping of roles in some organisations making it difficult to know how to report an issue.

Participants employed on zero hours contracts or in agency work, or those in full-time, permanent positions in small organisations particularly noted the lack of formal processes and trained management responses. Participants described two types of managerial response when they had approached them about issues, concerns or potential violations: one was that the concern was not taken seriously and minimised, and the second was that the manager would react aggressively and threaten the worker with dismissal. The former was the most common reaction for people raising concerns around

discrimination and/or raising concerns in small companies. The threatening response tended to be linked more to other types of violations such as problems with pay, holiday or working conditions, and would take place in agency work or for people on zero hours contracts.

One participant who worked for an agency in a frontline organisation during COVID-19 lockdowns, felt *"we almost didn't have a voice"*. She described raising concerns with her manager and repeatedly feeling like because the manager did not have training in how to deal with her concern, the easiest option was to dismiss it. Another participant who worked in a small organisation, who was trying to raise issues around late payment, described the response she received, *"And he just smiled and was like, 'I'm not a manager type.'" I don't know how to do these things."* Those in small organisations described this as *"the muddying of roles"* where because employees tended to be both a line manager and a HR manager, sometimes they lacked the correct training or understanding of correct process. They also felt that sometimes this "muddying of roles" meant that managers would not be acting completely neutrally. In these scenarios, participants felt like there was very little else they could do to hold their employers accountable.

For participants who found themselves threatened with being dismissed, many felt this was because the line manager themselves did not know how to respond. They reflected that threatening someone with dismissal was a powerful way of keeping them quiet. This was particularly common for people employed on zero hours contracts or in agency work, and particularly those on low wages. One participant who worked in a factory thought that *"my employer knows that I don't have many options and therefore, I can't not stay"*.

One participant who worked in the beauty industry shared, *"If you go to talk to a manager and you'll tell him or her what's not good about the approach or anything, they will just tell you that they don't need you anymore"*. Another person, who works as a cleaner on a zero hours contract, shared an experience about being refused leave, *"I told my manager if she's not going to give me holiday, it's my right to have a holiday...that it is my holiday. I told her if she's not going to give me my holiday, I will leave the job. The manager just showed me the door, like, leave if you want to"*. For both scenarios, where participants felt at the mercy of their managers and their knowledge of the correct processes, they described the process as very person-dependent. Without organisational practices in place to protect people's rights, it all relies on the character of a manager and their relationship with the worker for their concerns to be responded to.



Case Study

Name: Shahid*

Ethnicity: Asian – Bangladeshi

Gender: Man

Employment Status: Permanent Position

CHALLENGE:

Shahid is working at a small company where he finds there is not a clear and safe process for him to raise complaints. If he wants to raise a concern he has to do so through his line manager. However, recently, he wanted to make a complaint about his line manager and was instructed he still had to follow the same procedure. He did not feel comfortable doing this for fear of the impact it might have on their working relationship. This led to him leaving that job as he could not see a way of resolving the issue.

IMPACT:

Working in an organisation where he feels like his issues are not handled in a confidential manner has made Shahid feel like he is not able to bring up anything he is going through. This kind of working environment has had a negative impact on his mental health as he has felt like he has needed to minimise his emotions when at work.

RECOMMENDATIONS:

Shahid thinks that more needs to be done to ensure organisations are held accountable to their policies and processes. This should particularly be the case for small organisations as he thinks they are often not included in enforcement or inspections. He fears that many people fall through the gaps and end up having to leave a job as they have limited power to create change.

2.5 Summary

Throughout the research, participants would reflect on the different stages they might go through to feeling confident to raise a concern at work. These can be summarised as:

1. Knowing that you have rights and what these rights are
2. Knowing that information or support exists to help your case
3. Knowing how to use the information or how to access support
4. Having the confidence to use the information
5. Being taken seriously when they have raised concerns

Each of these stages brings their own unique challenges. Factors preventing or discouraging people from speaking up in the

workplace vary from a lack of fluency in English language, feeling classed out by the need to know technical words, finding it difficult to identify support in general, but particularly relevant support, not feeling hopeful in your organisation given its culture and feeling like your organisation lacks the processes and policies that should be there to protect you or hold them accountable.

Knowing your rights, knowing that information or support exists to help your case, knowing how to use the information and having the confidence to use it all seem an individual's responsibility. However, from our research, it is clear that there are challenges and barriers that exist on a systemic level that prevent people from being educated on their rights or feeling confident to advocate for themselves. These systemic factors include the inaccessibility of information and how it is provided, or the lack of choice you may have

given financial insecurity and the threat of dismissal.

Overall, there was a commonality of barriers across employment types, industries and demographic factors but many of the barriers tended to be compounded or felt more for migrant workers, those on zero hours contracts or doing agency work, those with no recourse to public funds, those on low pay and those who face discrimination because of their ethnicity, age, gender and/or disabilities. For many of these groups, although they faced similar barriers to other employment types, industries, and across demographics, the risk of potentially losing a job was the biggest barrier of them all. No matter how much people knew their rights, many felt that they simply did not have enough options for jobs that they could risk losing their current job. One participant described it as, "high risk, no reward". This represented a huge sense of defeatism about raising employment rights at work, which meant most people decided to not raise issues at all.

3. Impact

This section outlines how individuals felt impacted by not being able to resolve a problem at work. Through the research, we explored both how a problem gets resolved and the personal impact of not being able to resolve a problem at work.

As discussed in the previous section, participants demonstrated a strong sense of pessimism and defeatism that problems would get resolved at work if they confronted their employer. The main outcomes of raising a concern at work that people shared were no evidential change, being labelled a troublemaker, the working environment becoming difficult to work in and unfair dismissal. These were common occurrences across employment

statuses, industries and demographics. One participant who worked in retail described how she had taken her employer to an employment tribunal for a violation of her health and safety. She explained how ever since she escalated her concerns, she faced "subtle jibes" and "differential treatment" by her employer. She explained, "I thought I was being watched extra, as if there were an extra pair of eyes on me. If I did something wrong, they would give me a disciplinary. For context, this is because I was actually taking them to court so they didn't want me there." This was a similar story for people who decided to reach out to unions for advice, support and advocacy. They found as soon as they mentioned a union, they were labelled as a "troublemaker" who was "trying to ruffle feathers". Overall participants reflected on the irony of the situation – where holding your employer to account for committing one employment rights violation tended to lead to a spate of other violations, such as discrimination and unfair dismissal. When prompted to consider how these experiences impacted how likely it was they would raise an issue in the future, many participants agreed "it's not worth the hassle" and that they would rather leave the organisation than hold them to account.

In terms of personal impact, participants' emotional and mental health tended to be most impacted by the process of experiencing and raising employment rights violations. Participants from across industries and employment types spoke about a sense of indignation that they felt. This stemmed from the glass ceiling they felt they faced – they knew they were facing injustice in the workplace, but the only person they could raise it with was their employer, the person who was condoning the injustice. For many, this power play and lack of accountability made them feel unsafe and as one participant described, "gaslighted" into saying silent. Many described

this as a flaw in the system of seeking support and voiced confusion about what they were meant to do in these circumstances. One participant who was employed in a small organisation shared her perception that *"HR purely exists to make sure the employers' backs are covered"*. Feeling like there was no one to turn to and your experiences are not valid was the biggest toll on people facing violations.

4. Solutions

This section is driven mainly by the workshop discussions where we reflected on overcoming the key barriers identified through the YouGov poll and our interviews. Participants identified key stakeholders who could play a part in making raising issues of employment rights easier and safer for Londoners. These were: employers, government bodies including the GLA, information hubs, and external support organisations. In this section, we will explore the role participants thought these stakeholders should play.

1. **Employers:** many participants did not feel hopeful that employers would ever feel incentivised enough to inform workers of their rights or to support them to raise concerns. Similarly, they agreed that more harmful employers would never opt into a charter showcasing good employers or exposing poor employers. Therefore, there was consensus that whilst the appetite of good employers should be platformed, further trained and educated, poor working standards would be more effectively addressed by being policed by other stakeholders.
2. **Central government:** participants agreed they did not feel that employment rights and violations were high on the agenda for central government. People were shocked by the commonality of their experiences and the lack of accountability they felt their employers faced. They agreed if central government does not show zero tolerance

towards employment rights violations, employers will remain complacent and continue to de-prioritise the wellbeing of their workers.

3. **The Greater London Authority:** participants discussed the ineffectiveness of the enforcement of working standards. They suggested the GLA has a key role to play in enforcing standards, calling out poor working environments and holding organisations to account to create change.
4. **Information Hubs:** participants agreed that although information was helpful, often they felt they lacked the know-how to use the terminology and advice correctly. Participants agreed that information hubs needed to work closely with support organisations to ensure there was a direct route to support if people needed to ask questions or look for more tailored advice.
5. **External support organisations:** across engagements, there was limited awareness of the support organisations available to participants. Within external support organisations, there is a distinction between expert advice agencies that exist to support people with employment issues, and non-expert organisations that often encounter people with employment issues as they might be supporting them in other areas of their lives. There was consensus across participants that expert organisations need to do considerable work with diverse communities to raise awareness, trust and accessibility of these services. Participants also agreed that non-expert organisations – including charities and community organisations – have a powerful role in supporting people facing violations at work. The GLA could help build the capacity of these organisations to play an enhanced role in signposting people to support.



Conclusion

Throughout the project, participants reflected on the high barriers that prevented them from acting on their employment rights at work. Many people, across demographics, felt confident that they were able to identify breaches of their rights at work. However, it was the specific terminology and how to use it tailored to your circumstance that held many people back from raising a concern at work.

Overall, people felt that even if they did know their rights and the correct terminology, they were doubtful that their employers would listen. This assumption came from personal experiences or evidence from other colleagues. Many felt that this occurred because people in management positions lacked the training to respond appropriately or the company was confident that their organisation was not going to be held accountable. Many participants facing ongoing problems in their workplace spoke about ultimately wanting to set up their own companies to avoid these types of problems in the future.

Participants showed low awareness of support organisations that could help with their situations. Although some people were interested in the support available when resources were shared, these participants tended to be UK-born, could speak English fluently and were in permanent employment. For those who had no recourse to public funds or were migrant workers, they were more hesitant to reach out for support. For some, this was about trust, fearing that government agencies might share information. For others, the landscape of support felt too complex to navigate and after having tried, they often could not find relevant support.

For all the participants who had faced

employment rights violations, the greatest impact was on their mental health and wellbeing. They felt like they had to compromise on their emotional wellbeing and stay silent if they wanted to keep their job. We engaged many people across a variety of employment statuses, industries and demographics, and it was clear that employment violations occur across the board. However, although violations affect everyone, it is perhaps most worrying for people in low paid positions and those with little financial security. Most participants shared that the process for addressing an issue at work often resulted in them leaving that place of work. For those in low paid positions – including migrant workers and those with no recourse to public funds – leaving their place of work was never an option. Participants in these positions were particularly pessimistic about how change would occur – they knew that their employers exploited their lack of choices, but they themselves did not want to lose the opportunity of employment with them no matter how bad the situation was. This shows how employment rights violations and the set of options available to people to resolve them are severely linked to your status in society. Any work done to improve the safety of workers raising concerns at work needs to be done in parallel with broader projects to improve the safety net for these individuals living in precarious situations.

Recommendations: What does this mean for the GLA?

The following section brings together the suggestions participants had around solutions to inform what the GLA should do next to ensure Londoners feel supported in identifying and raising concerns around employment rights violations at work. They are listed in order of priority:

- 1. Work needs to be done to upskill trusted community organisations in their ability to signpost the people they support to employment rights support organisations.** Many participants were unaware of the information and support available if they faced employment rights violations. Migrant workers particularly showed hesitation to engage with external support organisations, as they did not know who they could trust. The GLA should work closely with community organisations so they can better signpost and refer their communities, should violations occur.
- 2. Lead by example by developing procurement requirements for all contractors employed by the GLA. The GLA could then work closely with other funds, trusts, foundations or developers to adopt these procurement requirements as best practice.** Requirements could include criteria as identified for the gold standard, as outlined above, such as clear delineated roles for HR, an employer who informs workers of their rights, and support for disabled employees for reasonable adjustments. Increasingly, we are seeing procurement requirements including a commitment to anti-racist practices and sustainability. The GLA is faced with a good opportunity to also push for acknowledgement of the importance of employment rights within

these – the London Borough of Newham is already working on something similar. Close attention should be paid to ensuring the requirements are not fulfilled as a tick-box exercise and are instead regularly revisited.

- 3. Develop a campaign emphasising the impact of employment rights violations based on human stories.** Participants and the advisory group noticed how discussions of rights and the impact of employment rights abuses did not seem to be a mainstream conversation. For the benefit of both workers and employers, participants suggested developing a campaign to show how everyone across employment statuses, industries and pay can experience rights violations. They suggested this may go some way to normalising the conversation around rights, providing people with the vocabulary to raise concerns. It was also thought of as a positive way to get current and would-be managers thinking about the role they play in safeguarding their workers' rights.
- 4. More research needs to be done into the barriers faced by migrant workers and people with no recourse to public funds.** As discussed in this research, many migrant workers and people with no recourse to public funds were hesitant to engage with the project. They were worried about engaging in a project that involved a government organisation (the GLA) and feared how the sharing of information with the Home Office might occur. To understand and learn from these communities in a non-extractive way, long-term, co-creative

research needs to be conducted. This enables a researcher to build the trust of those they are engaging and design a process that is mutually beneficial and in line with the communities' needs.

5. More pressure needs to be applied on central government to commit to and push through the Employment Bill and Single Enforcement Body.

The Single Enforcement Body in particular should be developed in a way that ensures the combined responsibilities of the individual enforcement bodies do not become watered down. Participants in the research felt confused by how visibly their employers were engaging in illegal or unlawful activity, such as improper working conditions or low pay. Participants felt more needed to be done to ensure appropriate and rigorous inspections were being undertaken to enforce legislation and protect the workers in line with law.

6. Build on the Mayor's Good Work Standard to develop a gold standard for London-based organisations.

The GLA could use the Good Work Standard as a platform to showcase employers that are building safe and receptive environments. The criteria to define organisations that support their workers well could be co-created with individuals who have experience of employment rights violations. Based on feedback from this research project, key elements of a positive environment include clear delineated roles for HR, an employer who informs workers of their rights, strong retention rates, and support for disabled employees for reasonable adjustments. The ratings of these criteria could be based on published data and/or crowdsourced information. This would complement existing work to make London a Living Wage city and to promote the Living Wage foundation's Living Hours campaign.⁸

7. Work with organisations that deliver anti-racist training to co-design training programmes for management and HR teams on how to respond to cases of discrimination.

Participants emphasised how the barriers to raising concerns about discrimination against an employer were very different to raising concerns about other types of employment violations. They reflected on the unique power play that would often occur where the worker who possessed a protected characteristic would have to prove or explain their experience to a manager, who tended not to possess a protected characteristic. More work needs to be done to ensure managers and HR teams are aware of these power dynamics and the emotional burden it can place on the worker. This training should equip employers with the tools to demonstrate understanding and support for those who have experienced discrimination.

8. Create an online platform that exposes organisations with high numbers of employment tribunals and other violations.

The GLA would then be tasked with following up the organisations who are regularly identified to get them to publicly commit to how they are addressing their culture and organisational practices. The GLA would also ensure that these public commitments are consistently updated and reviewed against targets. This could be similar to initiatives like the Gender Pay Gap Bot, that shares the gender pay gap data from named companies, or @lifeofabaa on Instagram that crowdsources anonymous stories and rights violations of people working in the fashion industry in the UK.

9. Develop a mediation training module that employers can sign up to and get workers trained in.

Participants spoke particularly highly about the notion of mediation, as

it created a way forward for workers and resolved conflict within the workplace. In contrast, they critiqued more typical methods of escalation that often led to a tense and sometimes, negative work environment after an issue was raised. Having a trained individual within an organisation to train others in conflict resolution not only upskills individuals but also demonstrates organisational interest in using conflict resolution to resolve issues. Particular focus would need to be put on ensuring the allocated employee-mediator feels supported to feel independent from their employer.

10. Create, or invest in existing, online or in-person communities to match workers with similar employment statuses and in similar industries so they can safely share experiences and tips for advocating for themselves at work.

A key finding from this research is that individuals sometimes need the validation that their experience is "bad enough" to raise it as an issue. Talking to other people with similar experiences creates this sense of validation. It also builds knowledge of rights violations and the support available. Particular outreach should be done within migrant communities.



Appendices

Table 1: Age split of research participants (across the co-creation group, interviews, and workshops)

Age	Count
18-24	7
25-34	12
35-44	5
45-54	4
55-64	1
Total	30

Table 2: Ethnicity breakdown of research participants (across the co-creation group, interviews, and workshops)

Ethnicity	No. of residents
Any other Asian background	1
Other	3
Arab	1
Asian - Bangladeshi	1
Asian - Chinese	1
Asian - Indian	3
Asian - Pakistani	1
Black - African	6
Black - Caribbean	2
Mixed - White and Asian	1
Mixed - White and Black African	2
White - English / British / Scottish / Northern Irish / Welsh	2
White - European	6
Total	30

Table 3: Gender breakdown of research participants (across the co-creation group, interviews, and workshops)

Gender	Count
Man	9
Woman	21
Non-Binary	0
Total	30

Table 4: Disabilities of research participants (across the co-creation group, interviews, and workshops)

Disability	Count
Identify as disabled	5
Do not identify as disabled	25
Total	30

Table 5: Long term conditions of research participants (across the co-creation group, interviews, and workshops)

Long-term condition	Count
Identify as having a long term condition that impacts day to day activities	25
Do not identify as having a long term condition that impacts day to day activities	5
Total	30

Table 6: Breakdown of where the research participants live (across the co-creation group, interviews, and workshops)

Location	Count
Inner London	47%
Outer London	53%
Total	30

Table 7: Socio-economic status of research participants (across the co-creation group, interviews, and workshops)

Socio-economic status	Count
A	3
B	5
C1	9
C2	9
D	4
Total	30

Table 8a: First languages of research participants (across the co-creation group, interviews, and workshops)

Language	Count
English as first language	12
English is not first language	18
Total	30

Table 8b: Split of research participants who self-identify as finding communicating, speaking or writing in English difficult (across the co-creation group, interviews, and workshops)

Has English needs	Count
Finds communicating, speaking or writing in English difficult	22
Able to communicate in English proficiently	8
Total	30

Table 9: Split of research participants by number of years they have resided in the UK (across the co-creation group, interviews, and workshops)

Years resided in the UK	Count
Under a year	0
1-2 years	4
2-5 years	7
5-10 years	2
Longer than 10 years	17
Total	30

Table 10: Income levels of research participants (across the co-creation group, interviews, and workshops)

Income levels	Count
Below national living wage	5
Below London living wage (but above national living wage)	13
Above London living wage	12
Total	30

Table 11: Breakdown of employment statuses of research participants (across the co-creation group, interviews, and workshops)

Employment Status	Count
My job is permanent	16
I work for an employment agency (i.e. I am signed up to an agency that finds me work by hour or by day)	3
My work is casual or seasonal	0
My work is done under contract for a fixed period or for a fixed task	6
My work is done under a zero-hours contract (i.e. I have no guaranteed working hours or shifts)	3
My job is temporary in some other way	0
I am self-employed	1
I am a gig economy worker (I freelance or work short-term contracts at short notice)	1
Total	30

Table 12: Breakdown of employment rights violations experienced by research participants (across the co-creation group, interviews, and workshops)

Employment Rights Violations	Count
A problem with your pay – for example you didn't get the full amount you were owed, you weren't paid on time, you had money taken away from your pay, or you didn't get a payslip	28%
A problem with time off work – for example you weren't given Statutory Sick Pay when you should have been, you weren't allowed to take the amount of Annual Leave in your contract, you weren't given time off for an emergency, or you weren't given enough rest breaks at work, or rest between the days you work	13%
A problem with your working conditions – for example you were asked to work in unsafe or dangerous conditions	9%
A problem with leaving your job – for example you were unfairly dismissed, or you were made redundant but didn't receive Statutory Redundancy Pay	9%
A problem related to Covid-19 – for example being asked to work if you were on furlough, or being asked to work when you were supposed to be self-isolating because of Covid-19	13%
A problem with Statutory Maternity/ Paternity Leave or Statutory Maternity/ Paternity Pay – for example, not receiving the amount of leave or pay you were entitled to	1%



End Notes

1. Unless stated, where people are referred to as workers, we are referring to people who work in London, rather than people with the employment status 'worker'.
2. <https://www.citizensadvice.org.uk/about-us/our-work/policy/policy-research-topics/work-policy-research-surveys-and-consultation-responses/work-policy-research/an-unequal-crisis/>.
3. <https://www.citizensadvice.org.uk/about-us/our-work/policy/policy-research-topics/work-policy-research-surveys-and-consultation-responses/work-policy-research/an-unequal-crisis/>.
4. <https://www.citizensadvice.org.uk/about-us/our-work/policy/policy-research-topics/work-policy-research-surveys-and-consultation-responses/work-policy-research/an-unequal-crisis/>.
5. <https://committees.parliament.uk/writtenevidence/3547/pdf/>.
6. <https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-january-to-march-2021>.
7. <https://www.labourexploitation.org/about-us>.
8. <https://www.livingwage.org.uk/living-hours>.

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