

**Consulting with lesbian, gay and bisexual communities:  
a report for Bath & North East Somerset Council**

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## Contents

<b>Executive summary</b> .....	4
<b>Introduction</b> .....	10
<i>Background to the consultation</i> .....	10
<i>Consultation method</i> .....	11
<i>About the Report</i> .....	13
<b>Sexual Orientation Equality Schemes</b> .....	14
<i>Introduction to Sexual Orientation Equality Schemes</i> .....	14
<i>The legislative framework</i> .....	14
<i>Review of existing Sexual Orientation Equality Schemes</i> .....	15
<b>Awareness of lesbian, gay and bisexual people's needs in Bath &amp; North East Somerset</b> .....	18
<i>Work carried out so far</i> .....	18
<i>Services and support for LGB people in B&amp;NES</i> .....	19
<b>Being lesbian, gay or bisexual in Bath &amp; North East Somerset</b> .....	22
<i>LGB communities in B&amp;NES</i> .....	22
<i>Visibility of LGB people</i> .....	23
<i>Community safety</i> .....	24
<i>Issues for young LGB people</i> .....	25
<b>Lesbian, gay and bisexual perceptions of the Council</b> .....	28
<i>Stakeholders' perceptions</i> .....	28
<i>Residents' perceptions</i> .....	28
<b>The Council as an employer</b> .....	30
<i>Views on the Council's commitment to equality</i> .....	30
<i>Experiences of LGB employees</i> .....	31
<i>Bullying and harassment</i> .....	32
<b>The role of the LGBT Workers Challenge Group</b> .....	34
<b>The Council's engagement of lesbian, gay and bisexual people</b> .....	36
<i>The importance of community engagement</i> .....	36
<i>Views on current levels of community engagement</i> .....	37
<i>How to better engage LGB people</i> .....	37
<i>Staff engagement</i> .....	39
<i>Monitoring sexual orientation</i> .....	40
<b>Conclusion and recommendations</b> .....	42

## **Executive summary**

### **Introduction**

In 2008, Bath & North East Somerset (B&NES) Council took steps to consult directly with residents and employees who identified as lesbian, gay or bisexual (LGB). The aim of the consultation was to inform the development of the Council's first Sexual Orientation Equality Scheme.

In recent years, policy and legislation relating to LGB people has transformed, but research suggests that many continue to experience harassment and discrimination which impacts negatively on their health, wellbeing and social and professional opportunities. The consultation therefore sought to identify the issues affecting LGB staff and service users in B&NES, to establish the key themes to consult on in the future and to develop recommendations for the Sexual Orientation Equality Scheme to address.

The consultation incorporated a review of existing public authority Sexual Orientation Equality Schemes, depth interviews with key stakeholder organisations working directly with LGB people and facilitated discussion groups with LGB staff and residents respectively.

### **Sexual Orientation Equality Schemes**

Although there is no statutory duty for a public authority to produce a Sexual Orientation Equality Scheme, there are a number of clear benefits to doing so anyway:

- minimise the risk of non-compliance with anti-discrimination law by proactively tackling discrimination
- send a clear message of support to LGB people, encouraging engagement, responsiveness and participation, as well as staff recruitment and retention
- benchmark progress on tackling anti-LGB discrimination and identify where inequality still needs to be addressed

The forthcoming Equality Bill is likely to have implications for LGB people and the delivery of public services. Equality campaigners are anticipating that the Bill will include a single Public Duty, requiring public authorities to promote equality, including sexual orientation equality. Organisations which have already started to do this by developing a Sexual Orientation Equality Scheme will be at an advantage if or when it becomes a statutory requirement.

Reflecting the Equality Framework for Local Government, most Sexual Orientation Equality Schemes will address four broad areas:

- leadership and corporate commitment
- community engagement
- service delivery and customer care
- employment and training

## **Awareness of lesbian, gay and bisexual people's needs**

To date, B&NES Council has been involved in a number of exercises to promote LGB equality and inclusion:

- support for the Lesbian, Gay, Bisexual and Transgender (LGBT) Workers Challenge Group
- participation in Stonewall's Workplace Equality Index of the top 100 employers in the UK for LGB people
- participation in Stonewall's Diversity Champions good practice forum for employers
- staff training on sexual orientation and discrimination issues in the workplace
- hosting a regional conference on homophobic bullying in schools
- events to mark LGBT History Month and International Day Against Homophobia (IDAHO)

There is a small number of voluntary and community support groups or services specifically set up for LGB people in B&NES, which are mainly specific-interest social groups. There is also a small commercial LGB social scene in Bath. There is an established system of support for LGB students, driven by the university societies.

## **Being lesbian, gay or bisexual in Bath & North East Somerset**

### *LGB communities in B&NES*

Many of the individuals who were consulted described B&NES as an area with socially conservative and traditional values and attitudes. It was felt that there was no evidence of ongoing open hostility towards sexual minorities in particular, but that local culture does not expect people to be 'different'. LGB residents said that they feel no sense of belonging to an LGB community in B&NES due to the lack of opportunities to come together.

### *Visibility of LGB people*

The lack of a sense of LGB community was linked by those consulted to the perceived lack of visibility of LGB people and their interests in B&NES. It was felt that LGB people are not reflected in the local media, in Council literature, during the various arts and cultural events in Bath or in terms of visitor information. There were concerns that invisibility led to lack of awareness among the wider population, and isolation, particularly among older and vulnerable LGB people.

### *Community safety*

Overall it was not felt that B&NES was a significantly hostile area for LGB people, any more so than anywhere else, mainly due to their lack of visibility. Several people described incidents involving homophobic verbal abuse from drunk people in pubs and in the street at night in Bath, and most said that they would modify their behaviour at that time of the day to avoid being identified as LGB. Most said they would report serious verbal or physical harassment to the police.

### *Issues for young LGB people*

Homophobic bullying in schools and youth groups in B&NES was raised. There were concerns that while some schools had received training and were very open to

addressing the problems, others were not equipped to effectively challenge it or to support LGB young people. The lack of LGB-specific youth provision in the area was noted, and the recent development of an LGB youth group was welcomed.

### **Perceptions of the Council**

Stakeholder organisations who have worked with the Council had very positive views on the Council's attitudes towards LGB equality, due to the following:

- the Equalities Team and its willingness to engage with community groups
- the equality policy
- sexual orientation equality training
- acknowledgement of LGBT History Month
- willingness of the Youth Services to learn to challenge homophobia
- the presence of the LGBT Workers Challenge Group

Residents suggested that the Council would be committed to LGB equality and diversity at a policy level in order to be legally compliant, but were unsure that this commitment was reflected in practice. There was little awareness of the Council's equality policy or of its attitude to tackling discrimination. The absence of a positive message about LGB equality had led some people to believe that they were not acknowledged by the Council as residents with specific needs, experiences or expectations. It was suggested that this consultation was the first time LGB residents and service users had been directly engaged by the Council.

### **The Council as an employer**

#### *Views on the Council's commitment to equality*

LGB employees suggested that while the Council's equality policy had developed significantly, there was concern that this is a 'box ticking' exercise and not based on a genuine commitment to fairness. It was felt that the benefits of equality are not understood or embraced by the wider organisation, and that it tends to be seen as an 'add on' or as the responsibility solely of the Equalities Team. It was noted that attitudes to LGB equality varied across the organisation.

#### *Experiences of LGB employees*

It was agreed that an individual's experience of being LGB in B&NES Council will depend on their level of seniority, as well as on the department in which they work, the culture of their team and the attitudes of their colleagues and line manager. It was suggested that the application of the equality policy was inconsistent and doubts were expressed about whether or not all managers are confident or comfortable creating a team environment which is welcoming and inclusive of LGB employees.

#### *Bullying and harassment*

Members of the Workers Group were aware of LGB colleagues who have had difficult experiences at work. There were concerns that the response to an allegation of homophobic bullying would depend on the manager to whom it is reported. It was suggested that while active members of the Workers Group would be familiar with the bullying policy and procedure, it is possible that staff who are not engaged with the Group, including those in satellite teams or without access to email or the intranet at work, may be less so.

## **The role of the LGBT Workers Challenge Group**

The LGBT Workers Challenge Group exists to support staff who identify as LGB or transgender, and to raise awareness and provide guidance and feedback to the Council on LGBT issues. The group was launched in 2004 with great enthusiasm, but there are concerns that this has not been maintained. It was suggested that its role as an organisational resource is still not widely understood and that it is still not recognised within the structure of the Council as a mechanism for consultation.

Not all LGB staff will want to join a Workers Group, but it was thought that some have not joined because they are afraid of the consequences if their sexual orientation is revealed at work, or because they do not know that the group exists. It was suggested that the Workers Group had given LGB issues more visibility in the Council, but that the Council could assist the group in communicating its existence and purpose more widely.

## **Engaging lesbian, gay and bisexual people**

### *The importance of engagement*

Engaging with communities is about creating a relationship between the communities and the service provider, enabling individuals to express their needs and access and contribute to the development of services. Engagement can be direct or indirect, for example:

- direct communication, messages, information, resources or publicity specifically for or about LGB people
- inclusive communication, messages for the wider community which acknowledge and do not exclude LGB people

Ensuring communities feel recognised and valued is key to encouraging them to be informed, empowered and responsive.

### *Views on current levels of community engagement*

Residents felt that the Council was not communicating well with LGB people on LGB issues. There are perceived gaps in the provision of information on support, LGB activities and the Council's policy position on LGB equality. It was also felt there is scope for frontline services to publicise messages of inclusion on posters and leaflets, reinforcing the Council's commitment to tackling discrimination and encouraging the reporting of harassment. It was suggested that clear acknowledgment of LGB people by the Council would reduce feelings of isolation and start to normalise the concept of LGB equality among the wider population.

### *How to better engage LGB people*

A number of suggestions were made for better engaging LGB people, using mainstream mechanisms as much as LGB specific resources (such as the LGB media), in order to reach a wide range of people:

- Council policy procedure and publications
  - information on Council policy on LGB equality and inclusion
  - promotion of the Sexual Orientation Equality Scheme
  - information and referrals by Council staff
  - positive images of LGB people in Council publications

- Information for LGB people
  - an LGB-specific information leaflet
  - information on reporting discrimination, including homophobia
  - regular round-up of LGB community events
- Events and culture
  - LGB-specific interest events during existing cultural festivals
  - an event during Pride season

The idea of a local LGB residents' panel was suggested as a potentially useful mechanism for the Council to further develop its understanding of the needs of LGB communities in B&NES.

#### *Staff engagement*

Suggestions for engaging with LGB staff, to encourage them to feel safe and valued, as well as to ensure the organisation more widely is aware of LGB equality and the Workers Group, included:

- more detailed information for the new starters packs
- a talk by the LGBT Workers Group as part of induction training
- training for managers, to include LGB inclusion and the role of the Workers Group
- promotion of the Group through posters and articles in non-web based formats
- promotion of the Council's support for the Group and its use for consultation, to reinforce both its value and the Council's attitude to LGB inclusion

It was also thought that the benefits of diversity could be better promoted across the Council.

#### *Monitoring sexual orientation*

Monitoring is an effective way of measuring differences and inequalities in need and experience, and can send out a positive message about an organisation's awareness of LGB people and its corporate commitment to creating a workplace or a service which is free from discrimination. Residents had mixed views on the topic. There was agreement in principle, but concerns about confidentiality and misuse of the data. They said they would need to see more proof of the Council's commitment to LGB equality before they would feel confident answering honestly. LGB employees were generally very supportive of the Council's inclusion of a sexual orientation question in its diversity monitoring.

### **Summary of the recommendations**

#### *Leadership and corporate commitment*

- Demonstrate senior-level support and accountability for sexual orientation equality in the Council.
- Ensure all managers are confident managing diversity and tackling discrimination, including homophobia.
- Promote the benefits of diversity to all staff.
- Make use of the Workers Group as an organisational resource.
- Continue to monitor sexual orientation and to encourage staff to respond.
- Continue to maintain and develop relationships and communication between the Council and local LGB community groups.

### *Community engagement*

- Promote the Council's policy on sexual orientation equality and the steps it has taken to tackle discrimination.
- Provide information specifically aimed at LGB residents, service users and visitors.
- Investigate the feasibility of establishing an LGB residents' panel or forum.
- Encourage LGB participation in B&NES community life through LGB-specific event programming.

### *Service delivery and customer care*

- Widely promote the Council's equality policy, including its position on LGB equality and its commitment to tackling homophobia.
- Ensure frontline staff recognise the implications of sexual orientation on their service area, and the impact of discrimination on their LGB clients.
- Ensure school staff are confident and capable of preventing and challenging homophobic bullying, and that all staff are aware of the repeal of Section 28.
- Build local capacity to support young LGB people.
- Encourage LGB people to recognise and report hate crime and homophobic harassment.
- For frontline Council staff to be able to refer LGB service users, where appropriate, to local LGB community groups, or to simply pass on helpful LGB-specific information.
- Where good practice in delivering services to LGB people is identified, share it widely.

### *Employment and training*

- Actively encourage people from under-represented groups, including LGB people, to apply for positions at B&NES Council.
- Ensure all staff understand the principles and the benefits of equality and inclusion, including sexual orientation equality, and how diversity affects them.
- Widely promote the Council's policy on anti-LGB discrimination and the procedure for tackling bullying and harassment.
- Encourage staff who are being bullied on the grounds of sexual orientation to report it.

## Introduction

### *Background to the consultation*

In 2008, Bath & North East (B&NES) Council took steps to consult directly with residents and employees who identified as lesbian, gay or bisexual (LGB). The aim of the consultation was to inform the development of the Council's first Sexual Orientation Equality Scheme, placing it among the first public authorities in the UK to undertake such work.

Consulting LGB people is not without its challenges, being one of the least researched among the country's minority communities. There are no national statistics describing the prevalence of the UK's LGB communities, but the Government estimates that approximately six per cent of the UK's population identifies as lesbian or gay. This would mean that approximately 10,140 B&NES residents and 390 B&NES Council employees are likely to identify as lesbian or gay.

In recent years, policy and legislation relating to LGB people has transformed beyond all recognition. In particular, employment law and regulations for the provision of goods, facilities and services now provide a much more robust response to discrimination and unfair treatment.

Nevertheless, attitudes can take longer to evolve than legislation, and research suggests that many LGB people continue to experience harassment and discrimination which impacts negatively on their health, wellbeing and social and professional opportunities. For example, nationally:

- Almost two thirds of young LGB pupils have been bullied in school (Stonewall *The School Report*, 2007).
- One in five LGB people have experienced a homophobic hate crime or incident in the last three years but three quarters of those did not report it to the police (Stonewall, *Homophobic Hate Crime*, 2008).
- Nearly one in five LGB people have experienced homophobic bullying at work in the last five years (Stonewall, *Serves You Right*, 2008).
- Discrimination and intolerance lead to a higher rate of mental anxiety, substance use disorders and suicidal behaviour among gay people than heterosexual people (British Journal of Psychiatry, *Mental health and quality of life of gay men and lesbians in England and Wales*, 2003).

Recent research (*Serves You Right*, 2008) by Stonewall, the LGB campaigning organisation, examined LGB people's expectations of public services across Great Britain, and found that in the South West:

- 35 per cent of LGB people expect a police officer to treat them worse than a heterosexual if they were suspected of having committed an offence.

- 17 per cent of LGB people expect a housing officer to treat them worse than a heterosexual when applying for social housing.
- 7 per cent of LGB people expect their GP to treat them worse than they would a heterosexual patient.
- 84 per cent of LGB people expect to face barriers to becoming a school governor because of their sexual orientation.

Public Duties require public authorities to proactively prevent discrimination on the grounds of race, disability and gender, yet there are no similar obligations pertaining to sexual orientation equality. The introduction of the Equality Bill may lead to a single Equality Duty, covering sexual orientation as well as the other 'strands' of equality. Equality campaigners anticipate, however, that this is not likely to be introduced until 2010 at the earliest.

In the meantime, to bridge this gap, B&NES Council has committed to introducing its Sexual Orientation Equality Scheme (SOES). Mirroring the existing Race, Disability and Gender Equality Schemes, the SOES will be designed to guide the Council to be an inclusive employer and provider of services, and to address discrimination faced by LGB people in B&NES.

In order to inform the SOES, the Council decided to commission a consultation exercise to meet the following objectives:

- to identify the issues affecting LGB staff and service users in B&NES
- to establish key themes to form the framework for future consultation.
- to develop recommendations for the SOES to address

This report sets out the findings of that consultation and the recommendations for the SOES, and provides context to the legal and local picture for LGB people in B&NES.

### *Consultation method*

While the Council has been able to develop a dialogue with LGB staff through the Lesbian, Gay, Bisexual and Transgender (LGBT) Workers Challenge Group, this was the first time that LGB residents and service users had been specifically consulted.

The consultation was commissioned in September 2008 and was carried out by an independent consultant between September and December 2008. It incorporated a review of existing public authority Sexual Orientation Equality Schemes, depth interviews with key stakeholder organisations and facilitated discussion groups with LGB staff and residents respectively.

The depth interviews were carried out with representatives of five organisations which work directly with and for LGB people in B&NES:

- Educational Action Challenging Homophobia (EACH) – two representatives with different remits were individually interviewed.
- Avon & Somerset Police Hate Crimes unit
- Living Springs Metropolitan Community Church
- Mandalyn's bar, an LGB venue in Bath
- Gay West social and support group

The purpose of the interviews was to capture the knowledge and insight of professionals and community advocates working with LGB people in B&NES. Semi-structured interviews using a topic guide were carried out over the telephone and recorded.

A focus group discussion took place with eight members of staff who were recruited through the LGBT Workers Challenge Group mailing list. A second discussion group took place with six LGB residents of B&NES, although eight had originally agreed to attend. The residents' focus group was widely publicised, including:

- on email to the Council's LGBT History Month mailing list, to the South West branch of the Gay Outdoor Club, to Bath University's and Bath Spa University's LGBT Societies and to the South West's *Missing Lesbians* online community message board
- on the B&NES Council website
- via the key stakeholder organisations, including Living Springs' e-bulletin
- a poster displayed at Mandalyn's

Participants at both groups were assured that their contribution would be completely confidential. The discussions were recorded and analysed.

B&NES does not have a specific 'LGB quarter' or area where LGB people convene, such as in London, Brighton, Birmingham or Manchester. Nor are there any existing community fora or LGB residents' panels in the area, with the exception of the LGBT Workers Challenge Group within the Council. As such, the recruitment of LGB people to take part in what was the first consultation of its kind in B&NES was challenging. The consultation therefore took a qualitative approach, assessing the information which was available at the time, rather than trying to be statistically representative or to quantify the number of LGB people living and working in B&NES.

## *About the Report*

This report brings together the findings of the consultation. It looks at the legislative context for the Council, reviews a selection of existing Sexual Orientation Equality Schemes, examines the Council's existing work to ensure sexual orientation equality and inclusion and maps existing LGB services. A number of key themes are then drawn out and discussed, including visibility of LGB people in B&NES, community safety, issues for young LGB people, perceptions of the Council, the Council as an employer of LGB people and the value of engaging with LGB people.

It is important to note that this consultation focused on sexual orientation and therefore on people who identified as lesbian, gay or bisexual. It did not seek to specifically explore gender identity issues, or concerns which are unique to the transgender communities. While there are many commonalities between the experiences of and the discrimination faced by LGB and transgender people, legislation relating to sexual orientation and gender identity is quite distinct. The SOES will reflect the provisions of the law relating to LGB people, although clearly this would include transgender people who identify as LGB. Transgender people are protected from gender discrimination by the Sex Discrimination Act, which will be addressed by the Council's Gender Equality Scheme. During the course of the consultation, where transgender-specific issues were identified, they were relayed to the Council's Equalities Team. In essence, these were that transgender people should be acknowledged in Council policy, procedure and training, particularly in relation to harassment and discrimination. One stakeholder also suggested that the Gender Equality Scheme should address sensitive issues around transgender people's use of public facilities such as leisure centre changing rooms and toilets.

## Sexual Orientation Equality Schemes

### *Introduction to Sexual Orientation Equality Schemes*

As with the Public Duty equality schemes for race, disability and gender, a Sexual Orientation Equality Scheme (SOES) sets out an organisation's commitment to tackling anti-LGB discrimination, as both an employer and a service provider. It generally includes a description of the local LGB communities and the issues that they face. Its key feature is an action plan setting out the organisation's objectives for LGB equality locally, the practical steps it will take to achieve them and the individuals or departments which are ultimately responsible.

Despite the lack of statutory obligation to produce an SOES, there are a number of clear benefits to doing so anyway.

- By taking steps to proactively prevent discrimination, an organisation will reduce the risk of non-compliance with existing anti-discrimination law (see below).
- An SOES sends out a positive message to the LGB communities about the organisation's commitment to sexual orientation equality and to tackling discrimination. This in turn can have a positive impact on community engagement and responsiveness, and on staff recruitment and retention.
- The action plan in an SOES will help an organisation to benchmark its progress in tackling discrimination against LGB people and to identify where inequality still needs to be addressed.

Taking into account both the Equality Framework for Local Government and the Stonewall Workplace Equality Index of the top employers in the UK for LGB people, developing an SOES and maintaining a commitment to it is considered to be very good practice.

### *The legislative framework*

As mentioned above, while public authorities are not legally obliged to produce an SOES, by doing so, and thereby reducing discrimination against LGB people, they may minimise the risk of non-compliance with anti-discrimination law.

The key legislative developments to be aware of are as follows:

Local authorities: **Section 28 of the Local Government Act 1988** prohibited local authorities in England and Wales from 'promoting' homosexuality. It also labelled gay family relationships as 'pretend'. The result was that many local authorities felt unsure of what services they could offer their LGB residents. This had a negative impact on the delivery of services and also on the way in which

discrimination was, or was not, challenged. Section 28 was finally repealed in 2003 but its legacy lives on particularly in schools and public services which still lack the confidence to challenge homophobia and offer services appropriately and equitably to LGB service users.

Goods, facilities and services: discrimination on the grounds of sexual orientation in the provision of goods, facilities and services was outlawed in 2007 under the **Equality Act (Sexual Orientation) Regulations**. These apply to organisations in the public and private sectors, and cover the provision of all local authority services.

Employment: the **Employment Equality (Sexual Orientation) Regulations 2003** have made it unlawful to harass or discriminate against an employee on the grounds of sexual orientation. The Regulations apply to the entire employment journey, from recruitment to retirement or dismissal, including vocational training.

Same-sex relationships: the **Civil Partnership Act 2004** allows same-sex couples to legally register their relationship and access the same package of rights and responsibilities as married couples. These include housing and tenancy succession rights, joint pension provision, parental responsibility and immigration rights. It also gives same-sex couples who are not in a civil partnership the same legal status as unmarried heterosexual couples.

Sexual orientation is now firmly part of the Government's equality agenda, receiving statutory recognition under the framework of the recently-established Equality and Human Rights Commission.

In addition to this, the new Equality Bill, as announced in the Queen's speech in December 2008, is likely to have implications for LGB people and the delivery of public services. Equality organisations, such as Stonewall, are campaigning for the Bill to include a single Public Duty, to require public authorities to proactively promote equality, including sexual orientation equality, and tackle discrimination across the board. Organisations which have already started to do this by developing an SOES will be at an advantage if or when it becomes a statutory requirement.

### *Review of existing Sexual Orientation Equality Schemes*

A range of SOES were examined in preparation for the consultation. The most comprehensive of these included:

- Birmingham City Council's LGB People Equality Scheme 2007-2010
- Greater London Authority's Sexual Orientation Equality Scheme 2005-2008
- LB Lewisham's Sexual Orientation Equality Scheme 2008-2011
- Scottish NHS 24's Sexual Orientation Equality Scheme 2008-2011

- Transport for London's Sexual Orientation Equality Scheme 2008-2011

Count Me In Too – Brighton & Hove's LGBT Needs Assessment was also examined as an example of a consultation conducted in an area with a significant LGB community.

The scope of the different SOES, and the consultation undertaken to inform them, varied greatly. However, the most common issues identified as key concerns for many of the LGB people working for and being served by the organisations were:

- the need to challenge homophobic attitudes and behaviours
- personal safety and experiences of harassment and hate crimes
- support, particularly for those experiencing homophobia
- lack of confidence to engage with services or report harassment
- lack of awareness of legal rights
- lack of access to LGB-specific information
- social isolation, including limited family support networks

In terms of actions, the broad recommendations of most of the SOES were shaped by the Equality Framework for Local Government, or reflected it for those non-local authority bodies, and included commitments such as:

- Leadership and corporate commitment
  - demonstrate senior support for LGB equality
  - carry out Equality Impact Assessments
  - monitor sexual orientation
  - influence partners' and suppliers' attitudes to LGB equality
- Community engagement
  - encourage LGB inclusion in local consultation
  - community cohesion - promote good relations between different groups
  - communicate with LGB communities and on LGB issues, including discrimination, more widely
- Service delivery and customer care
  - address homophobic bullying and harassment in all service areas, including education
  - ensure equal access to information, support and services
  - encourage reporting of harassment experienced while accessing services
  - deliver staff training to improve knowledge of LGB issues and needs
- Employment and training
  - address homophobic bullying and harassment
  - support management to address prejudice
  - become an employer of choice

- consult LGB staff
- improve staff awareness through training and development
- monitor sexual orientation of applicants and employees, and clearly demonstrate the purpose and outcomes
- proactively encourage recruitment of LGB candidates
- develop an LGB employee network group

The majority of the SOES included a written endorsement from the Chief Executive, or equivalent senior figure in the organisation. As the concept of the SOES is still relatively new, and the organisations cited have only produced one scheme so far, it is too early to measure their progress or impact locally.

## **Awareness of lesbian, gay and bisexual people's needs in Bath & North East Somerset**

### *Work carried out so far*

To date, B&NES Council has been involved in a number of exercises to promote LGB equality and inclusion. This has mainly been from an employment perspective, through involvement with Stonewall's Diversity Champions Programme and annual entry into the Workplace Equality Index, which ranks the top 100 employers in the UK for LGB people.

In 2008, the Council's overall percentage score remained the same as in 2007 at 79 per cent. In terms of rank, the Council dropped from 25<sup>th</sup> place to 51<sup>st</sup>, reflecting the increasingly competitive nature of the Index, and the high standards required to rank within the top 100 (over twice as many employers enter the Index than actually appear in the top 100).

According to Stonewall's criteria in 2008, the Council was performing well in a number of areas, including:

- diversity structures and teams
- equal pensions and benefits for LGB staff and partners
- supporting and engaging with an LGB staff network
- LGB-targeted advertising
- community involvement, such as sponsorship of LGB events

The work of the LGB Workers Group is discussed in more detail later in the report.

Since the 2008 Index, the Council has started monitoring sexual orientation as part of its diversity monitoring for applicants, new recruits and leavers. While it may take time for the data to become reliable, this will enable the Council to measure differences between heterosexual and LGB staff, in terms of development, promotion, exit and complaints, such as reports of bullying and harassment.

Between 2006 and 2008 the Council commissioned Bristol-based charity Educational Action Challenging Homophobia (EACH) to deliver a training module called *Sexuality – creating a safer and equal workplace*, designed to stimulate attitudinal change, exploring issues of sexuality and homophobia in the workplace. This included:

- exploring attitudes and behaviours towards LGBT issues
- increasing understanding of anti-LGBT discrimination
- challenging unacceptable behaviour
- legislation and Council policy

General diversity training which is inclusive of LGB issues has been made available to all staff including new recruits, senior staff, line managers and staff with recruitment responsibilities. This training is not mandatory.

In November 2007 the Council hosted a regional conference on tackling homophobic bullying, which was organised by EACH as part of Anti Bullying Week. The event was attended by teachers from across B&NES and the South West to examine how schools can tackle the issue of homophobic bullying.

In February 2008, in celebration of LGBT History Month and to engage local LGB communities, the Council's Equalities Team organised an event entitled *Lesbian and gay people in the media*. This involved a presentation and a panel discussion between LGB community advocates and representatives of the local media. It was attended by 40 people, including staff, students and other members of the public.

As well as this, the Council marks International Day Against Homophobia (IDAHO). In May 2007 the Council, through its involvement in the Partnership Against Hate Crime, ran an event entitled *Tackling homophobia within our community*. This aimed to encourage reporting of homophobic incidents and publicise seven recent successful prosecutions for homophobic hate crime in the area. The event was well attended and achieved good media coverage in the local press and radio.

#### *Services and support for LGB people in B&NES*

There are a small number of organised support groups or services specifically set up for LGB people in B&NES. These tend to be mainly small special interest social groups. While these are not equipped to carry out outreach in the communities, or offer professional support to people in need, they still make a vital contribution in terms of offering some people a sense of community and helping to tackle the isolation which some LGB people may feel.

EACH, a registered charity, is based in Bristol. However, as a provider of services to LGB people in the South West and as a key partner in the Council's sexual orientation equality work, it is an important resource for both LGB individuals and for mainstream service providers.

Mandalyn's in Bath is a commercial venue, but emerged as a key player in the B&NES LGB social support network. The pub provides a meeting place for a range of community groups and events, it works closely with the local hate crime officer to encourage hate crime reporting and it is a focal point for LGB tourists and visitors to Bath. Mandalyn's is notable for providing a safe environment for both men and women, adults of all ages.

Participants felt that there was a good support system for LGB students, driven by societies which organised events, support, information sharing and networking opportunities.

It was suggested by one stakeholder that the increased use of the internet to socialise has impacted on the number of self-organised social groups. It was also noted that LGB people in B&NES who want to access LGB support or a more varied commercial scene are likely to do so in Bristol.

The main LGB-specific services and support groups available to LGB people in B&NES are set out in the table below:

Name	Type	Purpose/activities	Further details
EACH (Educational Action Challenging Homophobia)	Charity	<ul style="list-style-type: none"> <li>support for young people affected by homophobic bullying</li> <li>homophobic incident reporting service for people in the West of England</li> <li>consultancy and training for organisations</li> <li>currently developing an LGB youth group (REACH), in partnership with Youth Services</li> </ul>	<a href="http://www.eachaction.org.uk">www.eachaction.org.uk</a>
Homophobic Hate Crime committee / Homophobia Action Group	Committee	<ul style="list-style-type: none"> <li>multi-agency partnership</li> <li>aims to tackle homophobic hate crime.</li> <li>encourages LGB people to report hate crime</li> </ul>	Chair: Dan Furness <a href="mailto:Dan_Furness@bathnes.gov.uk">Dan_Furness@bathnes.gov.uk</a>
University of Bath LGBT	Student group	<ul style="list-style-type: none"> <li>social and support group for LGB students</li> <li>activities include meetings, campaigns, and a variety of social events</li> </ul>	<a href="http://www.bathlgbt.co.uk">www.bathlgbt.co.uk</a>
Bath Spa University College LGB	Student group	<ul style="list-style-type: none"> <li>social and support group for LGB students</li> </ul>	<a href="http://www.geocities.com/bathspalgb">www.geocities.com/bathspalgb</a>
Living Springs Metropolitan Community Church	Church	<ul style="list-style-type: none"> <li>LGB-inclusive services</li> <li>study groups</li> <li>social events</li> </ul>	<a href="http://www.mccbath.org.uk">www.mccbath.org.uk</a>
Gay West	Social group	<ul style="list-style-type: none"> <li>weekly event in Bath – the Rainbow Café</li> <li>social activities and support</li> <li>support for isolated LGB people, including older people</li> </ul>	<a href="http://www.gaywest.org.uk">www.gaywest.org.uk</a>
Gay Outdoor Club Somerset	Social group	<ul style="list-style-type: none"> <li>sports and social activity group for LGB people</li> </ul>	<a href="http://www.goc.org.uk">www.goc.org.uk</a>
Wild Women Walking	Social group	<ul style="list-style-type: none"> <li>walking group for lesbians</li> <li>meets monthly in Bath/Bristol area</li> </ul>	Fiona 07980 418676
Missing Lesbians	Online message board	<ul style="list-style-type: none"> <li>listing guide for events, social groups and organisations of interest to lesbians in Bath and Bristol</li> </ul>	<a href="http://www.missinglesbians.co.uk">www.missinglesbians.co.uk</a>
Mandalyn's	Venue	<ul style="list-style-type: none"> <li>LGB community pub in central Bath</li> <li>close links with LGB student groups, hate crime officer and Living Springs MCC</li> </ul>	<a href="http://www.Mandalyn's.com">www.Mandalyn's.com</a>
Bath Tap	Venue	<ul style="list-style-type: none"> <li>LGB community pub in central Bath</li> </ul>	19-20 St James Parade, Bath

While these groups by no means reach every single LGB person in B&NES, and there will be some LGB people who do not want to participate, they may still be a useful set of contacts for primarily engaging local LGB people. It should be noted that among the residents who took part in the focus group discussion, there was

very low awareness of the LGB social and support groups in the area. However, there was a desire to know more and to start being involved. This is discussed in more detail in the next section.

## Being lesbian, gay or bisexual in Bath & North East Somerset

### *LGB communities in B&NES*

B&NES is a geographically diverse area, covering rural and small urban areas. Unlike in some larger cities, such as London, Brighton, Birmingham or Manchester, there are no specific areas which are obviously populated by LGB people, or where they are more likely to convene socially. As with most minority communities in the area, they tend to be fairly disparate, rather than clustered together.

Many of the individuals who were consulted described B&NES as an area with a predominant older population, socially conservative with traditional values and attitudes. It was strongly suggested that there is very little diversity across the local population and that while there was no evidence cited of ongoing open hostility towards sexual minorities in particular, it was felt that the local culture does not expect people to be 'different' or 'unconventional', and therefore does nothing to encourage confidence in being so.

Some focus group participants had experienced what they perceived to be unfriendly attitudes from some shopkeepers in central Bath, particularly those participants who felt that they looked visibly LGB, or who were clearly with a same-sex partner. While these attitudes were not felt to be threatening, it was suggested they were symptomatic of a culture where LGB sexuality is not normally acknowledged, making some LGB people feel like they were not part of the wider community.

*You get funny looks when you're wandering round the town. I've been walking round with my girlfriend, holding hands, and even when you walk into a shop you get funny looks. Where I lived before we didn't seem to have that problem. I class Bath as being quite snobbish.*

The concept of an LGB community is open to interpretation, and simply being LGB does not necessarily constitute community – LGB people are not a homogenous group. However, participants of the residents' focus group discussed the idea of community and most agreed that a sense of belonging, or of simply being conscious of other LGB people, was something which they would value. They suggested that there is no LGB community in B&NES and this is due to the lack of opportunities to come together.

*I feel like an outsider. I feel less and less like I'm part of a lesbian community. And I don't want to go out drinking, I'm in my fifties, hanging around a bar is not my idea of fun anymore. I don't know what other options there are.*

Some participants felt that the LGB students had a good model of community, with support systems and events, but that this was self-contained and not accessible to non-students.

### *Visibility of LGB people*

The lack of a sense of LGB community was linked by those consulted to the perceived lack of visibility of LGB people and their interests in B&NES. It was suggested by the focus group participants that LGB people themselves are not visible or recognised as B&NES constituents because, it was felt, LGB people's interests or needs are not reflected in the local media, in Council literature, during the various arts and cultural events in Bath or in terms of visitor information.

It was suggested that provision of information for LGB people could be improved, and that this would not only link people into the few support services and social groups in the area, but that it would also send out a message to the wider community about LGB inclusion. Currently, some LGB residents felt that they were hidden from view and were not acknowledged as part of the wider community in B&NES:

*I just want some acknowledgement that we exist. I think part of the reason that we are invisible is because there's nothing out there for us. There's no information, it's almost as if we wouldn't be in Bath because Bath's a nice place.*

*It doesn't help that they keep the Pink Paper under the desk at the library. You have to go and ask for it.*

Some time ago, the Homophobia Action Group produced a safety and social guide for LGB people in B&NES called *It's Bath Time!* This usefully set out a wide range of information, from support for coming out, information about civil partnerships, sexual health advice, hate crime reporting procedures and details of local and national LGB social and support groups. It was launched at the aforementioned IDAHO event in May 2007 and is available via the Council website. Unfortunately this was not referred to by any of the organisations or individuals consulted, implying that the resource was not well publicised.

Some suggested that the lack of an LGB focal point in B&NES lead some residents to become isolated. Concerns were expressed in particular for LGB pupils in schools (see below) and older LGB people.

*We heard about this 70 year old guy, his partner's just died, he's stuck [at home] and he knows nobody and he hasn't been out for two years. There must be plenty of people like that who get lost and hidden.*

Limited transport options for coming into Bath to socialise and then getting home again afterwards were cited as a further cause of isolation among some LGB people living in more rural areas. Gay West, whose members range from their 30s to their late 80s, were very aware of the isolation faced by older members of B&NES's LGB communities, particularly those who were bereaved or separated from a partner, or who wanted to socialise in an alcohol-free environment. The group however has limited resources and has faced challenges promoting its activities to that demographic.

### *Community safety*

Overall, it was not felt that B&NES was a significantly hostile area for LGB people, any more so than anywhere else. It was suggested that it was more likely that the local population would be unaware of LGB sexualities, rather than actively looking to discriminate or harass on the grounds of them. Neither Gay West nor Living Springs Metropolitan Community Church reported any recent problems of people targeting their meetings or events. Mandalyn's has experienced occasional problems from mostly older groups of people who have come to the pub, unaware that it is an LGB venue, and have become verbally abusive, but have been dealt with swiftly by staff.

Several of those consulted said they were not worried about harassment during the day, but were more wary at night. Some described incidents involving homophobic verbal abuse from drunk people in pubs and in the street at night in Bath.

*I was in a pub with a male friend. A gang started shouting across the bar 'oi, are you gay?' Upon leaving, one of them said 'watch this' and picked up a broken bottle as he approached him, causing him to run away.*

*We've had lads jeering at us when we've been holding hands. And not just men, women as well.*

Most participants said if they were in town on a weekend evening they would modify their behaviour in order to not draw attention to their being LGB. For some, this extended to where they lived.

*I have to change my behaviour [on the estate]. When I come out of the house, I have to kiss my girlfriend goodbye before I leave or before she gets in the car because I've already had an experience [of homophobia].*

Most said they would be unlikely to inform the police about random verbal abuse (as opposed to ongoing threats), since they felt the incident would be over quickly and not worth taking the trouble to report. No clear picture of a typical perpetrator emerged, although it was suggested it was normally men. Some

suggested that middle aged people were more likely to be intolerant and abusive, while others only had experience of abuse from younger people.

Official figures suggest that homophobic hate crime is not a major issue in B&NES. Of the 145 hate crime incidents reported to Avon & Somerset Police in the financial year to April 2008, 12 were recorded as homophobic. So far this financial year, as at November 2008, there had been 10 homophobic incidents recorded, and 62 race-related incidents. It was suggested verbal abuse and lower level harassment in the streets at night tend to go unreported. Of the recorded incidents, the majority of the perpetrators were men aged 40 and over.

This should not lead to complacency however: the low figures may be because people are not reporting. Nevertheless, they do have the option to report via the EACH third party reporting service, and the residents' focus group participants said they would report a hate crime, even though they were not all confident that it would reach a satisfactory resolution. Alternatively, the lack of visibility of LGB people in B&NES may mean they are not being targeted. This could change and would need to be addressed if a visible LGB community does emerge, or LGB community events are held and widely publicised.

The role B&NES's Homophobia Action Group was questioned. There were concerns that the group had been an effective and useful resource, but that it no longer seemed to be in existence. It was stressed that while the police were a key stakeholder on the group, it should be police-assisted and not police-run. There was enthusiasm for the Group to continue to operate.

LGB residents suggested that they would feel less safe being openly LGB (e.g. being with a same sex partner or being out to neighbours) in certain Council housing estates and areas such as Keynsham, Saltford, Radstock, Twerton, Whiteway and Oldfield Park. However it was felt that these areas would feel threatening to other groups such as lone women and people from ethnic minorities, and not just LGB people.

### *Issues for young LGB people*

The experiences and concerns of young LGB people emerged as a distinct theme during the consultation. While it was beyond the scope of the research to convene a young LGB person's discussion group, the stakeholders and individuals consulted included EACH, which works with young LGB people experiencing homophobia, as well as a number of LGB parents and parents of young LGB people. A small number of those consulted also worked in schools in B&NES.

Those working with young people described the problem of homophobic bullying in schools and youth settings.

*After a group of young people spent the evening tormenting a young gay man, one of them was banned from the youth club which led to the rest of the group throwing objects and food at the victim and threatening to kill him. He was taken home in a police car for his own safety at the request of the youth workers.*

*My daughter was the victim of homophobic bullying and it wasn't addressed. To fully report it she would have had to come out to her teachers, and that wasn't something she felt comfortable doing. She keeps her sexuality fairly quiet because her best friend is a lesbian and is very out and has been beaten up on numerous occasions in the girls' toilets.*

There were concerns that some schools were not equipped to effectively challenge homophobic bullying, including lower level bullying such as the use of the word 'gay' as an insult. It was also felt that some schools were not confident supporting LGB pupils. One of the focus group participants, who also worked in a school, was concerned that some schools were not aware that Section 28 had been repealed, and were therefore still under the impression that they could not address sexual orientation issues in the classroom.

*A lot of the teaching staff I've spoken to haven't even been aware that Section 28 has been abolished. Others have thought that even though it's been abolished, they don't know what to do anyway, especially if a child comes up to them and says 'I'm gay' or 'I'm being bullied because I'm gay'. There needs to be so much training given to staff.*

While these issues are probably not unique to or any worse in B&NES than elsewhere, there were concerns that some schools were still not aware of the introduction of government guidance on the issue (*Safe to Learn*), co-written by EACH.

There were also concerns about the lack of youth support provision for LGB young people in the area. One stakeholder was aware of a religious outreach youth group in B&NES telling a group of young people that LGB people will go to hell. In the past, young LGB people wanting specific support or advice, who were unable to obtain it at school, would have to go to Bristol. This would also apply to young LGB people who were too intimidated to access mainstream youth services. This would be problematic for those who needed to ask an adult to get there.

During the course of the consultation however it emerged that EACH and the B&NES Youth Service are working in partnership to establish an LGB youth group. A group of young LGB people in B&NES had already expressed an interest in participating, and when the plan was revealed at the residents' focus

group, it was met with a great deal with enthusiasm and support. So far, funding has been obtained to finance a worker to develop the service and it is anticipated that it will be operational by July 2009. In the interim, a limited amount of small group work and one-to-one support can be undertaken.

However, EACH reported very positive attitudes among the school staff and youth workers with whom they had worked in B&NES. This suggests that while there may still be a problem with homophobic bullying and lack of support for LGB young people in some B&NES schools, there is a willingness to learn to address the situation. Two of the residents' focus group participants said that they had been invited into certain schools to talk about LGB issues, which was considered to be very progressive. The B&NES Education Challenging Homophobia Steering Group met recently and discussed a range of issues including funding for an LGB youth group, celebrating LGBT History Month in assembly time and training on tackling homophobia in schools.

## **Lesbian, gay and bisexual perceptions of the Council**

### *Stakeholders' perceptions*

The stakeholder organisations who have worked with the Council had very positive views about the Council's attitude towards LGB equality. This was attributed mainly to the Equalities Team, but was also due to an awareness of the Council's equality policy and its specific references to sexual orientation and LGB people (an awareness not shared by residents). Further reasons included the Council's commissioning of sexual orientation equality training, the LGBT History Month event and the willingness of the Equalities Team to form relationships with community partners. Participants noted that they had found the Council to be responsive to and supportive of LGB issues. The willingness of frontline staff in the Council's Youth Services to develop their knowledge of dealing with discrimination was acknowledged.

The presence of the LGBT Workers Challenge Group was seen as a sign of the Council's progressive stance on sexual orientation equality, although it was recognised that as with most employers, there are still likely to be pockets of discrimination which need to be addressed.

### *Residents' perceptions*

During the focus group discussions, residents were asked about their perceptions of B&NES Council. Initially they voiced a number of generic complaints, mainly around the lack of parking, the cost of public transport and the problem of street drinking in Bath. They were then asked to consider their views of the Council as an organisation committed to equality and diversity, and to the inclusion of LGB people.

There was a general agreement that at a strategic level the Council would be committed to equality and diversity in order to be legally compliant. However, the strength of this commitment was undermined for some by what was perceived to be the 'white, male, conservative' external face of the Council and the lack of minority group representation in general, including people from minority ethnic communities and people with disabilities. It was suggested that the traditional and conservative mindset of many people across B&NES was no less apparent in the Council. There was a concern that this had never shown any signs of changing, and that some LGB residents found it hard to identify with.

*The people that we've got in the Council are only being re-elected each time because no one else is coming forward to make a change.*

A small number of participants were aware of the Council's employment policy work with Stonewall, which they reported being surprised but pleased about. It was suggested that this consultation was the first time LGB residents and service users had been directly engaged by the Council. No one felt they knew what the Council's official policy on sexual orientation equality or attitude towards tackling homophobia was. The absence of a positive message on LGB inclusion had led some participants to believe that they were not on the Council's radar or acknowledged as residents with specific needs or expectations. Unfortunately none of them were aware of the LGBT History Month event in February 2008, suggesting that additional methods for engaging with LGB people should be adopted. This will be discussed in the *Engagement* section of the report.

From a service provision perspective, participants who had recently engaged with the Council had mixed views. Some were happy with the service they had received, and were satisfied that they had been able to be out and were treated no differently by Council staff for that. Another participant felt that their sexual orientation had implications for their safety in a matter which they had brought to the attention of one of the Council's frontline services, but they were not satisfied that staff had fully understood or acknowledged that.

One participants' view of the Council as an LGB-friendly body had been adversely impacted by homophobic comments about civil partnerships which it was alleged had been made by senior staff. Another participant had a negative view of the Council's attitude towards LGB people due to having a friend who worked for the Council and did not feel safe coming out to colleagues.

## The Council as an employer

### *Views on the Council's commitment to equality*

Participants of the LGB Council employees' discussion group were asked to consider their perceptions of the Council's general attitude towards equality and diversity, before looking at sexual orientation specifically. While it was acknowledged that the Council had made progress in terms of policy, there was some concern that this was a 'box ticking' exercise, and not based on a genuine commitment to fairness.

*I think there's an intellectual commitment to equality issues, but I'm not sure there's a moral or an emotional one.*

For some participants, the Council's written commitment to equality was undermined by the lack of diversity among the employees, particularly at senior levels and among Councillors. In particular, it was suggested that people from ethnic minority groups and people with disabilities are under-represented.

*We're hideously White and don't reflect the racial breakdown in the area among employees.*

It was suggested that across some parts of the Council, a traditional, macho culture remains, which can be uncomfortable for people who do not "fit it", including women and LGB people. There was a sense that in some areas of the Council there is a stigma attached to being perceived to be 'politically correct', and that in teams which appeared to be non-diverse, less attention was paid to the nature of office banter, which could be discriminatory.

*I've always had this underlying suspicion that if you don't play football, you're not going to do very well here, but I've never been able to prove that. It's kind of exclusive.*

There was a further concern that the benefits of equality and diversity are not understood or embraced by the wider organisation. Equality tends instead to be thought of as a separate responsibility belonging solely to the Equalities Team. It was felt that ideally, all managers should have strategic responsibility for equality and diversity and see it as a benefit to the organisation, rather than a burden or an 'add on', or indeed simply target driven. It was suspected that some staff and managers felt that diversity was about someone else, and was therefore someone else's problem.

In terms of sexual orientation equality at B&NES Council, it was felt that the situation had definitely improved over the years. Indicators included being able to be out at work and recognition of same-sex partners. However, this was attributed more to legal and social changes, rather than to proactive work on the

part of the Council. Participants emphasised that as LGB employees they were not looking for extra rights or special treatment, but simply for equal and fair treatment:

*I don't want to be different. I don't want special treatment. All I want is to be treated exactly the same as every single other employee and recognised for my domestic situation and what that entails.*

It was also noted that attitudes to and understanding of LGB equality varied across the organisation, and that the experiences of LGB staff were largely dependent on their department, as well as their line manager. This is discussed in more detail below.

### *Experiences of LGB employees*

Participants agreed that it was important for them to be able to be out at work, and to be able to talk about their home life if they wanted or needed to. Being able to bring their whole selves to work and do their job free from the fear of discrimination is essential for job satisfaction, professional performance and personal health and happiness. Those who had experienced negative reactions to their sexual orientation from other colleagues, or who had feared a potential negative reaction, described how this had made them feel unsafe and unhappy at work.

It was suggested that the members of the LGBT Workers Challenge Group who attend the meetings are generally out at work. However, it was suspected that there are other LGB staff members who are not out at work, who are working in environments where they do not feel safe or where they have heard anti-LGB attitudes expressed. Not everyone will choose to be out at work, but where that choice is taken away by discrimination and fear, the impact on the individual and their attitude to the workplace can be very damaging.

It was known to the Workers Group that some members in the virtual group, who receive mailings but do not attend meetings, have had some very difficult experiences, and that bullying and harassment will make people very reticent about being open. It was suggested that some people will not come out because there has been nothing done within their departments to suggest it will be safe to do so or that negative reactions will be dealt with.

It was agreed that an individual's experience of being LGB in B&NES Council will depend on their level of seniority, as well as on the department in which they work, the culture of their team and the attitude of their colleagues and line manager. As such, it was suggested that while the Council's policy on non-discrimination was robust, its application in practice could be inconsistent, and dependent on those factors. There were particular concerns about the satellite

teams, such as refuse and gardens, whose staff do not all have access to email or the intranet, and to whom messages of inclusion and LGB equality may not percolate.

Indeed, the importance of line management in determining the experience of LGB staff was reiterated several times.

*I think it comes down to your individual line manager. You've got some who are brilliant and inclusive and welcoming, and some which are not. Your line manager is key to the way you feel working for this Council.*

There were doubts expressed about whether or not all managers would be comfortable or confident addressing anti-LGB harassment or being proactively LGB-inclusive. It was suggested that some managers are promoted to their position as a result of their technical competence, but are not necessarily equipped to deal with people management issues, including homophobic bullying or sexual orientation issues. It was suggested that managers should be given adequate training in managing diversity and that it should explicitly include sexual orientation awareness.

It was added that managers should be appraised on how they manage equality and inclusion, and that understanding equality should be a key responsibility and part of the core competencies required to occupy a management position. This was seen as key to ensuring LGB staff have a positive workplace experience, and to setting an inclusive and welcoming tone across the whole organisation. It was also felt that this tone should be set at the top of the organisation, embodied by the Chief Executive and the Elected Members.

### *Bullying and harassment*

All the participants in the LGB staff focus group discussion knew about the Council's bullying and harassment policy, or were at least confident that they knew where to find out about it. Most said they would be confident using it to report homophobic bullying and harassment, although they attributed this to personal confidence, rather than confidence instilled by the Council. Nevertheless, some participants noted that it was very hard to challenge unacceptable behaviour and to know how to stand up to what some people may excuse as banter.

*You sort of think, 'shall I let that go?', and then it's really had to challenge it when it happens again at a later date.*

*If you start challenging things you end up getting marginalised.*

There was also a feeling that the victim of bullying is generally the one who ultimately has to move departments or leave their job, which is a further disincentive to reporting a problem in the first place.

For the reasons discussed above, there were concerns that the response to an allegation of homophobic bullying and harassment would depend on the manager to whom it is reported. There was no sense of a consistent organisational response. There was less confidence in the concept of reporting homophobic bullying by management. There was a sense that it would not be taken seriously, and such bullying behaviour may be excused as robust performance management.

It was suggested that while active members of the LGBT Workers Challenge Group would probably be familiar with the bullying and harassment policy and procedure, it is possible that staff in satellite teams, including operational staff, may not be so aware of it.

Several participants expressed concerns about the nature of the bullying and harassment resolution procedure. It was suggested that invoking the procedure could be a lengthy and traumatic process, which discouraged people from using it. It was felt that there should be a more effective option for informal resolution. It was mentioned that the LGBT Workers Challenge Group had in the past offered to be involved in the resolution of homophobic bullying and harassment complaints. While it was felt that this had been met with some resistance, it might be worth considering as a way of encouraging LGB people who are intimidated by the reporting procedures to come forward. If this was taken forward, those involved would need time allocated.

## **The role of the LGBT Workers Challenge Group**

The LGBT Workers Challenge Group exists to support staff who identify as LGB or transgender, and to raise awareness and provide guidance and feedback to the Council on LGBT issues. Established in 2004, the group is led by an elected Chair and Co-chair and meets regularly. It renews its terms of reference annually and produces an annual report detailing its activities and achievements. The group holds a budget allocated by the Council and members can claim back time spent at meetings as work time. There is a strong commitment from the Group to work with the Council to create a working environment which is safe, welcoming and inclusive of LGB staff.

The LGB staff focus group participants discussed the way in which the group has developed over the past four years. It was perceived that the Council's enthusiasm which surrounded the launch of the Workers Challenge Group in 2004 has not been maintained. The key problem, it was suggested, was that the Group was still not recognised within the structure of the Council as a consultative resource. It was felt that where new policies or procedures are developed, or processes which will impact on LGB staff, the Workers Challenge Group should automatically be consulted. For some, the lack of consultation undermines the Council's commitment to the Group.

*If they run stuff past us, we have expertise, we can help. When they forget, I don't think it's malicious, they just don't think. Which is why I think it's a tick box exercise.*

Indeed, some participants doubted that the Council took the Group seriously as an organisational resource. There were concerns about a wider lack of understanding of the purpose of a Workers Group, a popular perception being that the Group is simply a vehicle for social events, or that LGB staff are somehow victims who need extra support.

*People say, 'why do you need a group?'*

*The Group isn't just there for the benefit of the members – it's there for the benefit of the whole Council. It's not just a special treat for those few members. People resent that though.*

It was agreed that the role and remit of the LGBT Workers Challenge Group needed wider recognition across the Council, and that it should be valued as a resource. It was suggested that this message should be promoted by group managers across the organisation.

There are some challenges with regards to membership. The Group accepts that not every LGB member of staff will want to participate in a Workers Group, but there were concerns during the discussion that some people do not participate

for other reasons. This, it was suggested, is either because they are afraid of the consequences if their sexual orientation is revealed at work, or because they simply do not know about the group. In terms of the latter, there was a sense that the Group has successfully reached office-based staff, but that there are barriers to communicating with operational staff, not all of whom have access to email or the telephone. Again, this is something it was felt the Council could assist the Group in overcoming. Another suggestion, which was received from an employee who was unable to attend the discussion itself, was to hold well-publicised Group meetings in venues outside central Bath, to encourage non-Bath based employees to attend, and to raise awareness of the Group across B&NES.

Participants felt that one of the very positive impacts of the LGBT Workers Challenge Group was the visibility it had given LGB issues in the Council, raising the organisation's awareness of sexual orientation equality. At a very basic level, it was suggested that the presence of the Group ensures people are aware that there are people working for the Council who are not heterosexual. While legislation has raised the profile of LGB issues and changed social attitudes, it was felt that the Workers Group had reminded people of those changes closer to home.

However, it was also suggested that more could be done to promote the Workers Group across all areas of the Council, and that the Council itself could support the Group in making that happen.

## **The Council's engagement of lesbian, gay and bisexual people**

### *The importance of community engagement*

Engaging with communities is about creating a relationship between the communities and the service provider, enabling individuals to feel able to express their needs, fully access services and contribute to their future development and design. Engagement can be direct or indirect, for example:

- direct communication, messages, information, resources or publicity specifically for or about LGB people
- inclusive communication, messages for the wider community which acknowledge and do not exclude LGB people

Ensuring communities feel recognised and valued is key to encouraging them to be informed, empowered and responsive. The consultation was a form of direct engagement in itself and can be built on.

Until relatively recently, public authority engagement with LGB communities was hampered by the lack of legal protection afforded to LGB people, which reinforced prejudice against LGB people and inhibited LGB trust and confidence in those authorities. Section 28 was particularly damaging to relations between the LGB communities and local authorities. Although the legislative landscape has transformed, mistrust may still remain. Where a local authority is seen to acknowledge and actively engage with its LGB service users, that trust can be rebuilt.

LGB people can face barriers when engaging with public authorities in order to raise awareness of issues where their sexuality is a factor, such as reporting a hate crime, or homophobic harassment or another issue where discrimination or a same-sex partner is relevant. This can be prohibitive for people living in close-knit communities, who may not feel comfortable disclosing their sexual orientation in an environment where they do not feel anonymous.

In order to increase people's confidence to disclose if they want or need to, it is important that staff are trained and are able to deal with sexual orientation issues professionally, sensitively and confidentially. It is also important that the organisation promotes its position on equality and policy on discrimination to the LGB communities so they know they are acknowledged, but also free to report discrimination if it does occur. Effective engagement will encourage this to happen.

### *Views on current levels of community engagement*

Both residents and stakeholder organisations suggested that the Council could do more to engage with LGB people both directly and indirectly. Residents in particular felt that the Council was not communicating well with LGB people on LGB issues. They felt there were major gaps in LGB information provision, including information on support, LGB activities and the Council's policy position on LGB equality. It was suggested that more explicit acknowledgement of LGB people in B&NES would not only reduce feelings of isolation but would also start to normalise the concept of LGB people among the wider population.

Some residents said they were aware of the work the Council was doing with Stonewall, having read about it in the LGB media. However, there were concerns that the Council was 'preaching to the converted' and that unless this kind of work was publicised in the mainstream media, the wider B&NES population would be unaware of the Council's work on tackling discrimination, and less progressive attitudes would remain unchanged.

The importance of ensuring frontline services were LGB-aware, and then promoting that to LGB people, was also discussed. It was felt that currently there are no visual indicators that frontline services will treat LGB people who disclose their sexual orientation with respect, and tackle any discrimination they might face when accessing those services.

*If [LGB-themed] posters were all around the place I'd feel really different about the Council. Like when you go into Social Services or where you go to pay your Council Tax.*

There were concerns that without a positive affirmation of the Council's policy on discrimination at the point of service delivery, some LGB people may not feel safe disclosing their sexual orientation, and therefore may receive inappropriate advice or referrals, or will fail to report homophobic harassment.

It was agreed that one of the best ways to promote inclusive messages and engage with LGB people is through word of mouth. It was agreed that if the Council was to better promote its position on sexual orientation equality, its reputation as an LGB-friendly provider of services, and as an organisation which will tackle reports of discrimination, would develop rapidly.

### *How to better engage LGB people*

A range of suggestions were made for how the Council could engage with LGB people, from inclusive Council communications to LGB-specific events, to demonstrate the Council's position on sexual orientation equality and to encourage community support and awareness. It was felt there were

opportunities for the Council could better promote its position on non-discrimination and to promote the publication and purpose of the SOES itself. It was agreed that mainstream mechanisms need to be used as much as LGB-specific resources (such as venues or the LGB media), in order to a wide range of LGB people, particularly those who may be isolated or not accessing a commercial or social scene.

The table below summarises these suggestions:

Form of engagement	Target audience	Why	Where/how
<b>Council policy, procedure and publications</b>			
Information on Council policy on equality, harassment and discrimination, including homophobia	LGB people and wider population	To reassure LGB people, and to remind potential perpetrators of harassment and discrimination, that the Council will not tolerate homophobia, and to encourage people to report it.	Posters at Council offices, particularly in front line services.
Promotion of the SOES	LGB people and wider population	To gain community buy-in into the SOES and to promote the Council's position on sexual orientation equality.	In LGB media (e.g. Fyne Times, Pink Paper, Pink News) and mainstream local media (e.g. Bath Chronicle and Venue)
Information and referrals by Council staff	LGB people	To refer, where appropriate, LGB service users to local community groups, particularly those who may be isolated or vulnerable.	Staff training in LGB awareness.
Positive images of LGB people in Council publications	LGB people and wider population	To normalise the concept of LGB people in B&NES; to ensure LGB people know they are acknowledged by the Council.	Public resources, e.g. leaflets and publicity documents
<b>Information for LGB people</b>			
An information leaflet for LGB people	LGB people	To publicise the details of local LGB community and support groups, hate crime reporting procedures, venues (including LGB-friendly establishments) and cultural events.	Distributed via LGB venues, but also in Council buildings, youth centres, doctors surgeries, leisure centres, libraries and tourist information. Also to download from the Council website.
Information on reporting discrimination, including homophobic discrimination	LGB people and wider population	To encourage reporting of all forms of discrimination, and discourage it from being perpetrated in the first place.	Leaflets or posters displayed in Council offices and in frontline service areas.
Regular round-up of LGB-specific community events and meetings	LGB people	To encourage participation, tackle isolation and promote local community and support groups.	In the local media, on the Council website.
<b>Events and culture</b>			
LGB-specific interest events during Bath's cultural festivals	LGB people	To encourage LGB people to participate in community life, and to demonstrate awareness of their existence.	Publicised through event programming and through LGB and mainstream local media.
An event during the Pride season	LGB people and the wider population	To encourage LGB participation in community life and recognition of LGB people as part of the B&NES population.	In Bath, in partnership with venues and community groups; publicised in local media

The idea of a local LGB forum, or residents' panel, was suggested by two of the stakeholder organisations, and discussed by the LGB residents. It was felt that this could be a useful mechanism for the Council to build on the consultation, promote the SOES and continue to develop its understanding of the needs of the LGB communities in B&NES. This could be used as a sounding-board for Council policy and procedure and could offer the Council advice on continuing to reach LGB residents. It could also include representation from the LGB

community organisations in the area. It was felt that the Council would need to offer the group a lot of support, particularly in terms of publicity and practical resources, such as meeting rooms.

### *Staff engagement*

The LGB staff focus group discussed the importance of LGB staff engagement in terms of raising awareness of the Council's policy on discrimination, ensuring LGB people feel recognised and valued, promoting the LGBT Workers Challenge Group and ensuring the wider organisation is aware of the Council's position on sexual orientation equality.

A key concern to emerge was the challenge of reaching LGB operational staff, those in satellite teams and without access to email, internet or the telephone. It was suggested that the Council needed to think creatively in order to ensure those individuals were aware of their rights as LGB staff and of the role of the Workers Group. It was felt that the Council needed to send out a consistent message about sexual orientation equality, particularly given the perceived inconsistency in attitudes between different managers and departments.

Suggestions for engaging with LGB staff, to encourage them to feel safe and valued, as well as to ensure the wider Council is aware of LGB equality and the Workers Group, included:

- more detailed information for the new starters packs
- a talk by the LGBT Workers Group as part of induction training
- training for managers, to include LGB inclusion and the role of the Workers Group
- promotion of the Group through posters and articles in non-web based formats
- promotion of the Council's support for the Group and its use for consultation, to reinforce both its value and the Council's attitude to LGB inclusion

In addition, it was suggested that a widespread lack of understanding of the benefits of diversity needed to be addressed. There were concerns that messages about laws and penalties alone could alienate people and lead to accusations of political correctness. A discussion group participant suggested that a more celebratory message about the benefits of diversity, including LGB diversity, may be effective in engaging people on the issues.

*It's about celebrating diversity, which I don't think happens... Everyone talks about being fair and wanting to be nice to people, but nobody says 'isn't it great that we've got different people' and actually make people feel positive about [diversity], rather than just 'oh, it's something we've got to do.'*

It was felt that this applied to all strands of diversity, not just sexual orientation.

### *Monitoring sexual orientation*

While most people are accustomed to answering questions on ethnicity, gender and disability, monitoring sexual orientation is still a relatively new concept, and without full understanding of its purpose, some people still consider it to be controversial. However, it can be done professionally and sensitively, and is gradually becoming more commonplace, both in employment (indeed the category has already been added into B&NES Council's monitoring procedures) and in service provision.

Monitoring sexual orientation as part of general diversity monitoring is an effective way of measuring differences and inequalities in need and experiences. In addition, when well executed, it can send out a very positive message about an organisation's awareness of LGB people, and its corporate commitment to creating a workplace or a service which is free from discrimination.

The residents' discussion generated mixed views on sexual orientation monitoring. It was agreed in principle that it was helpful to be able to measure the differences in LGB and heterosexual people's experiences of Council services, in order to address inequality. However, there were some reservations about confidentiality, particularly if the member of staff collecting the data was known to the individual and there was a chance of that individual becoming the subject of local gossip. This point was also made by some stakeholder organisations. It was also felt that more work needed to be done to ensure people felt safe being LGB in B&NES, and that they understood and believed in the Council's commitment to equality and tackling discrimination, before everyone could be expected to answer the question honestly.

*It's a very big question and I think you need to see a bit of effort prior to that to work with gay people.*

The primary goal may therefore be to create an environment in which LGB service users feel safe disclosing their sexual orientation if they want or need to, and then to build on that with regards to setting up systems for monitoring it.

Residents also discussed recruitment monitoring, as two individuals had received diversity monitoring forms when applying for jobs in the Council. They suggested they would be unlikely to come out on a form which was to be sent back in the same envelope as their application, in case it jeopardised their chances of selection. Participants agreed that they would be least likely to answer honestly if applying for a job in a school, where it was perceived people may still harbour prejudices caused by Section 28.

The LGB employees who took part in the focus group discussion were generally very supportive of sexual orientation monitoring. Some suggested that it should have been introduced much earlier. It was hoped that the Council would allow people to gradually become more confident answering the question, thus ensuring the data is reliable before it is analysed and responded to. There was a concern that initial figures would show an under-representation of LGB employees.

## **Conclusion and recommendations**

A number of key themes have emerged from the consultation, which will shape the recommendations for the Sexual Orientation Equality Scheme. While the scope of the consultation was not broad enough to provide statistical information on Bath & North East Somerset's lesbian, gay and bisexual communities, it has revealed some concerns and potential gaps in services which the SOES can start to address. Importantly, the consultation itself has raised local LGB people's awareness of the Council's aspirations to be a fair and inclusive service provider and employer and has provided a foundation for community engagement on which the SOES can build.

The recommendations are designed to be practical, realistic and achievable within the resources available to the Council. While many are LGB-specific, some address the more generic issues of diversity and inclusion, with LGB equality as an integral part of that. It might be decided that some of these are beyond the scope of the SOES and would be better addressed strategically elsewhere. The recommendations have been developed to reflect the themes of the Equality Framework for Local Government, which will shape the design and delivery of the SOES:

- Leadership and corporate commitment
- Community engagement
- Service delivery and customer care
- Employment and training

## Leadership and corporate commitment

Issue	Recommendation	Deliverables
LGB equality as a credible corporate aim.	Demonstrate senior-level support and accountability for sexual orientation equality in the Council.	<ul style="list-style-type: none"> <li>• Include Chief Executive and Member-level endorsement of the SOES and related publicity.</li> </ul>
Managing diversity.	Ensure all managers are confident managing diversity and tackling discrimination, including homophobia.	<ul style="list-style-type: none"> <li>• Specific management training on managing diversity, including supporting LGB staff and tackling homophobia.</li> <li>• Consider making managing diversity a core competency for management promotion.</li> <li>• Consider how managers can be appraised on their approach to equality and diversity and to tackling discrimination within their teams.</li> </ul>
The benefits of diversity.	Promote the benefits of diversity to all staff.	<ul style="list-style-type: none"> <li>• Include benefits of diversity in staff equality and diversity training, and made reference to sexual orientation within that.</li> <li>• Celebrate diversity by sharing good practice, marking diverse cultural events and staff/resident success stories.</li> </ul>
The LGBT Workers Challenge Group	Make use of the Workers Group as an organisational resource.	<ul style="list-style-type: none"> <li>• Ensure the role of the Workers Group is widely promoted and understood, including at induction, in equality training, through notice boards and articles and to managers.</li> <li>• Ensure the Group is built into the Council's consultation system and policy development process.</li> <li>• Work with the Group to develop its role in supporting the corporate equality agenda.</li> </ul>
Sexual orientation monitoring.	Continue to monitor sexual orientation and to encourage staff to respond.	<ul style="list-style-type: none"> <li>• Make the Council's reasons for sexual orientation monitoring accessible via the intranet, the Equalities Team and HR.</li> <li>• Treat early data with caution – as people become more confident answering the question, the data will become more reliable.</li> <li>• Where possible, share discreet general findings and respond to any indications of inequality.</li> </ul>
Maintaining good working partnerships with LGB community groups.	Continue to maintain and develop relationships and communication between the Council and local LGB community groups.	<ul style="list-style-type: none"> <li>• Ensure LGB community groups are involved in local consultation exercises.</li> <li>• Retain and make available across the Council up-to-date information on the activities and management of local groups.</li> <li>• Promote the SOES directly to community groups to secure their buy-in, and that of their clients.</li> </ul>

## Community engagement

Issue	Recommendation	Deliverables
Being perceived as an LGB-friendly organisation.	Promote the Council's policy on sexual orientation equality and the steps it has taken to tackle discrimination.	<ul style="list-style-type: none"> <li>• Promote the SOES.</li> <li>• Through LGB and mainstream media, widely publicise LGB-specific work, including staff training, the Workplace Equality Index and LGBT History Month.</li> <li>• Make specific reference LGB people when publicising non-discrimination messages.</li> <li>• Include images of LGB people in Council publications and on the website (e.g. same-sex couples on adoption/fostering literature).</li> </ul>
Lack of LGB-specific information, leading to isolation.	Provide information specifically aimed at LGB residents, service users and visitors.	<ul style="list-style-type: none"> <li>• Produce and distribute an information leaflet to publicise the details of local LGB groups, hate crime reporting procedures, venues and cultural events.</li> <li>• Coordinate or support the coordination of a regular round-up of LGB community events and meetings.</li> </ul>
LGB residents' panel or forum.	Investigate the feasibility of establishing an LGB residents' panel or forum.	<ul style="list-style-type: none"> <li>• Establish the role an LGB residents' panel could usefully play, such as for consultation or strategic development.</li> <li>• Involve LGB community groups and consider how other mainstream stakeholders, such as police and healthcare providers, could potentially be involved.</li> <li>• Put the idea to LGB residents when promoting the SOES or other LGB-related work.</li> </ul>
LGB culture.	Encourage LGB participation in B&NES community life through LGB-specific event programming.	<ul style="list-style-type: none"> <li>• Consider including LGB-specific event programming within existing cultural events, including films, theatre and music.</li> <li>• Consider funding a community event to mark Pride, such as a speaker event or a picnic.</li> <li>• Ensure any LGB event programming is well publicised in both the LGB and mainstream media and in Council communications.</li> </ul>

## Service delivery and customer care

Issue	Recommendation	Deliverables
Lack of external awareness of the Council's equality policy and position on sexual orientation equality.	Widely promote the Council's equality policy, including its position on LGB equality and its commitment to tackling homophobia.	<ul style="list-style-type: none"> <li>• Ensure the policy is easily accessible via the Council website.</li> <li>• Display posters in public-facing Council offices setting out the equality policy, with direct reference to LGB people.</li> <li>• Ensure people know how to use the complaints procedure and their right to complain about discrimination.</li> <li>• Remind people about the policy via residents' and service users' newsletters.</li> </ul>
Sexual orientation as a service delivery issue.	Ensure frontline staff recognise the implications of sexual orientation on their service area, and the impact of discrimination on their LGB clients.	<ul style="list-style-type: none"> <li>• Staff training, to include good practice when working with LGB service users (e.g. not making assumptions), and to create a service environment where LGB people can disclose their sexual orientation.</li> </ul>
Homophobic bullying in schools.	Ensure school staff are confident and capable of preventing and challenging homophobic bullying, and that all staff are aware of the repeal of Section 28.	<ul style="list-style-type: none"> <li>• Staff training.</li> </ul>
Lack of support for young LGB people.	Build local capacity to support young LGB people.	<ul style="list-style-type: none"> <li>• Continue to support EACH in the development and running of REACH, the forthcoming LGB youth group.</li> <li>• Ensure Youth Services and school staff are aware of and able to refer young LGB people to REACH.</li> </ul>
Community safety and lack of hate crime reporting.	Encourage LGB people to recognise and report hate crime and homophobic harassment.	<ul style="list-style-type: none"> <li>• Continue involvement with the Homophobia Action Group.</li> <li>• Continue to work with Avon &amp; Somerset Police Hate Crime Unit to promote reporting procedures.</li> </ul>
Isolation among some LGB people (especially older and disabled people).	For frontline Council staff to be able to refer LGB service users, where appropriate, to local LGB community groups, or to simply pass on helpful LGB-specific information.	<ul style="list-style-type: none"> <li>• Information provision to frontline staff.</li> <li>• Staff training in LGB issues and their implications for service delivery.</li> </ul>
Good practice.	Where good practice in delivering services to LGB people is identified, share it widely.	<ul style="list-style-type: none"> <li>• Through training and awareness raising, encourage services to share examples of good practice and success stories.</li> <li>• Use local case study examples in training and internal communications.</li> </ul>

## Employment and training

Issue	Recommendation	Deliverables
Lack of diversity at all levels of the Council.	Actively encourage people from under-represented groups, including LGB people, to apply for positions at B&NES Council.	<ul style="list-style-type: none"> <li>• Advertise vacancies in the minority and specialist media, including the LGB media.</li> <li>• Ensure statements about equality and diversity, and symbols of inclusion such as the Stonewall Diversity Champions logo, are clear.</li> <li>• Consider positive action to attract LGB and other minority group candidates to apply to senior positions and to become Councillors.</li> </ul>
Staff understanding of equality and diversity, including sexual orientation equality.	Ensure all staff understand the principles and the benefits of equality and inclusion, including sexual orientation equality, and how diversity effects them.	<ul style="list-style-type: none"> <li>• Equality training for all staff, including at induction, with reference to LGB workplace issues, the Council's policy on discrimination and the role of the LGBT Workers Challenge Group.</li> <li>• Continue to promote the benefits of diversity, via existing Council communications mechanisms, to create a culture where diversity is valued, and not resented.</li> </ul>
Preventing homophobic discrimination in the workplace.	Widely promote the Council's policy on anti-LGB discrimination and the procedure for tackling bullying and harassment.	<ul style="list-style-type: none"> <li>• Include the anti-harassment policy and procedure in staff training.</li> <li>• Ensure managers are trained and equipped to deal with complaints of discrimination, and to recognise it in their teams, and their own behaviour.</li> <li>• Ensure awareness of the policy is raised across all departments, including to operational staff and satellite teams, using training, notice boards and staff-wide communications.</li> </ul>
Reporting homophobic bullying and harassment.	Encourage staff who are being bullied on the grounds of sexual orientation to report it.	<ul style="list-style-type: none"> <li>• Ensure the reporting procedure is accessible and well publicised, for example via the intranet and in staff training and appraisal.</li> <li>• Examine the feasibility of developing an informal resolution procedure which is sensitive to LGB issues, such as discrimination or not wanting to be out to a manger.</li> <li>• Look at how the LGBT Workers Challenge Group might be usefully engaged to encourage LGB staff to report bullying and harassment, such as through third party reporting or a harassment helpline.</li> </ul>