

ADDING SOCIAL CLASS AS A PROTECTED CHARACTERISTIC

EXECUTIVE SUMMARY

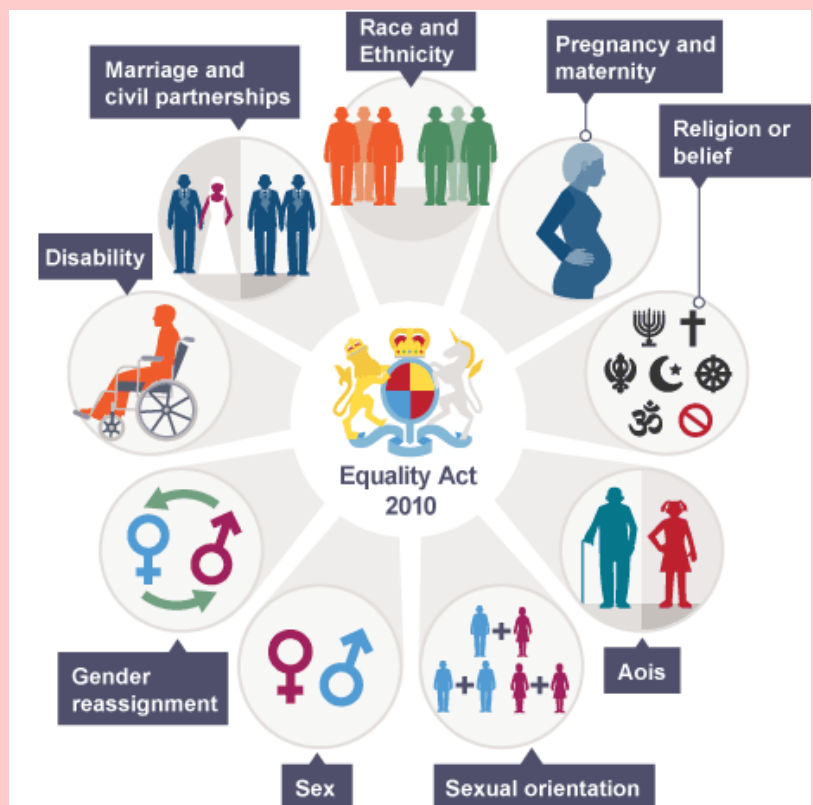
Under the Equality Act 2010, workers are safeguarded through the protected characteristics outlined in Section 4, represented in Figure 1. This presents a finite list, limiting the scope of discriminatory protection afforded to workers. One vital absence from this list is social class, where the law fails to challenge long-standing stereotypes and prejudices.

If subjected to discrimination, workers can seek remedy by taking their employer to a tribunal. However, if the discrimination is not covered by Section 4, there is a severe lack of legal protection, leaving workers vulnerable to unfair treatment without recourse.

Discrimination can hinder a worker's ability to progress in employment, face unfair conduct, and experience wage disparities compared to their counterparts. With social class not being a protected characteristic, individuals are vulnerable to unfair treatment due to their socioeconomic status. **In 2022, 1/3 of UK employees said classism was active in their workplace**, demonstrating the bias employers and colleagues hold that cannot currently be compensated.

Source - Eleanor Glanville Institute, University of Lincoln 2024

<https://eleanorglanvilleinstitute.lincoln.ac.uk/resources/toolkits-for-inclusion/equality-analysis-toolkit/what-are-protected-characteristics/> (accessed 9 March 2024) (figure 1)



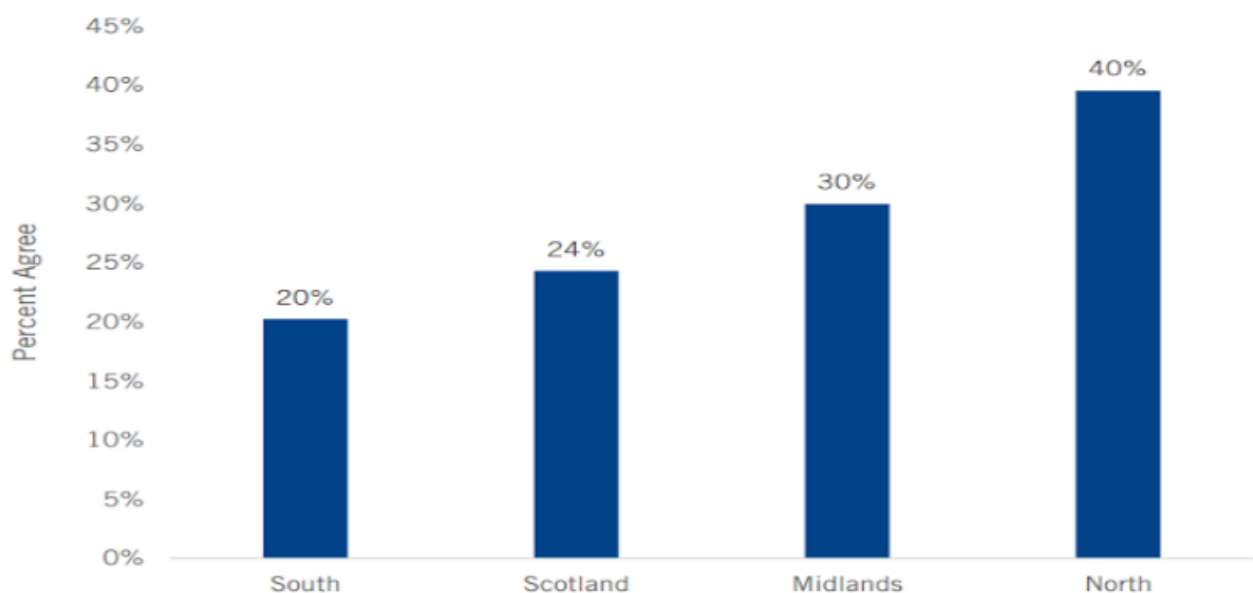
¹ CIPD 'Inclusion at work 2022: Findings from the inclusion and diversity survey 2022' (Chartered Institute for Personal Development, 2022) <https://www.cipd.org/globalassets/media/knowledge/knowledge-hub/reports/2022-pdfs/2022-inclusion-at-work-report.pdf> (accessed 12 March 2023)

ISSUE 1 – WORKPLACE BIAS

Workplace bias occurs on a social level and can lead to discrimination by colleagues, who can use socioeconomic characteristics to make assumptions about the conduct of others. **In 2015, classism was the third most common complaint submitted to the Human Rights Commission².**

Historically, working-class people have been characterised as less professional due to their lack of presence in white-collar jobs. Additional studies from 2006 on accent-based discrimination demonstrate that **76% of employers discriminated against employees based³ on accent**. Figure 2 shows that northern and working class accents are disproportionately mocked in workplaces. There is a similar impact from being able to afford to dress in similar ways for colleagues and share their lifestyle. This makes it harder to form relationships within companies and networks to have better access to clients. It also makes it harder for them to assert themselves, as they are unsupported and not a cultural fit within the company. Leaving these groups behind and allowing assumptions from colleagues on work and unprofessionalism to run, which opens them up to claims of misconduct based upon assumptions, as **in their position of not fitting within a workplace, can result in colleagues reverting to historic stereotypes of working-class persons.**

Figure 13: Early career employees – experience that their accent has been mocked, criticised or singled out in the workplace (by home region)



Source – Christian Ilbury, Erez Levon and Devyani Sharma 'Accents and Social Mobility' (The Sutton Trust, 2022) <https://www.suttontrust.com/wp-content/uploads/2022/11/Accents-and-social-mobility.pdf> (accessed 12 March 2024) (figure 2)

² Northwest Territories Human Rights Commission (2015), "Celebrating ten years of human rights, Annual Report 2014– 2015", Yellowknife, Northwest Territories Human Rights Commission, 20.

³ Friedman, Sam, and Daniel Laurison. *The Class Ceiling: Why it Pays to be Privileged*. Policy Press, 2019

ISSUE 2 – RECRUITMENT AND PROGRESSION

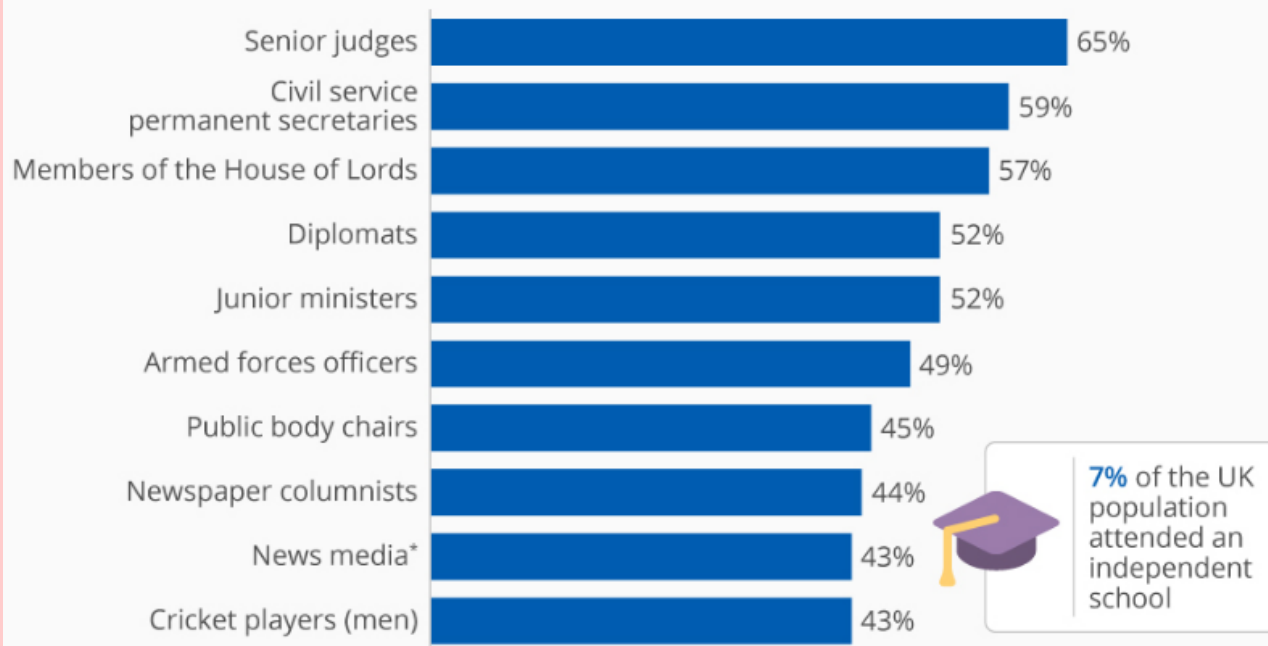
Figure 3 demonstrates how the top jobs in the UK are dominated by individuals with private education, displaying the disparity in job opportunities provided based on unconscious or conscious bias amongst recruitment. This starkly highlights the systematic discrimination in the recruitment process, pointing towards inherent biases that could include better connections, qualifications from certain educational institutes, and more. **Nearly half (47.4%) of the respondents in the University and College Union survey felt that social class influences recruitment at their institution.**⁴ This perception indicates that socio-economic factors that are unrelated to professional competency play a critical role in determining whether an individual is hired.

With career advancement, promotional decisions are also subject to discrimination. As KPMG UK highlighted in 2022, **socio-economic background has the most significant impact on an individual's career progression**, more than any other diversity characteristic.⁵

Opportunities for advancement are not distributed based on capability but are instead influenced by socio-economic status. As opposed to more visible forms of discrimination, talented individuals from less affluent backgrounds often encounter these systematic barriers to professional development that are unrelated to their performance or qualifications.

The UK's top jobs are dominated by the privately educated

Share of people in the UK in profession/job that attended an independent school (2019)



Martin Armstrong 'The UK's top jobs are dominated by the privately educated' (Statista, 2019) (figure 3)

⁴ Williams Thomas, 'Being working class is holding back our careers says UK academics' (The Times higher Education, 2022) <https://www.timeshighereducation.com/news/being-working-class-holds-back-our-careers-say-uk-academics> (accessed 4 March 2024)

⁵ Wilson Simon 'Social Class is the Biggest Barrier to our Career Progression KPMG experts find' (KPMG, 2022) <https://kpmg.com/uk/en/home/media/press-releases/2022/12/social-class-is-the-biggest-barrier-to-career-progression.html#:~:text=Pioneering%20study%20analysing%2016%2C500%20people's%20careers%20reveals%20class%20background%20&text=Socio-economic%20background%20has%20the,research%20published%20by%20KPMG%20UK> (accessed 7 March 2024)

ISSUE 3 – WAGE GAP

There is a stark class wage gap; the Social Mobility Foundation estimates that **those from lower socio-economic classes are working one day a week for free** compared to their more privileged counterparts.⁶

In workplaces where people from working-class backgrounds are underrepresented and the wage gap is most contrasting, it is common for pay to be determined by negotiation based upon your salary expectations. As companies do not automatically offer employees high wages in order to keep their costs low, they will not tell their employees it is possible to negotiate a higher salary or even teach them how. Without connections to people in these industries or family members to explain how to negotiate or what one's salary expectations should be, **lower-class workers do not feel empowered to begin negotiating.**

The wage gap is further exacerbated by bonuses being lower for working-class people. This is because they do not have access to the same networks as more privileged colleagues who may know potential clients and can add value to the business by bringing their friends on as clients. This boosts their value to their employer, so **more privileged colleagues tend to see higher bonuses of 15%.**⁷

RECOMMENDATIONS

1. **Include social class as a protected characteristic in the Equality Act** to allow workers who are facing discrimination to seek redress but also encourage the adoption of workplace policies aimed at inclusivity. Individuals can then hold their employers accountable for biases that affect salary, promotion, and conditions based on socio-economic background. It also has the potential to break down 'the class ceiling' in sectors that are traditionally dominated by the wealthier class.⁸
2. **Adopt a clear definition of 'social class'** as policymakers and stakeholders have faced challenges in defining it due to its subjectivity. This would provide a standardised understanding of identifying discrimination under this characteristic. Kadar proposed defining it on the following grounds: educational institute, family background, region of birth, and household income.⁹ This definition allows for a precise and targeted approach to effectively addressing the systemic issues relating to socio-economic status, such as wage disparity and subconscious bias.
3. **Legally recognise and compensate workers for dual discrimination** suffered based upon social-economic background in conjunction with other protected characteristics. Courts need to examine how discrimination based on multiple characteristics can disadvantage workers exponentially, moving beyond the approach of isolating characteristics seen in cases such as *DeBique*.¹⁰ Recognising dual discrimination would help illuminate how biases intersect, acknowledging how it can exacerbate issues such as wage inequalities and career advancement. This understanding would allow for a more accurate assessment and compensation that would truly reflect the multifactorial discrimination faced.

⁸ Sam Friedman, and Daniel Laurison. *The Class Ceiling: Why It Pays to Be Privileged*. (1st ed 2019, Bristol University Press)

⁹ Tamas Kadar 'An Analysis of the Introduction of Socio-Economic Status as a Discrimination Ground' (Equality and Rights Alliance, Publication 2016)

¹⁰ *Ministry of Defence v DeBique* [2010] IRLR 471, [2009] UKEAT

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