



## **Prospect ATCOs' Branch Position Paper On Equality, Diversity & Inclusion**

The profile of ED&I within both society, ANSP's and the ATCOs' Branch has been expanding in recent years. U.K. ATM and the aviation industry as a whole are perceived as dominated by white, middle class males. The proportion of female members within the Branch stands at approximately 24% and, in line with industry, the representation of women and other minorities is increasingly disproportionate as you move up within the strata of the Branch, from members, to representatives, to the Executive. Currently, using NATS as an example, the proportion of staff members from ethnic minority backgrounds stands at 4.6%, with only 1.8% featuring in the upper pay quartile. According to UK Government, 13% of the population are from a non-white ethnic background so it is clear that the industry is lagging seriously behind.

With apologies in advance, this document references NATS to a far greater extent than other, smaller ANSP's. This is in large part due to the fact that many motions to ADC which have driven ED&I policy make specific reference to NATS, but also that NATS has been doing a lot of high-profile work in the ED&I sphere of late and therefore provides reasonable examples of good practice which could be used to blueprint with smaller providers.

Over the course of the last three years or so, the Branch Executive have sought to address the issue of Equality, Diversity and Inclusion, give voice to minorities and achieve a greater balance within its structure. The first Subject Matter Experts (SME) for Diversity and Inclusion were appointed in 2018 shortly after the 68<sup>th</sup> ADC.

The requirement of the role of SME is that they are considered experienced in their portfolio areas, but are only called upon when the BEC require specialist advice. Therefore, it is arguable that, where we "don't know what we don't know," the BEC has been blinkered to many of the issues affecting members and has not been making full use of the resource available to them.

Following this, in 2019 the Branch Executive appointed the first Chair for Equality, Diversity and Inclusion. This ensured that issues regarding all aspects of ED&I could be directly voiced within the BEC and both ANSP's and reps, through their Section Chairs, would have an avenue to air concerns, work collaboratively and monitor the progress of Branch Policy. It also provides for an alternative voice to the BEC, and a means of encouraging consideration of differing views, needs and experiences of minority members. This also allows for a more focused use of the SME's to ensure that they are regularly consulted and issues at a local level are highlighted and escalated by those directly affected.

The BEC themselves have also undertaken diversity training delivered by Prospect centrally, and have had numerous occasions to pause, consider and act differently to their traditional



approach in the last few years. Diversity training has also been delivered locally to Sections, by Prospect. There is a culture within the industry and society as a whole that mistakes are unacceptable and those leading from the front hold a burden of responsibility to be right, first time, all of the time. The BEC challenges that view. Being nervous of doing the wrong thing usually leads to inertia, a reluctance to tackle an issue, and drives down the desire to effect change. This in turn can lead to accusations of inaction and ineptitude. The BEC are seeking to change the narrative. If something is not right the first time, we must celebrate the opportunity for it to be right, or better, next time, rather than dwelling on the negatives of past experience.

The Branch took a decision in 2021 to co-opt a female member to the BEC, to give voice to women's issues within the industry, with this later being enacted as policy following ADC in November 2021 (A 2.16). It was felt by the BEC that this was an important step to giving representation to our biggest minority, encouraging diversity of thought and opinion, and allowing our female members to have visibility of a woman within the Executive. This is important for the BEC, as a perennial problem with recruiting members not only as reps but also for higher positions within the Branch, is the notion of "you can't be what you can't see." Very few women have sat on the Branch Executive and, with the lower profile of ED&I in previous years, there has historically been little credence given to the overt recruitment and representation of women within the Branch. This is no silver bullet, but is an important step in self-reflection and recognising the areas in which we could better serve our membership. Coupled with this, the Branch has begun its Apollo rep development programme, which seeks to offer training and development to individuals who aspire to a post on the BEC and built into that programme is a commitment to ensuring delegates are representative and that it is built on a foundation of inclusivity and mutual respect. The programme is still in its early stages with the first training sessions occurring in May 2022, but it will become a cornerstone of career development within the Branch.

Concurrent with the Branch increasing the profile of ED&I, the industry seems to, for the larger part, be doing the same. As the largest ANSP in the UK, NATS has published their gender pay gap for some years now. They also, in April 2022, published their first ethnicity pay gap report, ahead of it being a legal requirement. The notion of being honest and open about where an organisation, whether that be an ANSP or the Branch itself has been failing or could do far better, is often a difficult one for management, teams and individuals to accept, as we are pre-conditioned to acknowledge and celebrate our successes, but be far more introverted about admitting our shortcomings. This is an organic process, supported at the highest levels of the Branch Executive and with the support of Prospect, that we are continually seeking to do better and effect change where we can, as quickly as practicable. In the case of NATS they have also created a ED&I steering group, chaired by the CEO which draws together representatives from Trades Unions, employee networks and colleagues in positions of influence in the company to formulate and promote ED&I within NATS. It is



encouraging to see the support of NATS from its highest levels down, to seek to address many of the issues encountered by minority colleagues.

Due to the many and varied nature of smaller ANSP's it is difficult to obtain a wider picture of the ED&I landscape outside of NATS. Small organisations with few employees are not, for example, required to publish a gender pay gap report. Branch Policy can dictate our approach to the arena of ED&I as a whole, but where our members sit at smaller units, there may not be the level of HR support or weight of company policy which, by its nature, is normal in a larger organisation. The Branch would always encourage our reps and members at non-NATS units to recognise our commitment to ED&I and use that to challenge their own employers where they may be found to be lacking. We will also, as always, offer support at a BEC and Prospect central level, where it is deemed that guidance, training, encouragement or support is required by an ANSP to further the cause of ED&I. Without shirking our own responsibilities as an Executive, it is vital that our reps and members at smaller, geographically diverse units recognise that we can only deal with problems of which we are aware. For us to be an effective voice for our members and challenge employers, we have to be aware of the issues, and we are listening.

Against a backdrop of a Global Pandemic which has decimated the aviation industry, progress has been stifled by budgetary constraints. Notwithstanding that however, in early 2021 the Executive undertook a "Thought Exchange" exercise, where all our female members were contacted and asked to contribute, anonymously, their thoughts on how we as a Branch could do better, and also what employers could do to better recognise the unique needs of our female members. As a direct result of this, late 2021 saw the introduction of a Menopause policy for our members in NATS. We have also held discussions with NATS on a variety of other issues, such as line manager training, access to HR support, safe spaces for breast-feeding mothers returning to work after maternity and improvements to pastoral care for parents-to-be, new parents, those undergoing fertility treatment, and those experiencing loss. Whilst the reception of these requests has been positive, with several follow-up meetings undertaken, progress is glacial. Despite our best efforts to encourage NATS along, the fractured nature of the ownership of these requests is frustrating. We continue to push for all of the above, and for all ANSP's to improve their understanding and tangible support for women in these and other areas.

NATS has seen the creation of several employee networks, supported by the ATCOs' Branch. Women, minority ethnic, LGBT+, young people and those with disabilities all now have a safe space within the company where they can gather, celebrate their diversity and support each other. The networks have also gone to great lengths to encourage allyship. The employee networks, NATS and the Branch recognise that the quickest way to celebrate and raise the profile of diversity is to have the majority come out in support of minorities.



We all want to bring the best version of ourselves to work, whether that be in our TU role or our day to day jobs within this fantastic industry. We will not rest easy until we are satisfied that all our members are comfortable being at work, feeling supported in their own skin and not having to alter their behaviours or character in order to blend in. We still have much work to do, but the appetite for change is there and it's one we will seek to exploit for the benefit of us all, whilst improving the T's & C's of our members to an industry-leading standard.

### **Branch Policy and Thought Exchange outcomes - Update**

#### **Requesting the formation of policies on Carers, Domestic Abuse and Anti-Racism**

These requests have all been made with NATS as the largest ANSP. They have suggested additions to the Respect at Work policy to encompass some of these provisions. Progress will be monitored and updated accordingly. NATS have now formally initiated the creation of a Domestic Abuse Policy and are engaging with the Branch on its content.

#### **Asking for more education and support from employers with regard to women's health issues, including loss, pregnancy, fertility and menopause**

NATS have introduced a menopause policy, developed with the input of the Branch. This is a flagship policy for the sector/industry and one we would be delighted to see rolled out amongst smaller ANSP's. It is also our understanding that line manager training is being updated and strengthened. NATS are also developing a parental support portal which provides checklists and links to resources for expectant parents and line managers.

#### **More robust training for line managers on the above as a matter of priority, with mandatory completion of the training for everyone in a line manager role**

As above, it is our understanding that line manager training within NATS is being worked on (in NERL as a first step). We will update when we know what that looks like in more detail. Line manager training is currently fractured, difficult to deliver to operational staff given resource constraints and inconsistently applied across departments. We continue to push for a more unified approach in line with our policy aims.

#### **Address the issue of career progression and respect in the workplace for agile and flexible workers**

We have made representations to employers that we expect to see individual's contract terms incorporated into Respect at Work/discrimination policies where they exist. Within NATS, we have also highlighted to HR and recruiting managers that we expect the current emphasis on agile working to continue and have challenged several recent VN's which have not contained a statement that they will consider flexible/agile working. Not offering flexible workers the opportunity to progress their careers at the same pace as their full time colleagues has been shown to fuel the Gender Pay gap and as the largest ANSP, NATS is instigating a new recruitment policy which mandates hiring manager training and places an emphasis on ensuring that flexible workers are



considered in all new vacancies, with the onus being on the hiring managers to justify why a flexible worker *cannot* undertake a role if they believe that to be the case.

### **Having access to a gender pension gap report**

As the largest ANSP this request has been made with NATS however no real progress has been made and there is no legal obligation for employers to publish this data. Ongoing.

### **Develop improved approaches to pregnancy, maternity & return to work**

This has been raised with employers and is being tackled to a small extent with the introduction of the parents portal in NATS, however more work needs to be done to ensure that expectant, new and returning parents are adequately supported. The Branch had suggested to NATS that we recruit local "champions" who were knowledgeable of policy, procedure and the experience of being an expectant parent, however this stalled on questions around how this would sit alongside the line management process. Work is ongoing.

### **Implement a more equal and robust work and family policy**

The NATS work and family policy has been reviewed and several changes have been made to ensure it is more supportive and inclusive. This policy referred to NATS and therefore this work has been limited to NATS only. The changes made so far are as follows;

- *Language and terminology - an overall review to ensure inclusivity and statutory entitlements.*
- *Retitling of Paternity Leave and Pay to Paternity/Partner Leave and Pay.*
- *Introduce one week's unpaid carers leave per year –this is also a right on day one of employment with NATS.*
- *Extends the existing redundancy protection for employees returning to work following Maternity or Adoption Leave to 6 months after their return.*
- *Flexible Working Requests (FWR): Removed the qualifying period to submit an FWR so that this is now a right on day one of employment with NATS. Increased the right to make an FWR from one to two times in a 12 month period.*
- *Includes reference to Agile Working.*

### **Provision of free sanitary products across the NATS estate**

This request is ongoing with a reluctance from NATS to bear the cost of the initiative. There have been some personnel changes within the NATS hierarchy responsible for implementing this initiative, so work to forge a relationship with the new team has begun and hopefully will begin to show results. We are pleased to add however that, when this motion was passed at ADC 2019, ANS



(Gatwick and Edinburgh at time of writing) pledged to action this immediately and they have done so.

### **A more unified and equitable approach to unpaid parental leave**

ANSP's continue to assert that they fulfil their legal obligations and it has been difficult to articulate the Branch's view that more could be done at little or no cost to business. We continue to push for this to be dealt with, one area being that changes can be made to the Work and Family Policy within NATS, as mentioned above.

### **Increases in paid paternity and maternity leave**

Again, ANSP's argue that they generally exceed or at the very least, meet their legal obligations in terms of these provisions. The ATCOs' Branch continue to lobby ANSP's that the measure of a truly inclusive employer is one which strives to exceed the minimums and prides itself on industry and market leading policies in these areas.

### **Negotiate improvements to shared parental leave, such that it is brought in line more with the maternity provisions**

See above. Sadly every request we have made to examine these areas and make improvements have been met with barriers of cost, and assertions that employers are fulfilling their legal obligations. We remain hopeful that the increased visibility of ED&I and the importance assigned to it by employers means that these changes will inevitably happen, however the pace of change and lack of appetite for it currently are a source of frustration.

### **Make provision for those on Maternity, parental or shared parental leave to make employee pension contributions so that contributions can also be made by the employer during periods of zero pay**

This again stands behind the barrier of legal obligations and cost to the employer. Without the visibility of the gender pension gap, it is difficult to fully understand the scale of the issue. The request has been made several times, however the reception of the request has been cold at best. It is something that, in line with Branch Policy, we will continue to lobby for.