

# **Professional Army, Diverse Army**

## **Forging the Link**

### **The Watts-Andrews Inquiry** **commissioned by the Chief of the General Staff**

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## THE PANEL

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**Keith Morton:** Counsel to the Inquiry is a member of the Attorney General's A Panel of Counsel, with extensive experience of employment law and inquiries.



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## PREFACE BY THE PANEL

*'Hope has two beautiful daughters. Their names are Anger and Courage: Anger at the way things are; and Courage to see that they do not remain the way they are.'* Saint Augustine

The quality of the Army's people sustains its effectiveness and its operational success. We observed this during every visit, interview and discussion. In exploring how things go wrong and, of far greater importance, how to ensure they go well, we concluded with confidence that the Army could and should be professional and diverse. It must be both.

Here, to frame our work, we preface our report with the stories of two young women who spoke to us. The first, a vehicle mechanic, described her experiences on active service in Afghanistan with an all-male unit. After 'an initial uncertainty', she told us, her male comrades focused, above all other things, on her ability 'to get the job done'. She won their respect by 'fixing their vehicles quickly and well'. We saw that her tour of duty had clearly brought her great fulfilment and satisfaction. Her story concluded with her return to her unit in the United Kingdom and, in her words, 'then it was back to square one being a woman in the Army again'.

The second young woman was a junior soldier at the Army Foundation College at Harrogate. She described her hopes and aspirations for the career in the Army ahead of her. Asked 'where do you see yourself in ten years?', she told us that she hoped to be 'a sergeant with good operational experience'; and to have been selected for, or actually started, her advanced technical training. This, she saw, would qualify her for the best career the Army could offer.

These two voices – the voice of experience and the voice of hope – set the context for our report and the challenge for the Army it brings.

Major General Stephen Andrews

Anne Watts

Keith Morton



## 1. EXECUTIVE SUMMARY

### Introduction

1.1 The Army sets a very high standard for the way in which its people should be treated. This standard calls for an environment free from harassment and one in which the Army's people know that they are truly valued. Such would be the social fabric of a diverse and inclusive Army. In 2009, against the background of concerted corporate action in partnership with the statutory commissions over the last decade, the Army is still concerned that it has not met its own standard for its people. From time to time, complaints of poor treatment are heard by Employment Tribunals and have resulted in severe public criticism of the Army. This is the backdrop to the Panel's inquiry into the way that the Regular Army is working towards establishing and sustaining a working environment which meets, at all levels, the high standard that it has set itself.

1.2 **The Army, the Armed Forces and the Ministry of Defence.** This is the Panel's report into its inquiry into aspects of equality and diversity in the Army. In this area, the Army's work is set in the context of an overall Defence strategy<sup>1</sup> for equality and diversity across the entire military and civilian populations of the Armed Forces and the Ministry of Defence. Under the coordinating and integrating authority of the Deputy Chief of the Defence Staff for Personnel, the Army's specialist staff work closely with their counterparts in the Royal Navy and Royal Air Force.

### Executive Summary

#### Background

1.3 **The Army Today.** The professional culture of the Army is founded on the pursuit of success on operations – it is committed to the idea of operational effectiveness<sup>2</sup>. The Army today is on a war footing. It is 'transforming in contact', in contact, that is, with a determined enemy. As it transforms, the Army must always be operationally effective; and it must always be far-sighted as it strives to recruit and retain sufficient, capable and motivated people.

1.4 **Equality and Diversity.** Equality and diversity, which replaced 'equal opportunities' in the late 1990s, has been characterised by the wider employment of women and particular efforts to recruit members of the UK's ethnic minorities. In the Military Covenant, the Army has codified its obligations towards the Nation and its people and their individual reciprocal obligations of service and selfless commitment. The Army's Values and Standards set out clear directions and obligations for the living and ordering of professional military lives. Standards of conduct are upheld by strong leadership and enforced by uniquely extensive powers of self-regulation - powers which also protect the rights of the individual. Where these rights are restricted or different, that difference must be objectively justified on the grounds of operational effectiveness. In the field of equality and diversity, there are very few differences or exceptions.

1.5 **Influences on Reform.** The Army culture of sustaining operational effectiveness provides the impetus for self-reform. In the context of this inquiry, however, the external imperatives created by the Deepcut Review and the scrutiny of the independent equality



commissions (the Campaign for Racial Equality and Equal Opportunities Commission – now brought together in the Equality and Human Rights Commission) are of fundamental importance. More recently, the independent oversight of the Service Complaints Commissioner has created an impetus for reform of the complaints system.

**1.6 Rationale.** The Panel considered three imperatives for sustaining a diverse Army which, taken together, represent a strategic imperative for a diverse Army:

a. **The Legal Imperative.** The legal imperative for diversity requires that the Army as an employer must act in accordance with anti-discrimination law.

b. **The Moral Imperative.** The moral imperative for diversity is imposed by the duty the Army places on itself to be a moral employer in accordance with its own Values and Standards. It is the duty to act in the right ethical or moral way.

c. **The Professional Imperative.** The professional imperative for diversity requires the Army to be operationally effective in fulfilling its duty to the Nation. Only by drawing on the full diversity, range and talent of the Nation's people can the Army secure the quality of people it needs to do so. The professional imperative means that a professional Army must also be a diverse Army.

**1.7 A Changing Population.** The strategic imperative for diversity the Panel identified must be seen in the context of the changing population of the United Kingdom. The Armed Forces will therefore have to compete for young people from a reducing recruiting

pool of 15-29 year olds in the period out to 2022. Most ethnic minority groups have a younger age structure than the White British grouping and this trend is likely to continue. The UK's society will therefore become more and more racially diverse.

### Approach

**1.8** In the time available, the Panel relied largely on the work of others who have been and are responsible for: the codification of policy and procedure; the measurement of conduct and attitudes; and the wider application of equality and diversity principles to workforces. The Panel visited key agencies contributing to the formulation of policy and its implementation. We spoke to a wide range of individuals about their roles and about their experiences. Against the backdrop of the Army as a very complex institution, the Panel's findings are drawn from an amalgam of research gathered by social and occupational psychologists, military anthropologists and its own observations.

### Summary of Findings

**1.9 Benchmark.** The Panel took the Chief of the General Staff's direction on equality and diversity to represent a benchmark against which we could assess the Army's working environments.

**1.10 Intent and Reality.** The Panel found a significant mismatch, in some areas of the Army, between the intent of Army policy and the lived experience of its people. A significant number of people have been harassed and do feel undervalued. This is not widely recognised by the chain of command. There seems to be a gap between the lives that the Army corporately believes its people live, and the lives they



actually do lead.

**1.11 Complying with the Law.** Much of the Army's work is focused on meeting the legal imperative for diversity.

**1.12 Equality and Diversity as a Professional Issue.** The Panel found that equality and diversity was widely treated as an intangible legal or moral issue, albeit an important one. We did not find an attitudinal link forged between the necessity for equality and diversity and the operational effectiveness of the Army. Equality and diversity is widely considered to be a specialist subject for specialists – usually those to be found in the human resources or administrative fields – rather than one for fighting commanders and soldiers.

**1.13 Perspectives of Leaders.** The Panel found a wide range of perspectives across the chain of command. Many senior leaders have not grasped the imperatives for diversity; many middle-ranking leaders are resistant to the idea; and many junior ranking leaders are confused about what is expected of them.

**1.14 Recruiting.** The Panel found that the Recruiting organization has a profound understanding of the challenge of 'recruiting the MP3 Generation' from a diverse society. A values-based approach is used to train recruiters. There are too few recruiters drawn from minority groups in the Army, particularly women.

**1.15 Initial Training: where Reform has taken Root.** The Panel found that, through a values-based leadership approach, those joining the Army were genuinely inculcated with the Army's Values and Standards. This transformational approach draws on the strong personal example of leaders at all

level in the Army Recruiting and Training Division. We also found that the Division's Staff Leadership School's compelling values-based approach enables the instructor to become a very powerful agent for the reform of behaviour and attitudes.

**1.16 Leaving Training.** We found that, whilst young people had been changed from civilians into trained soldiers, they were often joining an environment that was left unchanged by the Army's current efforts to become genuinely diverse and inclusive.

**1.17 Training and Education in the Mainstream of the Army.** The Army delivers a range of career courses that include equality and diversity. However, the Army does not meet in full the detailed requirement, set out by the Ministry of Defence, for universal and progressive equality and diversity training in the course of a career. Some important groups, principally of older and more senior middle-ranking, receive little or no training in this area. The Panel often heard of attitudes demonstrated by members of these groups as 'old school'. The Panel found that the Army's annual continuation training in Values and Standards was not fit for purpose.

**1.18 When Things Go Wrong.** Like the Service Complaints Commissioner, the Panel found that many people were reluctant to complain – not least because they consider it to be unprofessional – and that the complaints system is not entirely trusted. We found the formal complaints process to be too slow to be respected. The system of investigation and determination is cumbersome and internally inconsistent. Unacceptable delay is common. The result is that the ability to achieve satisfactory resolution of a complaint (which includes the calling to account of perpetrators) is



diminished and the prospect of litigation increased. This undermines the operational effectiveness of those involved and undermines trust in the Army as an employer.

**1.19 Assurance.** The Panel found that the Army had established and empowered its own assurance mechanisms. We heard how inspection teams can, by direct observation and interview, identify and close the gap between the lived experience of people and the perceptions of the chain of command, that is, to provide 'ground truth'.

**1.20 Learning from Experience.** We found that the feedback mechanisms which allow policy to be revised in the light of experience were often ineffective. Some aspects of equality and diversity, such as career outcomes for minorities (for example, women and Black, Asian and Ethnic Minorities), are not being consistently monitored and analysed.

**1.21 Costs.** The Panel was unable readily to calculate the true costs of failing to sustain a diverse Army. We were clear that they extend far beyond the monetary expenses of resolving complaints and Employment Tribunal cases.

**1.22 Managing Knowledge.** The Panel found that its work had been complemented and corroborated by other concurrent work. All of this work contributes to the Army's knowledge of equality and diversity but we found no common awareness of its extent or any work to manage it effectively – or of its important links to work on training and education for cultural awareness on operations.

**1.23 A Basis for Professional Debate.** We did not find a common professional model or frame of reference that could be used to

explore and debate the behaviour that Army policies seek to influence. There was, however, ready acknowledgement that the Army needs better to understand why its people do, or do not, feel valued; and the extent to which they are individually integrated to best effect.

**1.24 Academic Research.** Looking beyond the Army, we found some detailed academic research<sup>3</sup>, which focuses precisely on the issues we have studied, that will help the Army corporately to understand its people better.

**1.25 Realigning Reform.** The Panel's attention was caught especially by the report of a study which explored why organizations had failed to reap the rewards of diversity. We considered the approach set out in the report, 'Reframing Diversity'<sup>4</sup>, to be of seminal importance and we have drawn on it in reflecting on our findings, reaching conclusions and making recommendations.

## Conclusions

**1.26 Committing to Reform.** Our findings demonstrate how the Army is currently working towards meeting the legal, moral and professional imperatives for diversity. On the one hand we concluded that reform can take root: it has done so in the training organizations. On the other hand, we concluded that the trainers' commitment is not reflected universally across the wider Army. It is not being planted and embedded in the minds of individuals and their leaders, in a way that will realise the ends envisaged by the Chief of the General Staff. Commitment to reform to meet the imperatives for a diverse Army must be felt and demonstrated across the Army, and especially by commanders everywhere and in every rank. The principal means of reform is



the agency of the leader.

#### 1.27 Making the Case, Forging the Link.

The professional case for diversity should emerge from a professional debate about diversity and the nature of the social fabric of the Army. Only through deeper understanding of itself, and codifying what it knows about itself, we concluded, will the Army be able to design and forge the professional linkages between diversity and operational success. These links are required for the executive – that is commanders – first clearly to see, and then to go on to realise the full potential of a diverse workforce.

#### 1.28 Delivering Self-Regulation.

Leadership, training and education must be complemented by regulatory powers that can be used to enforce standards and call individuals to account. We clearly saw that the way in which the Army's power of self-regulation were applied to harassment and discrimination was marked by delay and mistrust. We concluded that here too the agency of the leader was the key to empowering the individual to speak up. In this way, a problem need not become a complaint. A formal complaint then should become a rare and genuinely exceptional matter.

**1.29 When Things go Wrong.** The Panel was clear that the key to the effective resolution of complaints of harassment and discrimination (and the avoidance of litigation) is fair and prompt investigation and determination. We concluded that the Ministry of Defence rules (which are applied by the Army) are presented in a complex and confusing way and should be simplified. We also concluded that, whilst the proposed (Army) Service Complaints Wing should be a most helpful means of providing practical help

to commanding officers, there needs to be better provision of investigative resources.

#### Outline of Recommendations

1.30 The Panel makes two sets of recommendations: one, a set of working principles to be adopted by the Army; the other, a set of actions to be undertaken.

1.31 We recommend that the Army adopts the following principles to shape its reformed efforts to secure a diverse Army:

- a. **Leadership.** Equality, diversity and inclusion is a leadership issue – and must always be approached by commanders as a personal commitment.
- b. **Partnership.** Commanders must form effective working partnerships with their specialist equality and diversity advisors.
- c. **Priority.** Diversity in the Army must be positioned and viewed as a key strategic priority for securing sufficient, capable and motivated people.
- d. **Knowledge.** Diversity in the Army must be established and sustained on the basis of knowledge, measurement and a profound and accurate understanding of the Army and the lived experience of its people.

#### Recommended Actions

**1.32 Outline: a Campaign to meet the Professional Imperative followed by Enduring Action.** In the light of our report, we envisage a new campaign that engages the whole Army in the way that the training



organization has been engaged and transformed around values-based leadership. A campaign must have a beginning and an end and this campaign would necessarily be followed by integrated enduring effort. The first phase of work would be a period of research and reflection during which the current Action Plan, with some specific reinforcement and amendment, should continue to be executed. The next stage would be to develop and execute a new campaign that will draw together all the current strands of effort and assurance we have found and reinforce them with the measures designed in the first phase. At the conclusion of the campaign, we foresee that equality and diversity will have become established features of the social fabric of the Army: from being separate they will be seamlessly integrated into core business.

#### Specific Recommendations

1.33 The Panel makes the following specific recommendations within the outline set out above..

**1.34 Recommendation 1: Research and Reflect to Develop an Army Model of Diversity.** Against the backdrop of the imperatives for diversity we have set out, we recommend the development of an Army model of diversity which makes clear and compelling links to professional benefits and operational success

**1.35 Recommendation 2: Initiate a New Campaign to Forge Professional Links.** Acting within the framework of principles we have set out earlier, we recommend the initiation of a new campaign.

a. **2.1: Reform of the Army Action Plan.** Following the construction of a new model of diversity for the Army, we

recommend the reframing and revision of the Army Action Plan into a far-sighted Campaign Plan that sets out a concrete set of strategic opportunities. From these strategic opportunities, a set of short, medium and long-term objectives would be derived which would form the professional basis of links to be formed, over time, in the minds of the Army's people: the answers to 'what's in it for me?' and 'how will this help me to do my job better?'

b. **2.2: Integration of Effort.** We envisage a leadership-focused campaign, led by commanders informed by specialists, that draws on a comprehensive integration of the many strands of current activity we have identified.

c. **2.3: Maximise the Effect of Assurance.** We recommend that the campaign plan pays particular attention to assurance and strives to maximise the benefits of all of its forms.

**1.36 Recommendation 3: Measure Success rather than Activity.** The new Campaign will require the development of new measures of success. These measures must go beyond recording the completion of tasks and assess the delivery of outcomes substantively contributing to 'sufficient, capable and motivated' people.

**1.37 Recommendation 4: Develop Specialist Capability.**

a. **4.1: Individual Expertise.** An Army campaign to realise the potential of a diverse Army will require the support of specialists. A campaign will require a small number of these



specialists whose careers will have to be managed in a way that maintains their personal engagement with the Army's people (and, through that, the outcomes of the campaign). We recommend that the Army identifies these individuals during the period of research and reflection leading to the drafting of the campaign plan.

b. **4.2: Establish a Clear Framework of Roles and Relationships.** We further recommend that a clear framework of roles and responsibilities be codified in the Campaign Plan so that command focus can be maintained and be comprehensively well informed by timely and pertinent specialist advice.

### 1.38 Recommendation 5: Specific Measures for the Current Action Plan.

a. **5.1: Revision of Regulations.** The body of regulations for dealing with complaints, Joint Service Publications 763 and 831, should be reviewed. This must include the correct burden of proof. There should be a single JSP dealing with all complaints including complaints of unlawful harassment and discrimination.

b. **Investigations.** Urgent action should be taken to provide a pool of appropriately trained investigators to undertake investigations into complaints of harassment and discrimination promptly and independently of the chain of command involved in the complaint.

c. **The Service Complaints Wing.** The Service Complaints Wing should be provided with adequate resources

and adequate procedures to enable it to deal promptly and efficiently with all new complaints.

1.39 **Supplementary Work.** After reflecting on the Panel's report, the Adjutant General asked the Panel to consider whether it could go further in suggesting practical actions to achieve its strategic recommendations. We have done so and set out further detailed recommendations in Appendix 4.

<sup>1</sup> The Ministry of Defence's strategy statements are set out in Appendix 2.

<sup>2</sup> We have taken operational effectiveness to mean the ability of the Army and its people to meet 'the fundamental and unique demands of battle' and to fulfil 'the requirements for maintaining the fighting spirit needed to be effective in it.' Quoted from Army Doctrine Publication 5: Soldiering, published in Feb 00.

<sup>3</sup> Dr Charles Kirke MA(Cantab) PhD MCGI FRAI of Cranfield University is a lecturer in Military Anthropology and Human Factors in the Centre for Human Systems in the Defence Academy of the United Kingdom. He has researched social structures in the British Army over the last quarter century. His work has been published in a new book 'Red Coat, Green Machine – Continuity in Change in the British Army, 1700 to 2000' published in Oct 09 by Continuum.

<sup>4</sup> 'Reframing Diversity – board executives and senior diversity professionals working together for strategic impact.' A study commissioned by the Diversity Professionals' Forum undertaken by Dr Gillian Shapiro and Melanie Allison, Dec 07.



## 2. BACKGROUND AND RATIONALE

**2.1 Professional Culture.** In the centuries old history of the British Army, the formal ideas of equality and diversity, and its forerunner 'equal opportunities', are very recent arrivals. The professional culture of the Army is founded on the pursuit of success on military operations. The Army's culture is therefore inextricably bound up with, and committed to, the idea of operational effectiveness. Any inquiry or debate about equality and diversity in the Army must acknowledge this from the outset.

**2.2 Context.** In 2009, the Army is on a war footing, focused on sustaining the campaign in Afghanistan. Its operations there are intense, dangerous and demanding of the Army's people.

*'Successful armed forces adapt and transform at a pace faster than their potential enemies'*

General Sir David Richards  
Chief of the General Staff  
Chatham House Defence Lecture, 17 Sep 09

The Army is changing too. It is 'transforming in contact' – in contact, that is, with a determined enemy on operations. At the same time, the Army must also look ahead always to meet the enduring challenge of generating the people it needs. This means recruiting and retaining the right number of people, equipping them with the right skills and engendering the robust motivation needed to deliver operational effectiveness. In the compelling shorthand of the military, this becomes simply 'sufficient, capable and motivated'. Throughout our work we have continually borne in mind that the Army is called upon always to be effective today – yet continually to be farsighted in securing its

readiness to succeed in future.

### Equality, Diversity and Reform

**2.3** From the 1990s onwards, 'equal opportunities' were replaced by the idea of equality and diversity. In the last decade or so, the Army has reformed itself in response to social and professional influences and forces. By 1998, 70% of all roles in the Army were open to women<sup>5</sup>. The exclusion of women from close combat roles remained. It was examined again in 2001-02 and was maintained. It remains today although, at the time of writing in the Autumn of 2009, it is under review<sup>6</sup>. By the beginning of the new Millennium, the Army had codified the unique professional and social demands that it places on its people.

#### *The Military Covenant*

*'In putting the needs of the Nation, the Army and others before their own, they forgo some of the rights enjoyed by those outside the Armed Forces. So, at the very least, British soldiers should always be able to expect the Nation, and their commanders, to treat them fairly, to value and respect them as individuals, and to sustain and reward them and their families with appropriate terms and conditions of service. This mutual obligation forms the Military Covenant between the Nation, the Army and each individual soldier.'*

*Extract from The Moral Component,  
Army Doctrine Publication, Land Operations*

**2.4 The Military Covenant: Fair Treatment in return for Selfless Commitment.** In early 2000, the Army published the doctrine of the Military Covenant<sup>7</sup> in which it made clear the Army's corporate obligation to meet the selfless commitment of its people with fair treatment. In the Spring of 2000, and in close conjunction with the Military Covenant, the Army published its definitive statement of



Values and Standards – a statement of the professional standards required of its people and the values by which all members of the Army should live and order their lives. In the light of operational experience, Values and Standards were revised and republished in new booklets in 2008<sup>8</sup>.

**2.5 The Covenant in Focus.** In the years since its first publication, through intense media attention on the exceptional demands of active service, the Military Covenant has entered the public conscious. In 2008 the strength of the obligation the Military Covenant carries was acknowledged by the Government in its Command Paper on Service Personnel, 'The Nation's Commitment'<sup>9</sup>. Young people who join the Army today, enter its training organization and go on to start their military careers, do so knowing that they will face operational service early on in their military lives.

**2.6 Self-Regulation.** The Armed Forces enjoy a unique degree of self-regulation. Their disciplinary powers are founded in primary legislation, most recently the Armed Forces Act 2006 which replaced the three single Service Acts. As the Services' policies for their people have developed and been reformed, so have their powers of self-regulation. In every reform, a careful balance has been struck between, on the one hand, sustaining the lawful authority of the Armed Forces and their commanders to maintain operational effectiveness and, on the other hand, protecting the rights of the individual. Such wide-ranging powers of self-regulation have to be strictly justified – and they are. Where the Armed Forces have a need to be different from wider society, that exception has been objectively justified and carefully bounded on grounds of operational effectiveness. In this context, equality and diversity legislation applies to the Armed

Forces as it does to other employers with only a few, albeit significant, exceptions<sup>10</sup>. Uniquely, and of significance to the Inquiry, the Armed Forces are empowered to investigate and resolve complaints of unlawful discrimination before a complainant may bring a claim in the Employment Tribunals.

### Outside Influences on Reform

**2.7** The Armed Forces have not reformed themselves entirely of their own volition. They have been subject to significant external influences and pressures.

**2.8 Statutory Influences.** From 1999 onwards, the Ministry of Defence and the Armed Force worked closely with the Commission for Racial Equality and the Equality Opportunities Commission to address problems and to promote equality and diversity. Formal agreements were made and progress, to the satisfaction of the Commissions, was recorded. In this way, and in a longstanding spirit of cooperation, the Ministry of Defence and the Armed Forces are now working in partnership with the Equality and Human Rights Commission<sup>11</sup>, the successor body to the earlier Commissions.

**2.9 Independent Scrutiny.** The training environment, in which young men and women are trained to become soldiers, has been profoundly influenced and shaped by the implementation of Nicholas Blake's recommendations in the Deepcut Review<sup>12</sup> and the scrutiny of Parliament and independent agencies such as Ofsted.

**2.10 The Service Complaints Commissioner.** The Service Complaints Commissioner<sup>13</sup> was established in response to a recommendation made by the Deepcut



Review. The Commissioner is granted statutory powers by the Armed Forces Act 2006. The Commissioner's role is two-fold:

- a. First, to provide a rigorous and independent oversight of how the Service complaints system is working and to report annually to ministers and Parliament; and
- b. Second, to provide an alternative point of contact for Service men or women who do not feel they can raise a complaint with their chain of command without her oversight. Someone acting on a Service man or woman's behalf such as a member of their family, a friend or MP, can also raise concerns with her.

**2.11 The Climate for Change and Progress.** The climate for securing change and progress in this area, indeed for any aspect of Defence, is framed by the most severe restraint on the resources available to the Ministry of Defence and the Armed Forces. Military manpower becomes, inexorably, more expensive.

**Rationale: the Imperatives for Equality and Diversity**

**2.12** In approaching its work, and subsequently marshalling the evidence and its findings, the Panel identified three imperatives – distinct from one another rather than separate – for sustaining a diverse Army. They resonate with the Chief of the General Staff's direction.<sup>14</sup> Together they give force to the strategic imperative for diversity.

**2.13 The Legal Imperative.**<sup>15</sup> The legal imperative for diversity requires that the Army operates within the boundaries and complies

with the standards and regulations set by anti-discrimination legislation in its approach to employment and service.

**2.14 The Moral Imperative.** The moral (or ethical) imperative is based on the argument that 'ensuring that all individuals receive equal opportunities in accessing work, in reaching their potential in the workplace and accessing services, is simply the right moral or ethical thing to do, often linked to individuals' personal values'.<sup>16</sup> This resonates with the Army's Values and Standards.

**2.15 The Professional Imperative.** The professional imperative for a diverse Army is grounded firmly in the duty of the Army to the Nation to be operationally effective. The Army must be capable of succeeding in environments marked by complex operational, technical, organizational and human challenges. It is axiomatic that such environments demand diverse personal characteristics and skills of the Army's people. Only by drawing on the full diversity, range and talent of the Nation, can the Army secure the quality of people who can deliver its commitment to the Nation. Therefore, not appealing to, or recruiting from, every eligible part of society would reduce the operational effectiveness of the Army. At the same time, in serving the Nation, the Army has, and must continue to, draw its people from those who owe allegiance to, and are representative of, the Nation they must defend. The professional imperative means that a professional Army must *perforce* be a diverse Army – diverse in number and diverse in nature. At the end of their service, and when they rejoin society, the Army's people will bring their talents and experiences back to enhance the diversity of the Nation.



**2.16 The Strategic Imperative.** Drawing the three imperatives together in today's geo-economic and strategic environment, it is clear that the Army's people will be called on to provide the operational edge. In such an environment, it is critically important that the Armed Forces must secure the most adaptive and very best people – and the best leaders – that they possibly can. Only by responding to the imperatives, that is the whole force of the strategic imperative for diversity, will they do so.

**2.17 A Changing Population.** The three imperatives the Panel identified must be seen in the context of the changing population of the United Kingdom. Although the number of 15-29 year olds has grown in recent years it will peak in 2012 or 2013. The Office for National Statistics attributes this growth exclusively to a net influx of non-UK, Irish and Commonwealth citizens. In practice this means the growth in the youth population has been more than counterbalanced by a reduction in the proportion of the population that is suitable and traditionally willing to join the Armed Forces<sup>17</sup>. The Armed Forces will therefore have to compete for young people from a reducing recruitment pool in the period out to 2022. Most ethnic minority groups have a younger age structure than the White British grouping and this trend is likely to continue. The UK's society will become more and more racially diverse through the effects of immigration and the increase in the number of individuals of mixed race.

**2.18 The Army Today.** The extent of the Army's diversity today is:

- a. 8% of its people are female;
- b. 3% are drawn from British ethnic minorities (in comparison to 10.3% of

the UK population<sup>18</sup>); and

- c. 8.5% are drawn from Foreign and Commonwealth countries.
- d. Probably (the Army's Personnel Staff estimate) between 4 and 6% of its people are lesbian, gay or bisexual (but this is not monitored or recorded).

#### **Response to Criticism: Setting up the Inquiry**

**2.19** From time to time, complaints of poor treatment have not been resolved by self-regulation. They have instead been publicly tested, and in some cases upheld, by employment tribunals. In such cases, the Army has fallen short of the high standards it sets itself (which are drawn from the Military Covenant). That is the background to our inquiry<sup>19</sup>. At the direction of the Chief of the General Staff, we have sought to investigate, analyse and understand the organizational issues raised by these cases. We have done so by examining policies and their intentions and by studying the way in which they have been implemented by the Ministry of Defence and Army. We have seen for ourselves some of the steps that young people make in the journey from civilian to soldier. We have explored the equality and diversity training given to the mainstream of the Army – and experienced some of it at first hand. Critically, we have heard the voice of the Army's people at every level from the most junior to the most senior. We have looked inside and beyond the Army for compelling ideas and examples that might help the Army in this area. In drawing all this together, and reflecting on what we have found, we offer our report to support the Army as it strives to achieve and to sustain the high standards that it has set for itself and all of its people.



<sup>5</sup> Women were – and still are – excluded from joining the Household Cavalry, the Royal Armoured Corps and the Infantry.

<sup>6</sup> The United Kingdom (through the Ministry of Defence) gave an undertaking to the European Commission to re-examine this exclusion regularly; and at least every 8 years.

<sup>7</sup> Published in Army Doctrine Publication Volume 5: 'Soldiering, The Military Covenant' Army Code No 71642 dated Feb 00. It was later incorporated in 'Land Operations', Army Code No 71819 published in May 05 (Paragraph 0715).

<sup>8</sup> Values and Standards of the British Army, two editions, Army Codes 63812 and 63813 dated Jan 08.

<sup>9</sup> 'The Nation's Commitment: Cross Government Support for our Armed Forces, their Families and Veterans' Cm 7424 date Jul 08.

<sup>10</sup> The Armed Forces are permitted to place restrictions on age and disability; and access to Employment Tribunals for Service personnel is confined to cover the protected grounds of race, gender, religion and belief and equal pay.

<sup>11</sup> The Equality and Human Rights Commission signed a new partnership agreement with the Ministry of Defence on 3 Sep 08.

<sup>12</sup> The Deepcut Review: a review of the circumstances surrounding the deaths of four soldiers at Princess Royal Barracks, Deepcut between 1995 and 2002. (<http://www.official-documents.gov.uk/document/hc0506/hc07/0795/0795.asp>)

<sup>13</sup> The first Service Complaints Commissioner, Dr Susan Atkins, was appointed on 1 Jan 08. Her first annual report can be found at

<http://armedforcescomplaints.independent.gov.uk>

<sup>14</sup> The Chief of the General Staff's Equality and Diversity Directive for the Army, Army Code No 64340 dated 1 Apr 08. (See [www.army.mod.uk/.../general/CGS\\_ED\\_Directive-Apr\\_08.pdf](http://www.army.mod.uk/.../general/CGS_ED_Directive-Apr_08.pdf))

<sup>15</sup> In framing these imperatives we have drawn on Dr Gillian Shapiro's work, particularly her report entitled 'Reframing Diversity' published in Dec 07.

<sup>16</sup> Quoted from the glossary of 'Reframing Diversity'.

<sup>17</sup> The Service Personnel Plan 2009 – the Armed Forces Personnel Strategy, Part 2, Personnel Planning Assumptions, 16 Apr 09.

<sup>18</sup> At the end of 2007. (Statistics from Race for Opportunity).

<sup>19</sup> The Inquiry's terms of reference and its methodology are set out in Appendix 1.



### 3. FINDINGS

#### General Findings

#### The Army as an Institution

*'It must be an Army that is disciplined and fair, where commanders lead by example, where the working environment is free from harassment of any sort, and where subordinates know that they are truly valued as individuals and are rewarded for the job they do.'*

*The Chief of the General Staff's  
Equality and Diversity Directive for the Army  
1 Apr 08*

**3.1 The Army's Commitment.** The Chief of the General Staff's explicit direction<sup>20</sup> – set out above – is that people are to be valued for their differences and to feel valued. This unequivocal direction is the clearest statement of the Army's commitment to meet the imperatives for diversity.

*'The Army views Equality and Diversity as critical components in the generation and maintenance of Operational Effectiveness'*

*The Chief of the General Staff's  
Equality and Diversity Directive for the Army  
1 Apr 08*

This is a commitment to sustain a diverse Army, made by the Head of the Army, that we took to be the benchmark against which to assess the Army's working environments. We used it to assess the extent of any mismatch between the Chief of the General Staff's direction and the human outcomes it seeks to achieve: that is, the real lived experience of soldiers and officers on the ground.

**3.2 'Getting Equality and Diversity Right'.** Army policies for equality and diversity are clearly stated and widely respected for setting out a strong corporate commitment<sup>21</sup>. They portray an excellent corporate attitude; (and carry the personal commitment of the Head of the Army). In The Chief of the General Staff's Equality and Diversity Directive of 1 Apr 08<sup>22</sup>, we found clear orders to the Army for (in CGS's words) 'getting equality and diversity right'. The Directive uses the professional military framework of 'ends, ways and means'<sup>23</sup> to explain how this is to be done.

**3.3 The Army: a Unique and Complex Institution.** Throughout our work, we were conscious of the long-standing and deeply-embedded traditions of the Army; and the unique nature of soldiering.

*'The purpose and measure of the British Army is military effectiveness: success in war and on other operations. Ultimately this means that every soldier is a weapon bearer, so all must be prepared personally to make the decision to engage an enemy or to place themselves in harm's way. All British soldiers share the legal right and duty to fight and if necessary, kill, according to their orders, and an unlimited liability to give their lives in doing so. This is the unique nature of soldiering.'*

*Soldiering: the Military Covenant  
Feb 00*

We also saw clearly that the Army is shaped by its professionalism and an unwavering focus on operational effectiveness. Whilst this binds the Army's people together around the need to meet the demands of any mission or task, those people do not form a homogeneous group. It is important therefore, indeed vital, to any consideration of our report, that the Army is acknowledged to be a unique and complex institution. We have been cautious in making generalised



findings because of this. The Army's people and their working environments are shaped not only by corporate influences and regimental identities but also by local organizational and operational influences. Above all things it was clear to us that the Army of 2009 is an army on a war footing; and an army that is transforming itself whilst in contact with a determined enemy. From the outset, we have been acutely aware that our work will be considered in this context.

### 3.4 On Operations and At Home.

Although we did not visit an operational area, we heard compelling evidence from those with recent experience. On operations, we were told, the prevailing environment of mutual professional co-dependency, and the cohesion that flows from it, is inimical to harassment and discrimination<sup>24</sup>. We expected this – the nature and intensity of current operations in Afghanistan generate an imperative to complete the mission that transcends all other factors. We found instead that poor treatment seems to be generally confined to the non-operational environment, that is, the homebase. This confirms the model suggested by Dr Charles Kirke, a military anthropologist, which shows that the likelihood of poor treatment (such as harassment) increases with distance from the frontline (and the intense cohesion found there).

**3.5 Intent and Reality.** The evidence we considered showed that there is a significant gap, in many areas, between the Army's corporate intent and the lived experience of its people. In making this finding we drew on an extensive range of independently gathered survey data and our own observations and interviews with groups and individuals. For young women, in particular, this gap between the intent of Army policy and their experience can be very wide and its

impact demoralising. We also found that the feeling of not being valued is not confined to minorities. Whilst the Army's Personnel Staff readily acknowledge these findings, more widely, we found, they are not so easily or readily acknowledged. There is, it seemed to us, a significant difference, in some respects, between the lives that the Army corporately believes its people live and the lives they actually do live.

### Action on Equality and Diversity

**3.6 Complying with the Law.** We found that much of the Army's work in the area of equality and diversity is, understandably, influenced principally by the need to meet the legal imperative for diversity and to satisfy external scrutiny (principally by the Equality and Human Rights Commission). Many elements of the Army's top-down approach are aimed at achieving specific, and measurable, outcomes that demonstrate corporate legal compliance. This influences attitudes towards the overall importance and worth of equality and diversity.

*'I see Equality and Diversity as part of normal command business linked inextricably to operations and training.'*

*The Chief of the General Staff's  
Equality and Diversity Directive for the Army  
1 Apr 08*

**3.7 Equality and Diversity as a Professional Issue.** We found, at every level, that the idea of equality and diversity is frequently treated as an intangible, legal, moral or ethical issue. It did not seem to be directly connected in the minds of many of the Army's people, particularly leaders, with the practical and professional business of winning battles. Therefore 'E and D' often seems to be treated as a marginal or



disconnected issue – albeit an important one – but one, nevertheless, that may be safely placed in a separate box. The majority view, then, is that equality and diversity is a specialist subject for specialists – usually those to be found in the human resources or administrative fields – rather than one for fighting commanders and soldiers. In these supporting fields, we did see dedicated work being undertaken by Army and Ministry of Defence specialists who are striving to establish, strengthen and sustain a diverse Army. In contrast to this, the Panel did not find any strong evidence that the idea of equality and diversity had universally penetrated the professional consciousness of individual officers and soldiers. We looked for, but seldom found, an attitudinal link forged between the necessity for equality and diversity and the operational effectiveness of the Army. In this respect, diversity is often being proclaimed rather than felt or experienced.

**3.8 Where Reform has Taken Root.** The Army's training organization has been transformed in recent years. The Panel found that values-based leadership has shaped the training approach. It has done so in a way that naturally engenders the attitudes and behaviour that can meet the imperatives for diversity – and reap the benefits. Reform has clearly taken root here – we found that it can be done.

**3.9 When Things Go Wrong: Resolving Complaints.** The Panel considered the complaints system in the context that Parliament and the common law have established a system of self-regulation for the Army which is essential to its efficient and effective operations. Consistent with this, Parliament has provided a statutory framework within which service complaints (including complaints of harassment and

discrimination) are to be resolved. The key to the effective resolution of complaints of harassment and discrimination (and the avoidance of litigation) is fair and prompt investigation and determination. The Panel found that in practice this is routinely not the case. The system of investigation and determination is cumbersome and internally inconsistent. Adequate and appropriately focused investigation is often left until far too late in the process. The Ministry of Defence guidance<sup>25</sup> invites decision makers to apply the wrong legal test to the evidence. We found that unacceptable delay is common with the result that the ability to achieve satisfactory resolution (which should also include the timely calling to account of perpetrators) is diminished and the prospect of litigation increased. This is clearly inconsistent with the goal of operational effectiveness.

### Detailed Findings

**3.10 Layout.** Our detailed findings are laid out as follows:

- a. We describe first the working environment in the mainstream of the Army – that is, not in the training organization – and the perspectives of individuals on equality and diversity.
- b. Then we turn to our findings to follow the journey through recruiting, initial training and joining the Army.
- c. We go on to cover the training and education that is available to those serving in the Army.
- d. We finish our account of our findings by covering the areas of assurance, regulation and progress



towards reform.

### **On the Shop Floor: the Nature of the Working Environment in the Mainstream of the Army**

3.11 The Panel sought to draw together sufficient evidence to form a picture of the environment, away from operations, in which (predominantly) young men and women live and work together. In a complex organization like the Army, there is no one typical working environment; and we were ever mindful of the dangers of stereotyping. We focused on those aspects of the working environment which bear on harassment and discrimination, and on an individual sense of being valued. We sought to assess whether or not these aspects measured up to the high standard set by the Chief of the General Staff's direction. We did hear evidence of poor treatment, particularly of young women and, to a lesser extent, of non-British soldiers and members of ethnic minorities. We also heard evidence of the examples being set by some leaders that encouraged every individual in their team to give of their best. Looking across the Army, we assessed that many working environments do not create the conditions in which every individual feels respected and valued. In some areas – and two recent high profile Employment Tribunals illustrate the very worst of these – conditions suppress the morale and therefore the operational effectiveness of individuals from minority groups.

### **The Extent of Harassment in the Mainstream of the Army**

3.12 The Panel drew on a wide range of evidence in order to assess the true extent of harassment in the Army. We considered:

- a. The findings of a range of surveys<sup>26</sup>, commissioned by the Ministry of Defence, of sexual harassment, in the Armed Forces;
- b. The findings of a major interview-based investigation<sup>27</sup> of the way in which sexual harassment is dealt with in the Armed Forces;
- c. The Report of the Service Complaints Commissioner<sup>28</sup>; and
- d. Our own discussions with focus groups and interviews with individuals.
- e. **Litigation.** At any one time the Army is handling in the order of 20 cases of alleged harassment and, or, discrimination. In the year 2008/09 15 such cases were successfully defended (12 at preliminary hearings and 3 at substantive hearings), 2 were settled and 3 were lost at first instance<sup>29</sup>. In the context of the Panel's inquiry, the findings of the Employment Tribunals in two of these three cases give rise to serious concern.

We cover each of these (except litigation) turn below.

3.13 **Harassment Surveys.** In fulfilment of its 2005 agreement with the Equal Opportunities Commission, and later the Equality and Human Rights Commission, the Ministry of Defence has conducted a programme of research. This has included surveys of the views of sexual harassment of both Servicemen and Servicewomen in 2005, 2007 and 2009. These surveys have been the principal source of evidence for the assertion that the incidence of sexual harassment in the Armed Forces has reduced significantly in the last four years.



There is still a significant level of sexual harassment. One measure, the percentage of women who suffered a particularly upsetting experience in the previous 12 months, has reduced. It was 14% in 2005 but it is still 8% in 2009. These surveys have generated a very large volume of complex information and must be considered in that light as an important source. In the words of the 2009 Survey Report<sup>30</sup>, which we endorse, *'this research gives the evidence for direct action to reduce the incidences of sexualised behaviours and sexual harassment, address the harmful impact of such behaviours, and to promote confidence in the complaints process.'*

**3.14 Interview-Based Research.** An investigation<sup>31</sup> undertaken by the Directorate of Individual Training Capability (DITC) in 2007 provided a complementary perspective to the earlier harassment surveys. It was conducted exclusively by interviewing several thousand individuals. This allowed the meaning of questions to be explained and for individual answers to be clarified. The DITC Report presented a less stark picture than the surveys and commented on the widespread difficulty of defining what is and is not sexual harassment. It pointed out the caution generated by the formal and legal language of harassment and discrimination and asserted that the instructions<sup>32</sup> for investigating and taking action did not take proper account of military culture. In light of our later discussions with officers and soldiers, we found the DITC Report to be a particularly compelling and insightful account of the military environment. Some of its recommendations have been accepted and implemented by the Ministry of Defence, others – principally that the current instructions<sup>33</sup> should be revised – have not yet been accepted.

**3.15 The View of the Service Complaints Commissioner.** The Service Complaints Commissioner paints a picture of the working environment<sup>34</sup>, and the extent of harassment within it, that resonates with the Panel's findings. Very few of the soldiers to whom we spoke had heard of the Service Complaints Commissioner.

**3.16 Evidence from Focus Groups and Individuals.** In focus group sessions, the Panel heard accounts of the environment in which soldiers and officers worked; and explored the way that they had been treated. The individuals who formed the groups were drawn randomly from a variety of units in different regiments and corps. Some of these units were populated almost exclusively by men; in others there was a significant – that is 10 to 20% of the unit personnel – cohort of women. We were unsurprised by the contrast in the descriptions of working environment between units with very few women and those in which women were well integrated (that is, there was a 'critical mass' of female soldiers and officers.) We were also struck by accounts given about the attitudes of some minorities, particularly non-British soldiers recruited from Commonwealth countries, towards other minorities, usually women. We heard that the Army provides a written guide to the culture and customs of non-British soldiers.

### Feeling Valued, Fitting In

**3.17** In order to assess a sense of feeling valued, the Panel again drew on survey evidence and explored the issue with the focus groups. The Armed Forces Continuous Attitude Surveys (AFCAS)<sup>35</sup> provide a large volume of information about a wide range of issues. The Survey of 2008 shows that a significant number of the Army's people – about 31% of officers and 44% of soldiers –



do not feel valued<sup>36</sup>. The Panel also saw the early results from a new longitudinal survey – Valuing and Investing in Service Personnel (VISP) – which is specifically designed to assess the ‘embeddedness’ of individuals in the Armed Forces<sup>37</sup>. VISP showed that there is a significant contrast between the degree to which the younger female cohort feels valued and the degree to which the male cohort feels valued.

### **Gaining Acceptance**

3.18 The Panel spoke to women who were serving, or had served, in a wide range of environments. Our findings confirm a number of underlying themes we had drawn from the survey evidence.

3.19 We found that many women feel that acceptance in their working team can only be secured through conforming to a male model of life and work. This suppression of their innate qualities as women is clearly at odds with the Army’s strategic objective of an environment in which every individual is valued as an individual. In particular, in regiments with a very small number of women distributed across several units, the feeling of isolation for young women – there are virtually no older women<sup>38</sup> – can be acute and damaging to their morale and effectiveness.

3.20 We found that some young women join in with banter that is, in reality, discomfiting or offensive to them in order to secure acceptance: being a ‘ladette’ to be one of the lads. This view was made all the more credible by the reluctance of some of the male soldiers to whom we spoke to use or describe their everyday working language because of its explicitly sexualised nature.

3.21 The Panel found a strong recurring theme amongst female soldiers and officers that women, almost universally, feel that they have to perform twice as well to be judged to be as effective as their male counterparts – or that they are judged by more demanding standards. This feeling is intensified for women who are leaders; and frequently becomes acute for those who are mothers. Many women we spoke to had resigned themselves to living with this. We

3.22 We found that female soldiers and officers draw confidence from other female comrades in living their lives in a way that maintains the integrity of their own identity; and confidently asserts their own particular talents.

3.23 The Panel heard most evidence about the experience of women. Nevertheless, we did hear about the experiences of other minorities which suggest that our findings can be read across to them.

### **The Impact and Influence of the Army’s Values and Standards**

3.24 The Panel found an almost universal awareness of the Army’s Values and Standards. We observed a general acknowledgment of the linkage between the Army’s values, particularly ‘respect for others’, and the outcomes of equality and diversity. Some individuals who spoke to the Inquiry, expressed their confusion over this linkage. ‘How’, one officer asked, ‘do we distinguish respect for individual differences – which is supposed to be freely given – from the respect that is earned or withdrawn by the recognition of competence?’ We also heard from individuals who felt that the notion of ‘others’ undermines the idea of cohesion in a diverse group. The Panel found that, of the six core values of the Army, ‘respect for



others' was most open to interpretation.

### **Attitudes towards Equality and Diversity**

3.25 We found a general acknowledgment that equality and diversity should, somehow, be 'done' but that it was associated with legal complexities and difficult language. At the same time, we also observed that the official language of race, gender, harassment and discrimination can be intimidating and widen the gap between equality and diversity and the professional work of soldiering. We found that complaints associated with equality and diversity issues are seen to be quite separate and different from – and much more daunting than – any other form of complaint.

3.26 We observed that behaviour which offends the Army's Values and Standards, but also seems to touch any aspect of equality and diversity, is often dealt with inconsistently or, at worst, ignored. We were told that problems associated with the way in which women, members of ethnic minorities or non-British soldiers were treated are often dealt with outside the chain of command by other agencies such as welfare officers or chaplains. This was corroborated by our discussions with such agencies.

3.27 We found differing attitudes to the deployment and use of Equality and Diversity Advisors in military units. This seemed to be related to their rank and, therefore, their accessibility. On the one hand, Assistant Equality and Diversity Advisors, who are usually Junior NCOs, seem to be welcomed as sources of advice amongst their peers. On the other hand, Unit Equality and Diversity Advisors, who might be senior NCOs, warrant officers or officers, told us that they are not always used as they should be. We were told that sometimes – and we could not assess

whether this was often or occasionally – they were not consulted or deployed to assist with matters in which they had been specifically trained.

### **The Effects of Alcohol**

3.28 We found repeated references, in both the survey results and our own observations, to the way in which the effects of alcohol provoke or compound bad behaviour. Irresponsible drinking can lead to behaviour that presents a physical threat to women and the potential commission of serious offences. We heard of such cases; and of a reluctance by some superior officers to deal with them because of the sexual or gender context.

### **Avoiding the Issues**

3.29 The Panel heard from the focus groups that it was unusual in working teams to express and share feelings and experiences about the equality and diversity aspect of their working environments. This appeared to be as true for young men – who often find it very difficult to articulate their feelings – as it is for young women. Combined with a reluctance by some leaders to explore any aspect of equality and diversity beyond that required to secure compliance with rules, this means that shared experience is not informing policy development and implementation.

### **The Perspective of Leaders and their Influence on the Working Environment**

3.30 Early on in the work of the Inquiry, one senior officer summarised his assessment of the attitudes and perspectives of the Army's chain of command towards equality and diversity. He described:



- a. The command grouping, that is commanders in the rank of major and upwards<sup>39</sup>, as 'blind';
- b. The middle-ranking grouping that covers middle-rank officers, warrant officers and senior NCOs, as 'resistant' (both to the idea that there might be problems and to taking action); and
- c. The lowest (and youngest) level, that is junior NCOs and private soldiers, as 'confused' (about what to expect and when to speak up about problems).

The Panel subsequently found this to be a compelling and largely accurate – though certainly not universally applicable – characterization of the perspectives of the people from whom we heard. For 'blind' however, the Panel would, in the light of their observations, substitute 'unseeing'.

#### **Professional Perspectives: the Mainstream of the Army**

**3.31 Senior Officers.** The Panel heard a wide range of perspectives and attitudes towards equality and diversity, and the value of its contribution – or lack of it – to operational effectiveness, in the community of senior officers<sup>40</sup> in the Army (and across the Armed Forces). Some senior officers could draw on an understanding of the demographic factors affecting the Army. They acknowledged and asserted the imperative to recruit and sustain a diverse Army. They also demonstrated an understanding of the idea of diverse Army based on a fusion of talents rather than social assimilation<sup>41</sup>. On the other hand, we observed discussions during training sessions that were dominated by charges of political correctness. It seemed to us that a significant number of senior officers cannot

envisage the application of the idea of a diverse Army; or wish to deny the incidence of bad behaviour beyond a few isolated high-profile examples. A few senior officers had experience of such cases occurring in units under their command. They acknowledged their disbelief, at the time, that their people could behave in that way (and that they were indeed 'blind' or 'unseeing'). We also heard debate about whether the consequences of neglecting equality and diversity actually outweighed the costs and consequences of poor treatment and bad behaviour – that is, 'should the Armed Forces just take the risk?' The high quality of the training delivered at the Joint Equality and Diversity Training Centre is well focused on challenging such perspectives and encouraging individuals to reflect on the facts they have heard, perhaps for the first time.

**3.32 Middle Levels of the Chain of Command.** The Panel spoke to, and observed during training<sup>42</sup>, a number of junior officers, warrant officers and senior NCOs. We found that their perspectives on the working environment, particularly with respect to harassment and bullying, were often in sharp contrast to those described by the people they lead (the most junior levels: junior NCOs and private soldiers). This middle level of the chain of command felt that the Army was actually very close to establishing an environment free from harassment and discrimination and in which individuals were genuinely valued. Some members of the focus groups felt that 'there really isn't a problem.' This is the nature of the resistance described by the Personnel Staff. Like many of the senior officers in the chain of command above them, they expressed surprise – and, from some, disbelief – at the basis for the questions asked by the Panel.



**3.33 The Most Junior Levels.** The Panel heard a wide range of experiences recounted by members of the focus groups which reflected survey findings. We heard of examples of environments in which diversity might clearly flourish; and of others in which minorities were simply expected to conform to one model. We also found a degree of confusion about the application of the Army Value of 'respect for others' to individuals whom they perceived not to be pulling their weight. This confusion seemed also to apply to the questions 'when should I speak up?' and 'what is my commander really expecting of me?'

### Recruiting

*'How do we persuade young people to move from their alien civilian culture into our normal Army culture or, to put it the other way round, how do we persuade young people to move from their normal civilian culture into our alien culture?'*

*'Recruiting the MP3 Generation'  
Brigadier Jolyon Jackson  
Commander Army Recruiting Group  
Jul 09*

**3.34 Approach.** The Army's Recruiting Group set out its approach to securing the best quality recruits for the Army. It has a profound understanding of the population it seeks to attract<sup>43</sup>. This is matched by its frankness in describing and facing the challenges of recruiting. Its farsighted approach has made a compelling link between equality and diversity and its strategic objectives. Recruiting Group has clearly grasped the strategic imperative to sustain a diverse Army.

**3.35 Recruiting Outcomes.** The Recruiting Group showed us that fewer women are attracted to, and actually joining, the Army

now than in recent years<sup>44</sup>. We heard of the effect of media coverage, which is dominated by portrayals of the Army's combat role, that obscures the true extent of career opportunities. We were told that a very small proportion of recruiters are women; and that many recruiters are appointed whether or not they have an aptitude for recruiting. Whilst discussing attitudes, we heard some recruiters described as 'old school'. This discourages women in some areas from pursuing an enquiry about the Army or following through their application to join.

**3.36 Supporting the Recruit's Journey into the Army.** Recruiting Group clearly understands very well the individual nature of every individual's journey to their goal of becoming a soldier or an officer and is working towards sustaining and supporting those individual journeys. There are some excellent *ad hoc* schemes in place to encourage the 'stickability' of ethnic minority recruits and young women to complete their journey to becoming a soldier. We were impressed with depth of commitment shown by some recruiters to nurturing individuals and managing them in the queue (that has formed in some places) to join the Army. So is the promising local enterprise shown by recruiters in some areas in their efforts to reach communities from whom the Army has not traditionally drawn its recruits.

### Training Recruiters

**3.37 The Army School of Recruiting.** The Army School of Recruiting integrates Values and Standards into its training. This training also includes a specific day-long equality and diversity package given by a specialist trainer. Pre-course learning is required; as is an attachment to a recruiting office. Practical scenario-based training is also provided. The School's Commanding Officer told us that he



has seen an improvement in the quality of new recruiters. He observed that there is little time for reflection to change attitudes; and no assurance that those attitudes will be sustained and brought to bear in the recruiting office.

**3.38 Other Training.** Some regional distributed training is also provided and we found that this can include specific equality and diversity material. We were told that Corps and Regimental Recruiting Teams, which supplement Recruiting Group's efforts, did not attend the Army School of Recruiting.

#### Initial Training

**3.39 Soldier Training.** We found that the Army Recruiting and Training Division makes a strong and compelling link, through the teaching of Values and Standards, between equality and diversity and its strategic objectives. This link clearly operates in the minds of the staff and instructors we saw. The individual training regime for soldiers and junior soldiers has been significantly reformed in recent years in accordance with the recommendations made by Nicholas Blake QC<sup>45</sup>, in his review of the deaths at Deepcut, and with the work of other agencies<sup>46</sup>. The training approach we witnessed integrates Values and Standards into every aspect of turning civilian recruits into soldiers.

**3.40 What the Panel Saw.** We saw at first hand some of the training given to:

- a. Instructors at the Army Recruiting and Training Division's Staff Leadership School, Pirbright;
- b. Trainee soldiers at the Army Training Centre, Pirbright; and to

- c. Junior soldiers at the Army Foundation College Harrogate.

**3.41 Officer Training.** We were also given a comprehensive briefing by the Chief of Staff of the Royal Military Academy Sandhurst about the ways in which officer training seeks to inculcate the Army's Values and Standards and the qualities of officership.<sup>47</sup> We heard, too, from the Army's specialist staff about the effect of the segregation of the sexes at Sandhurst and its negative consequences for engendering attitudes towards diversity<sup>48</sup>

**3.42 Instructor Training: Transformation by Personal Example.** The Panel also observed the way in which the Army Recruiting and Training Division's instructors are trained, coached and prepared for their roles. With its emphasis on transformational leadership, the Army Recruiting and Training Division's Staff Leadership School sets great store by the power of personal example, at every level, in inculcating and living the Army's Values and Standards. We found this to be a very compelling professional approach that allows the instructor to become a very powerful agent for the reform of behaviour and attitudes. It is not yet fully established: we found that the attendance of instructors at the Staff Leadership School before they take up their posts is not yet universal. It was 54% in Jul 09. Headquarters Staff are working urgently to improve this.

**3.43 The Power of Personal Example: Contrasting Perspectives.** The powerful example set by the Director General of the Army Recruiting and Training Division and, in particular, the Commander of the Army's Individual Training Group is clearly felt in the training we saw. The Panel was struck by the way in which 'they walked the talk'. We observed a sharp contrast between the



perspectives and attitudes shown universally by the leaders we met in the Army Recruiting and Training Division<sup>49</sup> (and in the Army's Personnel Staff) and their peers in the wider Army and Defence. The influence of their unequivocal commitment to act to secure the outcomes of fairness and respect, backed by strong personal example, underscores the delivery of training based on values-based leadership. They demonstrated a clear understanding of the strategic imperative to encourage and sustain diversity that serves as an example to the entire community of leaders, both senior and junior, in the Army.

**3.44 Lack of Role Models.** We also found that, in an organization that is shaped by the power of personal example, there are too few role models drawn from minorities, particularly female role models. This was readily acknowledged by senior leaders.

#### The Transition from the Training Organization to the Field Army

*'The problem is that we are sending changed people into an unchanged environment.'*

*Air Commodore Nick Randle RAF  
Head of Leadership and Management Division  
College of Management and Technology  
Defence Academy of the United Kingdom  
Jul 09*

**3.45 New Soldiers.** On leaving training, we were told that new arrivals can face what seems to them to be an alien environment in their new units. In many cases, this new environment, at junior levels for both officers and soldiers, does not embrace and enact Values and Standards in the same way as the training environment. We found that, whilst young people had been changed from civilians into trained soldiers, they were often joining an environment that was left unchanged by the Army's current efforts to

become genuinely diverse and inclusive. Some likened this drastic change, experienced by new soldiers between the end of training and entry into the wider Army, to a 'falling off the edge of a cliff'.

**3.46 Instructors.** The sharp change of environment experienced by new soldiers on leaving training was, we were told, also experienced by some instructors on rejoining their parent regiments or corps. This seems to confine the reforming effect of the values-based leadership approach to within the boundaries of the training organization itself.

#### Career Training and Education

**3.47 Meeting the Intent of Ministry of Defence Policy.** The Panel paid particular attention to the way in which the Army explained its equality and diversity policies to its people through career training and education. We reviewed some of the training material before observing the range and depth of training delivered across the Army to a wider range of audiences. For the mainstream of the Army, we found that the Army's current equality and diversity training scheme does not yet meet in full the training requirement set out by the Ministry of Defence<sup>50</sup>. The Army acknowledges this. This detailed requirement calls for universal and progressive training throughout the course of a career.

**3.48 Inclusion in Career Training Courses.** We found that specific, discrete, training in equality and diversity – usually in the form of a session lasting between 40 minutes and an hour – was included in these career courses:

- a. Command, Leadership and Management for NCOs seeking



promotion;

b. Intermediate Command and Staff training for all new majors;

c. Advanced Command and Staff training for selected (that is, the most able) lieutenant colonels;

d. Commanding Officers' (Designate) Course; and

e. The senior officers' equality and diversity awareness briefing (which is mandatory and to be attended every three years).

**3.49 Continuation Training in Units.** The Panel found that Army annual continuation training in Values and Standards ('MATT 6'<sup>51</sup>) was not delivered universally or consistently in accordance with the training instructions; and did not seem to be widely respected. Against the backdrop of our other findings, it does not seem to be influencing behaviour and attitudes in the way that it is intended. We heard from individuals<sup>52</sup>, both senior and junior, that they felt it was not appropriate or effective to place character development in a tick-box training context. The Army's Employment Branch staff agreed with the Panel that this training is not fit for purpose.

### Training Coverage

**3.50 Significant Exclusions.** We found that some highly influential groups of leaders include significant numbers of people who will not attend further career courses. Therefore these individuals – principally older majors and lieutenant colonels and older warrant officers and senior NCOs – receive little or no substantive training or education in how to translate Values and Standards into the lived outcomes of fairness and respect which

underpin equality and diversity. We often heard individuals from these groups, or their attitudes, described as 'old school': a description that seemed to be universally understood to mean 'we shouldn't have women in the Army'.

**3.51 Senior Officers.** The attendance of senior officers for training and education in equality and diversity although mandatory is not universal. Senior officers covers some colonels in specific appointments, all brigadiers and all general officers. One in five senior Army officers has not attended a training session<sup>53</sup> in accordance with the Army's own rules.

### Specialist Training

**3.52 The Joint Equality and Diversity Training Centre.** We saw the high quality training and education provided by the Joint Equality and Diversity Training Centre. It is, in every sense, a centre of excellence and is very well supported at the most senior levels in the Defence Academy. The Centre also operates as an informal source of practical help and advice to leaders and their advisors across the Armed Forces. We found that the Centre does not have the capacity to meet all the demands for training individuals that are placed on it, particularly for equality and diversity advisors.

### Equality and Diversity Training for the Field Army

**3.53 Brigade-based Training.** The Panel was told that the Army has recently introduced locally-delivered training for large groups drawn from brigades. We did not have the opportunity to observe such training.

**3.54 Special to Arm Training.** We asked the heads of all the Army's arms and services



(that is, the separate professional functions in the Army such as infantry, artillery, communications and engineering) whether they provided specific equality and diversity training in their areas. All published directives emphasising the importance of diversity but only one directed extra training.

### When Things Go Wrong: the Influence of Regulation and Assurance

#### Complaints

*'Sometimes it takes more courage to pick up a pen than a rifle.'*

*Service Complaints Commissioner  
First Annual Report, 2008*

**3.55 Overview.** Whilst the Panel was most interested to investigate how the Army strives to promote and uphold the behaviour and attitudes required to sustain genuine diversity, it also observed how the Army reacts when things go wrong. We drew on the Service Complaints Commissioner's first Annual Report<sup>54</sup> and explored issues with her in person. Most of our findings are corroborated in detail by her independent scrutiny and we would encourage leaders in the Army to study her first Annual Report<sup>55</sup>. Like the Service Complaints Commissioner, we found that many people were reluctant to complain – not least because they consider it to be unprofessional – and that the complaints system is not entirely trusted. We found the formal complaints process to be too slow to be universally respected. It is intimidating to those who do consider making a complaint; and equally daunting to those who must negotiate the complex regulations in response. The sense of gravity and exhaustive thoroughness which hallmarks the complaints system seemed to us likely to deter all but the most determined

complainant. One officer likened the process to 'taking a case to the Supreme Court'.

**3.56 Attitudes towards Complaints of Harassment and Discrimination.** The Panel found that all too often there is a lack of faith in the complaints system in relation to harassment and discrimination – just over 50% of complaints involve harassment and discrimination. From the perspective of those who have cause to complain, there is all too often a view that to do so will adversely affect their career, that in any event the process is slow and ineffective; and that the perpetrators will 'get away with it'. From the perspective of commanding officers, there seems to be a lack of willingness to tackle issues of harassment and discrimination head on and quickly. We contrasted this with what are perceived to be mainstream conduct or disciplinary issues (where there is greater familiarity and no such reticence). The result is that would-be complainants stay silent, issues remain unresolved, with the real risk that a relatively minor incident might, and sometimes does, develop into something far more serious.

#### 3.57 Guidance to Commanding Officers.

- a. The Defence Council is under a statutory duty to make regulations for the handling of service complaints<sup>56</sup>. The present Regulations<sup>57</sup> apply to all complaints made after 1 Jan 08. Guidance is provided to Commanding Officers in Joint Service Publication (JSP) 831 *Redress of Individual Grievances: Service Complaints*. However, in relation to complaints of harassment there is a separate complaints procedure: JSP 763 MOD *Harassment Complaints Procedures*. The precise circumstances in which JSP 763 apply are unclear. It certainly



relates to complaints of harassment, bullying and unlawful victimization; but does not expressly apply to complaints of unlawful discrimination. However, JSP 831 provides that JSP 763 applies to all complaints of 'discrimination, harassment or bullying'. Thus, reading the JSPs together it appears that JSP 763 is intended to apply in respect of, but is not restricted to, all forms of unlawful discrimination. Neither JSP defines unlawful discrimination.

b. Adopting the perspective of a Commanding Officer faced with a complaint of, say, indirect sex discrimination or direct discrimination, the Panel concluded that he or she would find the guidance unclear and unnecessarily complex. In relation to the burden of proof, the guidance is wrong – as we set out below. All of the practitioners to whom we spoke considered that there should be a single JSP and that it should deal expressly with all forms of unlawful discrimination. The Panel agrees.

**3.58 Investigations.** JSP 763 directs that where a formal complaint of harassment is made and denied, there must be an investigation. This must be carried out 'without undue delay'. The Panel found that in practice there is a serious failure to undertake investigations into complaints of harassment and discrimination promptly and independently. There is an absence of sufficient or sufficiently trained investigators. It is common for Army Appeals Wing to direct a fresh investigation when a complaint reaches the Army Board because there has up until that point been no sufficient or sufficiently focused inquiry. This is plainly unacceptable. It results in a failure to resolve complaints promptly at the lowest level, an

increased likelihood of further complaints (for example about the complaints process itself) and greatly increases the chances of litigation. Where litigation is initiated the absence of a suitable investigation seriously disadvantages the Army in its ability to respond appropriately to the claim.

**3.59 Resolution of Complaints.** Following an investigation, JSP 763 directs that the Deciding Officer must determine whether to uphold the complaint on the balance of probabilities. He or she is to make this determination on consideration of the investigation report. In the context of complaints of unlawful discrimination, the Panel found this process to be deficient in two respects:

a. **The Burden of Proof.** In the case of any complaint of unlawful discrimination it invites the Deciding Officer to apply the wrong legal test to the evidence. All the anti-discrimination legislation now (and since 2001 in the case of sex discrimination and 2003 in the case of race discrimination) requires an Employment Tribunal to apply a reverse burden of proof<sup>58</sup>. This means, in essence, that it is up to the respondent to disprove a *prima facie* case rather than for the complainant to prove it. The Army Board is required to apply the substantive law of the anti-discrimination legislation<sup>59</sup>. In the Panel's view, this includes the reverse burden of proof. Plainly, the correct approach in law should be adopted at all levels of decision making. This statutory reversal of the burden of proof can have a profound effect: described by those who manage litigation against the Army as 'massive'. The Panel was reassured, however, that this error in the JSP is not reflected in the legal



advice provided to the Army Board. Nevertheless, it is obvious that Commanding Officers must be provided with the correct guidance to enable them to perform the function expected of them.

**b. The Requirement for a Hearing.**

It seems to the Panel that in many cases (and probably all cases of alleged direct discrimination or where there is a dispute of fact) it will be difficult for a Deciding Officer to apply the reverse burden on the strength of a written report. What is likely to be required in most cases is an oral hearing at which the Deciding Officer can assess the credibility of witnesses, assess the extent to which it is appropriate to draw inferences from the established facts and apply the reverse burden of proof. The approach is not reflected at all in the present JSPs; and need not be significantly different to the way in which other issues of conduct are treated.

**3.60 The Effects of Delay.** We found that delay undermines the effectiveness and benefits of self-regulation; and, quite simply, encourages litigation. Once initiated, litigation frequently moves faster than, and can overtake or supersede, the internal complaint. Army Appeals Wing estimates that it will take until August 2011 before the existing backlog of complaints is resolved.

**3.61 The Relationship between the Complaints Process and Employment Tribunals.** The Panel recognises that the functions of the internal complaints process and of an Employment Tribunal are not the same. We noted particularly that, whereas an Employment Tribunal determines an individual complaint, the Army Board's

primary role is the institutional command and management of the Army. Their functions are, however, related in the sense that self-regulation is intended to allow the Army an opportunity to resolve complaints that are capable of being litigated before a complainant has recourse to an Employment Tribunal. In some cases it may be appropriate or proportionate for an Employment Tribunal to determine a claim before the complaints process is complete, but in general the Panel considered it would be preferable for the complaints process to be completed before litigation.

**Proposed Remedial Action**

**3.62 The Service Complaints Wing.** The Panel heard about the Army's proposals to remedy some of the shortcomings in the complaints system. The new Service Complaints Wing is designed to ensure that new complaints are investigated and resolved promptly. The Wing, which will include Army lawyers, will recommend to commanding officers a range of options as to the appropriate means for determining a complaint of discrimination including, in an appropriate case, convening a Service Inquiry. It was clear to the Panel that it will be important to provide the new Wing with adequate resources and procedures to enable it to achieve its aims.

**3.63 Dealing with Complaints at the Appropriate Level.** The Director General of Army Legal Services (the Army's senior lawyer) suggested to the Panel that there should be a procedure for enabling complaints to be dealt with at an appropriate level from the outset. The Panel agrees. Consideration should be given as to how precisely this is to be achieved, but it seems to the Panel there should be a process (with appropriate safeguards) whereby complaints



can be prioritised to ensure that scarce resources are applied efficiently, fairly and proportionately to complaints of substance. In this way the Army should be better able to manage those complaints which may lead to litigation and those which are misconceived (including those with no reasonable prospects of success).

## Assurance

### The Army Inspectorate

3.64 The Panel found that the Army had established and empowered its own assurance mechanisms. We heard from the Army Inspectorate, which operates on behalf of the Adjutant General who is the Army Inspector, of the ability of assurance teams to respond to urgent questions and to establish 'ground truth' at first hand for themselves. The Army Inspectorate informs the quarterly meeting of the Army Performance and Risk Management Board. The Panel heard how the inspection teams can identify and close the gap between the lived experience of people and the perceptions of the chain of command.

3.65 **Relationships with Assurance beyond the Army.** The Panel also learned that the Army Inspectorate is building relationships with other important assurance bodies, especially, the Defence Individual Training Capability (DITC) inspection function. At the same time, we were told that some training units were reporting 'inspection fatigue'.

### Assurance and Career Outcomes

3.66 The Panel visited the Army Personnel Centre to seek evidence about the way in which career outcomes such as promotion and length of service bear on equality and

diversity in the Army; and to what extent these are assured. Career outcomes for minorities, which are an important influence on retention or leaving decisions for individual, are not yet consistently monitored by career managers. On the other hand, there is a very strong belief amongst career managers in the inherent fairness of career management procedures. These procedures are strictly monitored and regularly reviewed.

3.67 **Appraisal.** We were told by the Military Secretary's Assurance Branch that very few individual appraisal reports reflect attitudes or behaviour related to equality and diversity. This is despite specific instructions to reporting officers to make such assessments<sup>60</sup>. We heard that reporting officers were very cautious about referring to bad behaviour and poor attitudes – perhaps, and usually incorrectly, because of the Rehabilitation of Offenders Act<sup>61</sup>. In cases where officers had been the subject of complaints and been moved from their appointments, their appraisals often did not reflect their attitudes<sup>62</sup>.

3.68 **The Effect of Sanctions and Punishments.** Sanctions and punishments are taken into account by career managers and promotion and selection boards by means of strictly applied procedures. We were told that whilst these procedures were intrinsically effective, they relied – of course – on the disciplinary and administrative systems' ability properly to call individuals to account in the first place. We were also reminded by many career managers about the extent to which demonstrably fair and just career outcomes depend on reporting officers providing frank, objective and honest appraisals. Against the backdrop of protracted delays in resolving complaints, we found a widespread perceptions that



sanctions were either not imposed or too lenient.

### Progress towards Reform

#### 3.69 Ministry of Defence Central Staffs

The Panel examined the role played by the Ministry of Defence in the work of meeting the imperatives for diverse Armed Forces. This work is undertaken by the staff of the Deputy Chief of Defence Staff for Personnel. We found that, in the light of a new relationship with the Equality and Human Rights Commission<sup>63</sup>, the Ministry of Defence was taking stock of progress. The staff there continue to work closely with specialist single Service staffs.

#### The Army Equality and Diversity Action Plan 2008-2010

3.70 The Army's Equality and Diversity Action Plan<sup>64</sup> sets out a range of measures designed to sustain a diverse Army Brief in which every individual is genuinely valued for their contribution to operational capability. The Plan is formed around seven key themes against which is execution is measured:

- a. Command;
- b. Training;
- c. Behaviour;
- d. Complaints;
- e. Implementation;
- f. Representation; and
- g. Communication.

Ultimately the plan relies on commanders taking ownership and responsibility for their

part in meeting the Army's statutory duties. The most recent progress report to the Executive Committee of the Army Board recorded that *'commanders are often seen to place little importance on getting E and D right, and this attitude is subsequently adopted by those further down the chain of command'*. It adds that *'this is particularly apparent when dealing with complaints, where soldiers feel unable or unwilling to complain and, when they do, offenders are being dealt with too lightly'*.

3.71 The assessment by the Army's specialist staff of the success of the Equality and Diversity Action Plan corresponds with our findings. The Panel has observed and tested equality and diversity outcomes in a different way to the measurements used to assess the success of the Plan. The measurements associated with the Plan are predominantly made to assess the extent to which procedural measures have been completed. They do, however, include some more direct assessment of equality and diversity outcomes in the numbers of complaints and attitudes recorded in surveys.

#### The Royal Navy and the Royal Air Force

3.72 The Panel visited specialist staffs in the Royal Navy and the Royal Air Force who subsequently kindly provided written summaries of their Services' approaches. We have relied on their summaries and have not sought to test the extent<sup>65</sup> to which the themes we identified in the Army would resonate in the Royal Navy and the Royal Air Force.

#### 3.73 The Royal Navy.

- a. **The Leadership Challenge.** The Royal Navy frames its action to promote equality and diversity in a



comprehensive 'leadership challenge' made by the Second Sea Lord (the Royal Navy's Principal Personnel Officer) in Jun 08. In support of this challenge to individual commanders, the Royal Navy has commissioned and is producing a range of training packages. These packages are designed to cover the core, advanced and specialist training requirements set out by the Ministry of Defence<sup>66</sup>.

b. **Focus of Current Work.** We were told that the Royal Navy's current work<sup>67</sup> in this area is: 'focused on where targeted interventions can bring about the necessary enduring improvement.'; and 'Particular emphasis has been placed on establishing a monitoring regime and improving education and efficiency of the redress system'.

**3.74 The Royal Air Force Equality and Diversity Action Plan.** The Royal Air Force is implementing a two year equality and diversity action plan<sup>68</sup>. The Plan emphasises the pivotal role of leadership in engendering a climate that is free from harassment; and one which genuinely enhances operational effectiveness. Its priority and change objectives are:

- a. First, prevention and dealing with harassment; and
- b. Second, prevention of discrimination and realising the value of diversity.

#### External Agencies

**3.75 The Service Complaints Commissioner.** Our findings about complaints correspond with those of the Service Complaints Commissioner, Dr Susan

Atkins. Our discussions with Dr Atkins also touched on the challenges of managing and leading people in a diverse environment.

**3.76 The Equality and Human Rights Commission.** The Panel met the Commissioner for the Armed Forces from the EHRC and senior staff. We found a strong commitment to working in partnership with the Ministry of Defence; and determined encouragement that the Armed Forces were best placed to develop and initiate reform themselves.

#### Informing and Energising Reform: Developing Better Understanding

**3.77 Learning from Experience.** In taking stock of the whole field of conduct and regulation, the Panel found that the feedback mechanisms linking the analysis of events and outcomes in the equality and diversity arena to active and informed policy development were fragmented and ineffective. Some aspects of equality and diversity, such as the career outcomes of minority groups and factors that influence them, are not comprehensively or consistently monitored or analysed. We found that the right questions – that is questions about outcomes rather than processes – were often not being asked.

**3.78 Costs.** In the course of our inquiry we focused principally on human outcomes. We were unable readily to calculate the true costs of failing to sustain a diverse Army. We were clear that they extend far beyond the monetary expenses of resolving complaints and Employment Tribunal cases. Those with experience of dealing with complaints emphasised the costs of time and staff effort invested in dealing with escalating complaints. We also found significant expenditure of resources or corporate



penalties in the following areas:

- a. Early departures from the Army and the loss of expertise and training investment;
- b. Damage to the Army's reputation; and
- c. Diversion of individuals and leaders from their core tasks.

### 3.79 Understanding our Future People.

The Panel saw how effective the Army is at transforming young people, drawn from across society, into soldiers. We heard that young white men, the traditional source of recruits, make up the most significantly underperforming group in the United Kingdom<sup>69</sup>. About half of the members of this group have the educational achievement expected of an 11 year old, having rejected education. Those who join the Army from this group do not bring the value system of a mature young adult with them.

However, we did not find a shared and codified understanding of the attitudes and motivations that these young people bring to the Army; or any compelling analysis of the young learner that could inform the development of policy.

### 3.80 Commitment to Education and Learning.

We were struck by the imagination and vision of the Army's Education and Training Services and their determination to use their Learning Development Officers as effectively as possible. In this attitude, we found a ready intellectual anchor point for future work to meet the imperatives for diversity.

### 3.81 Measurement of Benefits and Outcomes.

We found that the information and knowledge that could be used to

measure the achievement of equality and diversity outcomes is fragmented, incomplete and widely dispersed. Much of the evidence the Panel gathered was prepared specifically for us. Other evidence has been extracted from official statistics. We were told that the Joint Personnel Administration automated human resources management system will provide timely and comprehensive management information in due course – provided it is used diligently.

**3.82 Managing Knowledge.** As the Inquiry progressed, we found that our work has been complemented and corroborated by other concurrent work. All of this work contributes to the Army's knowledge of equality and diversity but we found no common awareness of its extent – or of its important links to operational work on training and education for cultural awareness. Of particular value to our work was a study, commissioned by the Ministry of Defence, undertaken by Professor Charlotte Rayner of the Centre for Organizational Research and Development of the University of Portsmouth. The Panel has discussed them with Professor Rayner. We readily acknowledge the value of her work; and strongly endorse her recommendations which complement and reinforce our own. Professor Rayner's work provides independent validation and corroboration, by a widely respected specialist in the field, of the substance of our report.

**3.83 A Basis for Professional Debate.** We did not find a common professional model or frame of reference that could be used to explore and debate the behaviour that Army policies seek to influence. On the other hand we did find that the need for specific research into the dynamics of cohesion in military groups and the impact of Values and Standards had been accepted by the Army's



policy staff. There was ready acknowledgement that the Army needs better to understand why its people do, or do not, feel valued; and the extent to which they are individually integrated to best effect. We found that some detailed academic research<sup>70</sup> which focuses precisely on these issues had been undertaken by Dr Charles Kirke of Cranfield University. We looked beyond the Services and the Ministry of Defence for knowledge and ideas that might help to develop understanding of the characteristics of a diverse Army. We found three areas of particular relevance and interest.

### Looking Beyond Defence: Research

#### 3.84 The Linkage between Equality and Diversity and Operational Effectiveness.

Dr Victoria Basham of Bristol University has recently written about operational effectiveness and harassment in the British Armed Forces<sup>71</sup>. The abstract of this article is set out in Appendix 3. Dr Basham suggests how the deep-rooted idea of operational effectiveness relying on social cohesion (rather than task cohesion) acts against the idea of diversity.

**3.85 A Model of the Social Structure of the Army.** Dr Charles Kirke, a former career Army officer and now a military anthropologist at Cranfield University, has conducted research about Army social structures over quarter of century. His work<sup>72</sup> has culminated in the publication of a book, 'Red Coat, Green Machine'. The essence of Dr Kirke's work is captured by Professor Richard Holmes writing in the Foreword: *'Central to Charles Kirke's approach is the conviction that the Army has a firm bedrock of organizational culture, some of it evident in outward signs, symbols and behaviour, but a great deal of it implicit, unspoken and often even invisible.*

*This culture, he maintains, is both enduring and pervasive; .... and it is embodied in four different but inter-related structures that characterize the Army's formal and informal organization'.<sup>73</sup>* We found Dr Kirke's work to be a compelling vehicle for examining the integration of minorities into the social fabric of the Army.

**3.86 Reframing Diversity.** The third area of research which particularly caught our attention was the report of a study which explored why organizations had failed to reap the rewards of diversity. 'Reframing Diversity'<sup>74</sup> was researched and prepared by Dr Gillian Shapiro and Melanie Allison for the Diversity Professionals' Forum in December 2007. The Panel was struck by its resonance with our findings about the Army's efforts to realise its equality and diversity intentions for its people. We considered the approach set out in 'Reframing Diversity' to be of seminal importance and we have drawn on it in reflecting on our findings, reaching conclusions and making recommendation.

<sup>20</sup> The Chief of the General Staff's Equality and Diversity Directive for the Army, Army Code 64340, dated 1 Apr 08.

<sup>21</sup> For example, by the Equality and Human Rights Commission.

<sup>22</sup> Signed by the then Chief of the General Staff, General Sir Richard Dannatt KCB CBE MC.

<sup>23</sup> Army Doctrine for Land Operations (Army Code 71819) sets out: 'In order to determine what must be achieved to conclude a campaign or major operation successfully, planning must consider the **ends** (desired outcomes), the **ways** (methods), and the **means** to achieve the desired effects at all levels.'

<sup>24</sup> This was also the firm view – related in discussion – of the Service Complaints Commissioner who had visited Afghanistan.

<sup>25</sup> Joint Service Publication 763: Harassment Complaints Procedures.

<sup>26</sup> Sexual Harassment Surveys 2005, 2007 and 2009  
<http://www.mod.uk/DefenceInternet/AboutDefence>



[/CorporatePublications/PersonnelPublications/EqualityAndDiversity/Gender/](#)

<sup>27</sup> DITC Report

<sup>28</sup> The Service Complaints Commissioner's Annual Report 2008 (her first annual report). <http://armedforcescomplaints.independent.gov.uk/newsandpublications.htm>

<sup>29</sup> One of these is presently (Oct 09) subject to appeal.

<sup>30</sup> 2009 Sexual Harassment Survey page iv <http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PersonnelPublications/EqualityAndDiversity/Gender/>

<sup>31</sup> Directorate of Individual Training Capability Evaluation Report: MOD Equality and Diversity Complaints Procedure and Related Policies. 29 Jan to 4 May 07.

[http://www.ditc.dii.rmil.uk/Default\\_files/frame.htm](http://www.ditc.dii.rmil.uk/Default_files/frame.htm)

<sup>32</sup> Joint Service Publications 763: Harassment Complaints Procedure and JSP 831: Service Complaints.

<sup>33</sup> *Ibid*

<sup>34</sup> The Service Complaints Commissioner's Annual Report 2008 (her first annual report). <http://armedforcescomplaints.independent.gov.uk/newsandpublications.htm>

<sup>35</sup> Armed Forces Continuous Attitude Survey Report, 1 Jun 08.

<sup>36</sup> *Ibid* Figure 2.3

<sup>37</sup> Valuing and Investing in Service Personnel (VISP) is a longitudinal survey of an initial cohort of 50,000 Service personnel undertaken by Professor David Guest of Kings College London and the Ministry of Defence.

<sup>38</sup> Evidence provided by the Army Personnel Centre.

<sup>39</sup> Majors in command of companies (and equivalent); lieutenant colonels in command of regiments; colonels and brigadiers in command of garrisons and brigades; and general officers in command of larger formations such as divisions.

<sup>40</sup> Source: Joint Equality and Diversity Training Centre and direct observation by the Panel.

<sup>41</sup> The Panel observed that many senior officers had clearly not considered these different ideas of diversity before first attending equality and diversity awareness training.

<sup>42</sup> Observations of training at the Joint Equality and Diversity Training Centre.

<sup>43</sup> 'Recruiting the MP3 Generation': a talk by the Commander Recruiting Group, Brigadier Jolyon Jackson.

<sup>44</sup> Source: Recruiting Group.

<sup>45</sup> Now Mr Justice Blake (Sir Nicholas Blake)

<sup>46</sup> Principally the House of Commons Defence Committee and the Adult Learning

Inspectorate (now incorporated into Ofsted which was formed on 1 Apr 07 and is led by Her Majesty's Chief Inspector of Education, Children's Services and Skills).

<sup>47</sup> RMAS 'Officership': a book issued at the Royal Military Academy Sandhurst.

<sup>48</sup> Discussion with Assistant Director for Employment Policy, Sep 09.

<sup>49</sup> Visits to training units

<sup>50</sup> Joint Service Publication 898, Part 3, Chapter 6: Defence Delivery of Equality and Diversity Training and Education, May 09.

<sup>51</sup> Mandatory Army Training Task 6.

<sup>52</sup> Including the Chaplain General.

Chaplains are often expected to assist with, or to deliver, this training.

<sup>53</sup> Source: Employment Policy (Army)

Branch.

<sup>54</sup> Service Complaints Commissioner Annual Report 2008.

<http://armedforcescomplaints.independent.gov.uk/newsandpublications.htm> The Panel drew on Dr Atkins's report as a source of independently gathered data.

<sup>55</sup> *ibid*

<sup>56</sup> Section 334(3) of the Armed Forces Act 2006.

<sup>57</sup> The Armed Forces Redress of Individual Grievances (Procedure and Time Limits) Regulations 2007.

<sup>58</sup> That is to say: where a claimant proves facts from which in the absence of an adequate explanation the tribunal could conclude that the Army (or those for whom it is liable at law) has committed an act of discrimination the complaint shall be upheld unless the Army proves that it (or those for whom it is liable) did not commit the act of discrimination.

<sup>59</sup> R v Army Board of the Defence Council *ex parte* Anderson [1992] 1 QB 169

<sup>60</sup> JSP 757 Appraisal Reporting 4.27(b) and 8.28(b)

<sup>61</sup> The Rehabilitation of Offenders Act is only relevant to a sentence following a criminal conviction. It is not relevant to a sanction short of this.

<sup>62</sup> Source: MS Assurance.

<sup>63</sup> A new agreement on combating sexual harassment was made between the Equality and Human Rights Commission and the Ministry of Defence on 3 Sep 08.

<sup>64</sup> Reviewed by the Executive Committee of the Army Board in September 2009.

<sup>65</sup> The Panel did nevertheless take the opportunity to hear from one senior female RAF officer who had recent command experience. She told us that:



- a. The deployment of equality and diversity advisors down to working team level did encourage people to speak up;
- b. Individuals are still reluctant to speak up – even though they want a problem to stop – because of fear of reprisals;
- c. Mediators are very effective at resolving problems quickly and to the satisfaction of (usually) both parties; and
- d. The power of personal example could not be overstated.

<sup>66</sup> Joint Service Publication 898, Part 3, Chapter 6: Defence Delivery of Equality and Diversity Training and Education, May 09.

<sup>67</sup> Briefing material supplied by the Director of Naval Personnel Strategy, Headquarters Navy Command, Aug 09.

<sup>68</sup> Briefing material supplied by the Deputy Assistant Chief of Staff for Personnel Policy, Headquarters Air Command, Jul 09.

<sup>69</sup> Source: Director of Education and Training Services(Army), 23 Jul 09

<sup>70</sup> Dr Charles Kirke MA(Cantab) PhD MCGI FRAI of Cranfield University is a lecturer in Military Anthropology and Human Factors in the Centre for Human Systems in the Defence Academy of the United Kingdom. He has researched social structures in the British Army over the last quarter century. His work has been published by Continuum in a new book 'Red Coat, Green Machine', Oct 09

<sup>71</sup> Dr Basham's article was published in the Jul 09 edition of 'Armed Forces and Society'. The abstract of her article is at Appendix 4.

<sup>72</sup> Dr Kirke has also contributed an article on this subject to the Jul 09 edition of 'Armed Forces and Society'. The abstract of his article is at Appendix 4.

<sup>73</sup> Foreword to 'Red Coat, Green Machine', by Charles Kirke, Continuum, Oct 09.

<sup>74</sup> 'Reframing Diversity – board executives and senior diversity professionals working together for strategic impact.' A study commissioned by the Diversity Professionals' Forum undertaken by Dr Gillian Shapiro and Melanie Allison, Dec 07.



## 4. REFLECTION AND CONCLUSIONS

### Reflection: To See Ourselves As Others See Us<sup>75</sup>

*'If you know the enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat. If you know neither the enemy nor yourself, you will succumb in every battle.'*

Sun Tzu

4.1 The composition of the panel, with its broad alignment to the three distinct imperatives for diversity, allowed us at least to attempt to see the Army and its people as they are seen by others and, critically, by themselves. Those 'others' are, after all, the whole of the diverse population from whom the Army of tomorrow must be drawn. We have had to extrapolate our own observations to apply more or less widely across the Army. By comparing corporate and individual perspectives, we have sought to close any gap between the lives that the Army corporately believes its people live and the lives that they actually do live.

4.2 We encountered, and reflected upon, a wide range of views about diversity and its application to the Army, particularly in connection with the employment of women. The topic of whether or not women should be allowed to join combat units was often raised with us but we were clear that it was not a matter for us. Nevertheless it seemed to us inevitable that attitudes to women in the Army are influenced, to some extent, by their exclusion from close combat roles. We observed that the landscape here was changing – women are involved in combat operations in Afghanistan<sup>76</sup>. We reflected on

the sharp contrast between this reality and the descriptions we heard of 'old school' attitudes which meant, more often than not, that 'women shouldn't be in the Army'.

4.3 On reflection, and in drawing together our observations, we also sensed an underlying corporate theme that equality and diversity could somehow 'be done' (for once and for all) and that it is not an enduring aspect of the life of the Army. We considered this view to be profoundly mistaken. Equally, we were very cautious about assertions of the necessity of briskly 'changing the culture'. In reflecting on this, we felt that such change could only be wrought with the grain of the Army's professional culture<sup>77</sup>, on which its success is founded, rather than by working against it.

### Conclusions: Meeting the Imperatives

4.4 **Committing to Reform.** Our findings demonstrate how the Army is currently working towards meeting the legal, moral and professional imperatives for diversity. We concluded that reform can take root: it has done so in the training organizations. Through values-based leadership, commanders there are committed at every level to engendering and living up to the Army's Values and Standards. By integrating teaching about attitudes and behaviour into every aspect of training and education, new soldiers are professionally equipped to get the best from themselves and others in diverse teams. In this way, equality and diversity ceases to be an activity and becomes an outcome. In contrast to this, we concluded that the trainers' commitment is not reflected universally across the wider Army. It is not being planted and embedded in the minds of individuals and their leaders, in a way that will realise the ends envisaged by the Chief of the General Staff. This is



because the integrative approach which characterises the training organization has yet to be adopted more widely. The burden of commitment to take action on equality and diversity is placed largely on the shoulders of specialist staff. That burden must now be taken by commanders. The specialist staff to whom we spoke shared our conclusion. Commitment to reform to meet the imperatives for a diverse Army must be felt and demonstrated across the Army, and especially by commanders everywhere and in every rank. The principal means of reform is the agency of the leader.

#### **4.5 Making the Case, Forging the Link.**

The professional case for diversity should emerge from a professional debate about diversity and the nature of the social fabric of the Army. Such a debate needs a framework of knowledge. The dispersed, and incomplete, body of information and knowledge about the outcomes for lives and careers in a diverse Army has yet to be marshalled and presented in a powerful and compelling way – and it needs to be. Only through deeper understanding of itself, and codifying what it knows about itself, we concluded, will the Army be able to design and forge the professional linkages between diversity and operational success. These links are required for the executive – that is commanders – first clearly to see, and then to go on to realise the full potential of a diverse workforce. It also needs a sense of priority, for commanders are naturally motivated by their own commanders intentions and priorities. The case will be reinforced by experience and careful observation of outcomes – not activities – as the benefits of diversity are steadily realised. High quality people, drawn from across society, will realise their talents without the distraction and burden of having to conform a particular individual norm. The effect of the

developed talent and experience taken back into society by those who have served in the Army, will make the Army more attractive to the whole of the eligible population. In this way, the individual attitudes and conduct of commanders will contribute to making the case for a diverse Army and then meeting all the imperatives for diversity. Ultimately this will be realised by an Army populated by sufficient, capable and motivated people.

#### **Delivering Self-Regulation**

4.6 Leadership, training and education must be complemented by regulatory powers that can be used to enforce standards and call individuals to account. We clearly saw that the way in which the Army's power of self-regulation were applied to harassment and discrimination was marked by delay and mistrust. We reflected on the aura of formality and gravity around the process of making a formal complaint and the extent to which it hinders and discourages the individual. It is, after all, the individual who must complain formally in order to be heard. We reflected on the difference between 'speaking up' and, in the formal language of equality and diversity, 'complaining'.

4.7 We wondered whether the weight of effort in the complaints system had been placed disproportionately on the individual. Equality and diversity has brought a vocabulary with it that seems to collide with, rather than meet, the Army's culture. How can the Army engender sufficient trust in fairness and respect that will give its people the confidence to speak up? It was clear to us the chain of command has a duty to look carefully at any cause for concern rather than to react to a specific complaint by looking for someone to blame. We concluded that here too the agency of the leader was the key to empowering the individual to speak up. In this



way, a problem need not become a complaint. A formal complaint then should become a rare and genuinely exceptional matter. When a formal complaint is made, commanders must be properly equipped to deliver effective self-regulation – that is, timely, proportionate and just resolution. Critically, this must include calling perpetrators to account. Thus will the social fabric of the Army be reinforced by a sense of fairness and respect generated by a powerful amalgam of leadership and self-regulation.

**4.8 Seeing the Whole Picture.** In taking stock of the scope of our inquiry, we concluded that it is essential for it be considered alongside the Service Complaint Commissioner's Report and Professor Rayner's report to the MOD Equality and Diversity Project. Only in doing so, will the breadth and depth of the whole picture be seen.

#### Readiness for Reform

**4.9** In reflecting on our conclusions, we posed the question to ourselves 'how can the Army, by drawing on its profound professional strengths, meet the imperatives for diversity?' The answers to this question form the basis for the recommendations for reform that we set out in the next section.

*'The strength of an army's moral component is not easy to gauge, and those within the Army are often poorly placed to make objective judgements. Commanders must therefore endeavour to understand the intangible nature of the moral component.'*

*Extract from Army Doctrine Publication  
Land Operations  
Chapter 7 'The Moral Component'*

**4.10 Drawing on the Army's Strengths.** We concluded that the Army can, and must,

draw on:

- a. The Army's culture of professionalism, operational effectiveness and its focus on success on operations;
- b. The Army's culture of leadership;
- c. The success of values-based leadership in transforming the training organization, and inculcating a culture of self-assurance and continuous improvement;
- d. The wide range of regulatory and assurance mechanisms available from within its own resources – particularly the Army Inspectorate – and from outside; and
- e. The knowledge, intellectual curiosity and foresight of its people as the Army strives to recruit and retain sufficient, capable and motivated people.

**4.11 Areas for Amendment and Reinforcement.** We concluded that the Army must address these areas for amendment and reinforcement:

- a. Commanders must bring equality and diversity in from the margins and the hands of the specialists, and take active ownership of it themselves. They must be seen to 'walk the talk'.
- b. The body of knowledge and understanding of equality and diversity and its effects on the social fabric of the Army must be marshalled, codified and then reinforced.



c. The Army's approach must be broadened – from correction and compliance – to address all of the imperatives for diversity so that it engenders a culture of improvement and transformation.

d. The Army's self-regulatory powers must be properly supported by clear guidance, investigative resources and active assistance to commanders who must resolve issues.

e. Timely, fair and proportionate sanctions must be seen to have been awarded.

**4.12 Reform will take Time.** We concluded that forging the link in the Army's culture between operational effectiveness and the professional case will take time, not least because further research and reflection is a necessary precursor to reforming action. We were clear that this is not the stuff of 'quick wins' but rather thoughtful, informed, determined and sustained effort by the whole Army as it responds to the agency of the leader. This will be the work of ten years.

75

Roberts Burns wrote:  
*'Oh wad some power the giftie gie us  
 To see oursels as others see us!  
 It wad frae monie a blunder free us  
 An' foolish notion'*

76

Several women, from all three Services, have been decorated for their conduct on operations in Iraq and Afghanistan in recent years.

77

Dr Charles Kirke was very firm in his advice on this matter. He told us that 'culture cannot be managed' and that 'cultural change can't be done, behavioural change can'. He also warned of the unanticipated consequences of major change initiatives in which the urge to act has not been matched by the necessary foresight.



## 5. RECOMMENDATIONS

**5.1 Approach.** In shaping its recommendations, the Panel has drawn on the work of Dr Gillian Shapiro in her seminal report 'Reframing Diversity'. In that work, Dr Shapiro offers a framework of recommendations that can be drawn in the light of an organization's particular culture and needs. We found that the approach of her report resonated strongly with the findings of our inquiry. Against that backdrop we make two sets of recommendations: one, a set of working principles to be adopted by the Army; the other, a set of actions to be undertaken.

### Recommended Working Principles

**5.2** We recommend that the Army adopts the following principles to shape its reformed efforts to secure a diverse Army:

- a. **Leadership.** Equality, diversity and inclusion is a leadership issue – and must always be approached by commanders as a personal commitment.
- b. **Partnership.** Commanders must form effective working partnerships with their specialist equality and diversity advisors.
- c. **Priority.** Diversity in the Army must be positioned and viewed as a key strategic priority for securing sufficient, capable and motivated people.
- d. **Knowledge.** Diversity in the Army must be established and sustained on the basis of knowledge, measurement and a profound and accurate understanding of the Army

and the lived experience of its people.

### Recommended Actions

**5.3 Outline: a Campaign to meet the Professional Imperative followed by Enduring Action.** In the light of our report, we envisage a new campaign that engages the whole Army in the way that the training organization has been engaged and transformed around values-based leadership. A campaign must have a beginning and an end and this campaign would necessarily be followed by integrated enduring effort. This engagement must begin the generation of a clear and compelling awareness of what equality, diversity and inclusion brings to every individual. The first phase of work would be a period of research and reflection during which the current Action Plan, with some specific reinforcement and amendment, should continue to be executed. This first period would conclude with the delivery of an Army Model of Diversity. The next stage would be to develop and execute a new campaign that will draw together all the current strands of effort and assurance we have found and reinforce them with the measures designed in the first phase. More widely, the campaign would draw on the corporate experience and influence of agencies beyond the Army such as the Equality and Human Rights Commission and the Service Complaints Commissioner. At the conclusion of the campaign, we foresee that equality and diversity will have become established features of the social fabric of the Army: from being separate they will be seamlessly integrated into core business. They will nevertheless, as outcomes or characteristics, have to be monitored and sustained by leadership, training and education.



**5.4 Recommendation 1: Research and Reflect to Develop an Army Model of Diversity.** Against the backdrop of the imperatives for diversity we have set out, we recommend the development of an Army model of diversity which makes clear and compelling links to professional benefits and operational success. Such a model should be applied by individual commanders to make the links to their objectives and to make it clear about how the Army expects them to act. This would be a departure from the general business case approach and a move towards establishing specific measures and measurable outcomes in the social fabric of the Army. The construction of a new diversity model would draw together the widely distributed knowledge and data that informs the Army's current equality and diversity work and combine it with an empirical model of the Army's social structures (such as that proposed by Dr Charles Kirke<sup>78</sup>). Some additional focused research would also be required, particularly in the area of assessing career outcomes for women and other minority groups in the Army.

**5.5 Recommendation 2: Initiate a New Campaign to Forge Professional Links.** Acting within the framework of principles we have set out earlier, we recommend the initiation of a new campaign.

a. **2.1: Reform of the Army Action Plan.** Following the construction of a new model of diversity for the Army, we recommend the reframing and revision of the Army Action Plan into a far-sighted Campaign Plan that sets out a concrete set of strategic opportunities. We envisage this being agreed at Board level between the Head of the Army (the Chief of the General Staff), and the Army's senior executive leader – the Commander-in-Chief of Land

Forces. The senior Army diversity professional – the Adjutant General – will advise the Executive. From these strategic opportunities, a set of short, medium and long-term objectives would be derived which would form the professional basis of links to be formed, over time, in the minds of the Army's people: the answers to 'what will I get out of this personally and professionally?' and 'how will this help me to do my job better?'

b. **2.2: Integration of Effort.** We envisage a leadership-focused campaign, led by commanders informed by specialists, that draws on a comprehensive integration of the many strands of current activity we have identified. It should go on to include appropriate effective practice from elsewhere, and take particular account of the work of the Service Complaints Commissioner – who is an important agent for reform – and Professor Rayner.

c. **2.3: Maximise the Effect of Assurance.** We recommend that the campaign plan pays particular attention to assurance and strives to maximise the benefits of all forms of assurance. This must pay particular attention to external scrutiny exercised by the Service Complaints Commissioner and the Equality and Human Rights Commission.

**5.6 Recommendation 3: Measure Success rather than Activity.** The new Campaign will require the development of new measures of success. These measures must go beyond recording the completion of tasks and assess the delivery of outcomes substantively contributing to 'sufficient,



capable and motivated' people. In this, it is critically important to 'tell it like it is' in terms that the Army's people can readily understand and relate to their own experiences. Only by closely and honestly observing change, can commanders and their advisors determine what is really working and, equally, what is not working. In this light, each commander must actively seek to answer the question 'how is this helping me to achieve my objectives?' – and then feed back his or her experience of success or failure.

#### 5.7 Recommendation 4: Develop Specialist Capability.

a. **4.1: Individual Expertise.** An Army campaign to realise the potential of a diverse Army will require the support of specialists who are able to draw widely on the expertise of diversity professionals outside the Army and combine this with their own profound knowledge of the Army itself. A campaign will require a small number of these specialists whose careers will have to be managed in a way that maintains their personal engagement with the Army's people (and, through that, the outcomes of the campaign). We recommend that the Army identifies these individuals during the period of research and reflection leading to the drafting of the campaign plan.

b. **4.2: Establish a Clear Framework of Roles and Relationships.** We further recommend that a clear framework of roles and responsibilities be codified in the Campaign Plan so that command focus can be maintained and be comprehensively well informed by

timely and pertinent specialist advice.

#### Recommendation 5: Specific Measures for the Current Action Plan.

5.8 **5.1: Revision of Regulations.** The body of regulations for dealing with complaints, JSPs 763 and 831, should be reviewed. There should be single JSP dealing with all complaints including complaints of unlawful harassment and discrimination. In relation to such cases the guidance should define all unlawful discrimination, set out the correct burden of proof, give guidance on the drawing of inferences and formalise various means of resolving complaints which should not necessarily be limited to consideration of a written investigation report.

5.9 **Investigations.** Urgent action should be taken to provide a pool of appropriately trained investigators to undertake investigations into complaints of harassment and discrimination promptly and independently of the chain of command involved in the complaint<sup>79</sup>.

5.10 **The Service Complaints Wing (Army).** The Service Complaints Wing should be provided with adequate resources and adequate procedures to enable it to deal promptly and efficiently with all new complaints. The procedures should enable complaints to be dealt with at an appropriate level from the outset. There should be a process (with appropriate safeguards) whereby complaints can be prioritised to ensure that scarce resources are applied efficiently, fairly and proportionately to complaints of substance. This should be done as a matter of policy; or it might be necessary to consider amendments to sections 334 to 337 of the



Armed Forces Act 2006 to achieve this.

### Supplementary Work

5.11 After reflecting on the Panel's report, the Adjutant General asked the Panel to consider whether it could go further and translate its strategic recommendations into practical measures<sup>80</sup>. In meeting this request, and in consultation with the Adjutant General's principal advisors in this area, we have suggested a number of specific measures that will shape the action needed to meet our recommendations. We have done so firmly in the context that the period of research and reflection we have recommended is vital to the work of reform. Many of the Army's leaders are not equipped with the training and education that will enable them to exercise the effective agency of the leader in the way that we envisage. Such training and education must be carefully designed. This will be achieved principally by the imaginative application of the reforming lessons learnt, and being learned, by the training organisation. It must also draw on the relevant experience of others. Research and reflection will reveal the Army's intellectual resources to do this – and the advent of the Army's Force Development and Training Command provides a means of marshalling them around the imperatives for diversity.

5.12 Our recommendations for specific measures to be taken (to enable the achievement of the strategic recommendations set out in this section) are described in Appendix 4.

<sup>78</sup> Dr Kirke's work spans a long period of interest and research. His Defence Fellowship paper 'Social Structures in the Combat Arms Units of the British Army' (Oct 94) sets out his original

thinking which culminated in the publication of his book 'Red Coat; Green Machine' in Oct 09.

<sup>79</sup> The Army Inspectorate is currently reviewing the role and function of the Equal Opportunities Investigation Team.

<sup>80</sup> The Panel submitted its report to the Adjutant General on 9 Oct 09; met him on 29 Oct 09; and delivered its supplemented report on 19 Nov 09.



## APPENDIX 1: INQUIRY METHODOLOGY

Terms of Reference for The Andrews-Watts Inquiry<sup>81</sup>

## 1. Context.

a. There is no place for harassment or discrimination of any sort in the Armed Forces. The Armed Forces and the Ministry of Defence are committed to eradicating it. The Armed Forces have policies in place that are intended to prevent harassment and discrimination and to investigate and tackle it where it is alleged. It is a matter of regret and concern that in a recent judgment<sup>1</sup> the Leeds Employment Tribunal concluded that these policies had not operated effectively in the Army in relation to the Claimant in that case. The Tribunal was critical of the Army both in respect of its treatment of the Claimant and in the manner it dealt with her complaints. Other cases and the evidence gained through surveys confirm that the shortcomings identified by the Employment Tribunal in that case are more widespread. In any event, as that case demonstrates, it is appropriate to review the extent to which the Army's policies intended to prevent and eradicate harassment and discrimination are effectively implemented.

b. In acting on the commitment to deal with harassment and discrimination, the Chief of the General Staff and the Adjutant General, the Army's Principal Personnel Officer, have directed that this issue be investigated by an inquiry panel that includes independent members.

## 2. Purpose. The purpose of the Inquiry is to:

a. Investigate and identify relevant generic, that is organizational, issues. These issues will include:

- (1) Consideration of the extent to which existing policies are effectively implemented so as to prevent harassment and discrimination;
- (2) The effectiveness of investigative procedures;
- (3) The effectiveness of procedures for deciding complaints;
- (4) The differing evidential requirements of the Army Board to be used in deciding complaints and of an Employment Tribunal in deciding claims;
- (5) The sequence of events to be followed in the case of an application for redress of complaint that also forms the basis of a claim to an Employment Tribunal;
- (6) The effectiveness of Administrative Action as a tool for combating harassment and discrimination
- (7) The mechanism for learning and applying lessons from individual cases and organizational research.

b. Make recommendations for any necessary revision or reform, and for action to be taken by the MOD and the Army's chain of command, in order to prevent the recurrence of

<sup>1</sup> [REDACTED] v Ministry of Defence



such cases.

3. **Outcomes.** The Inquiry's work will be undertaken in the context of the MOD's work with the Equality and Human Rights Commission and with the Service Complaints Commissioner. It is intended to strengthen, support and assure the means by which the Army strives to maintain an environment that is:

- a. Free from harassment and discrimination; and which has a timely, fair and effective means of dealing with harassment and discrimination if it does occur;

and in which

- b. Everyone is truly valued as an individual, and for what he or she can offer, and is rewarded for the job that he or she does.

4. **Approach.**

- a. The Inquiry is not a criminal or disciplinary investigation; and it is not a re-investigation of the events leading to the judgement made by the Leeds Employment Tribunal. That case provides the background to this Inquiry. The Inquiry will take into account the conclusions of the Employment Tribunal in that case to help identify key organizational issues. The Inquiry will not take any action that will impinge on the continuing legal processes connected with [REDACTED] claims and applications for redress of complaint.

- b. The Inquiry will pay particular attention to the evidence and perspectives of:

- (1) The chain of command of the Army at every level;
- (2) Serving members of the Army who have been affected by the issues raised;
- (3) The Service Complaints Commissioner; and
- (4) The Equality and Human Rights Commission.

- c. **Questions of Individual Conduct.** The Inquiry will not consider issues related to the conduct of individuals connected with [REDACTED] claims or applications for redress.

5. **The Inquiry Panel.** The Inquiry Panel will be:

- a. **Major General Stephen Andrews CBE**, a senior Army officer with extensive experience of personnel policy development and implementation, particularly in the field of conduct and discipline.
- b. **Anne Watts CBE**, who is currently Chair of the Appointments Commission. Anne is a leading figure in diversity, recruitment and workplace development issues. With a strong track record across the private, public and voluntary sectors, Anne has had executive roles relating to workforce and diversity in Business in the Community, HSBC and NatWest. She currently serves on the boards of Greater London Enterprise, Opportunity Now, Race for Opportunity and the Open University. Anne was previously an Equal Opportunities Commissioner. She currently holds a Ministerial Appointment as a member of the School Teachers Review Body and has, in addition to the Inquiry for the Army, recently started work on a review of councillor expenses for London Councils. Anne has declared that she has not



undertaken any political activity in the last five years.

c. **Keith Morton, Counsel to the Inquiry.** Mr Keith Morton, a member of the Attorney General's A Panel of Counsel, with extensive experience of employment law and inquiries, is Counsel to the Inquiry.

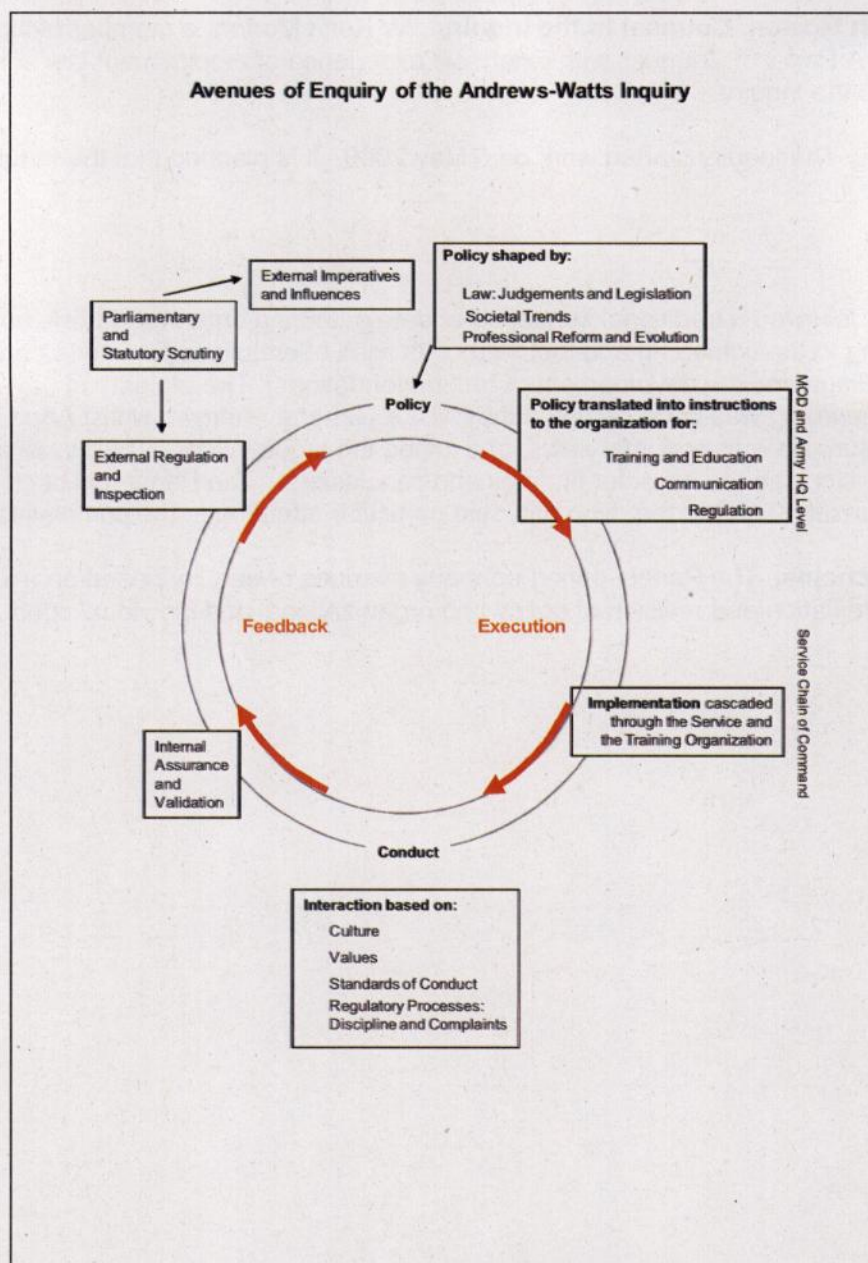
6. **Timetable.** The Inquiry started work on 5 May 2009. It is planned that the Inquiry will report in Autumn 2009.

### **Approach**

7. The Panel followed a traditional sequence of data gathering on a broad front, analysis and deduction leading to the tightening and focusing of its lines of enquiry; and, in due course, to the statement of findings and the development of recommendations. The majority of day-to-day data gathering and recording was been carried out by Major General Andrews whilst Anne Watts conducted literature reviews and interviews, and joined the Inquiry visits. This Panel of two met regularly to take stock and to consider findings and conclusions. The Panel has been joined regularly by Counsel, Keith Morton, who has paid particular attention to the complaints system.

8. **Overall Scheme.** The Panel opened up many avenues of enquiry based on a loop of activity between the formulation and revision of policy and organizational and individual conduct: (overleaf)





9. **Modus Operandi.** In the time available, the Panel relied largely on the work of others who have been and are responsible for the codification of: policy and procedure; the measurement of conduct and attitudes; and the wider application of equality and diversity principles to workforces. The Panel visited key agencies contributing to the policy loop and spoke to a wide range of individuals about their roles and about their experiences. Against the backdrop of the Army as a very complex institution, the Panel's findings are drawn from an amalgam of research gathered by social and occupational psychologists, military anthropologists and its own observations.



## 10. Sources: Establishments and Individuals.

| Area of Interest                 | Source   |
|----------------------------------|--|
| High Level Policy                | <ul style="list-style-type: none"> <li>• DCDS(Pers) and Service Personnel Staff: <ul style="list-style-type: none"> <li>• Service Conditions and Welfare</li> <li>• Training, Education and Skills</li> <li>• Strategy and Programmes</li> </ul> </li> <li>• Central Legal Services</li> <li>• Head of Army Resources and Plans</li> </ul>   |
| Army Policy and Regulation       | <ul style="list-style-type: none"> <li>• Director General Personnel</li> <li>• Brigadier General Staff</li> <li>• Director of Army Personnel Strategy</li> <li>• Director of Education and Training Services (Army)</li> <li>• Director of Manning (Army), Employment Policy Branch</li> <li>• Director of Personal Services (Army): <ul style="list-style-type: none"> <li>• Army Discipline Policy Branch (PS2(A))</li> <li>• Army Welfare Policy Branch (PS4(A))</li> </ul> </li> <li>• Director of Staff and Personnel Support (Army)</li> <li>• Commander Recruiting Group and Recruiting Group Staff: <ul style="list-style-type: none"> <li>• Army Recruiters</li> <li>• CO Army School of Recruiting</li> </ul> </li> <li>• Colonel Training (Army)</li> <li>• Army Personnel Staff: <ul style="list-style-type: none"> <li>• Deputy Military Secretary and Career Management Staff</li> <li>• Civil Secretary and Litigation Wing</li> <li>• Army Appeals Wing</li> </ul> </li> </ul> |
| RN and RAF Policy and Regulation | <ul style="list-style-type: none"> <li>• Navy Command (through Chief of Staff Personnel): <ul style="list-style-type: none"> <li>• Director Naval Personnel Strategy</li> <li>• Director Naval Legal Services</li> </ul> </li> <li>• Air Command (through Chief of Staff Personnel): <ul style="list-style-type: none"> <li>• Assistant Chief of Staff Personnel Policy</li> <li>• Director Legal Services RAF</li> <li>• Deputy Director Legal Services RAF</li> </ul> </li> </ul>  |
| Implementation                   | <ul style="list-style-type: none"> <li>• Provost Marshal (Army)</li> <li>• All Arms and Service Directors (by correspondence and by interview)</li> <li>• Chaplain General (with Deputy Chaplain General and Director Training)</li> <li>• Commanders and Commanding Officers</li> <li>• Soldiers and Officers of 43 (Wessex) Brigade</li> <li>• Arms and Service Directors</li> </ul>   |



| Area of Interest                  | Source   |
|-----------------------------------|--|
| Training                          | <ul style="list-style-type: none"> <li>• Director General Army Recruiting and Training</li> <li>• Defence Academy: <ul style="list-style-type: none"> <li>• Director General</li> <li>• Defence Leadership and Management Centre</li> <li>• Commandant and Staff, Joint Equality and Diversity Training Centre</li> </ul> </li> <li>• Commander Individual Training Group</li> <li>• Army Training Centre Pirbright: <ul style="list-style-type: none"> <li>• ARTD Staff Leadership School</li> <li>• 2 Army Training Regiment</li> <li>• Pirbright Welfare Team</li> </ul> </li> <li>• Army Foundation College Harrogate</li> <li>• The Royal Military Academy Sandhurst</li> </ul> |
| Internal Assurance and Validation | <ul style="list-style-type: none"> <li>• Post Trials Section</li> <li>• Director of the Office for Standards of Casework (Army)</li> <li>• Director of the Army Inspectorate</li> </ul>  |
| External Regulation and Scrutiny  | <ul style="list-style-type: none"> <li>• Dr Susan Atkins, Service Complaints Commissioner</li> <li>• Equality and Human Rights Commission (informal discussions)</li> </ul>  |
| External Perspectives             | <ul style="list-style-type: none"> <li>• Dame Kelly Holmes</li> <li>• Professor Charlotte Rayner, Centre for Organisational Research and Development, University of Portsmouth</li> <li>• Dr Victoria Basham, Bristol University</li> <li>• Dr Charles Kirke, Cranfield University, Defence Academy of the United Kingdom</li> <li>• Dr Gillian Shapiro, Consultant</li> </ul>   |
| Individual Perspectives           | <ul style="list-style-type: none"> <li>• Individual officers and soldiers who have related their experiences to the Inquiry</li> </ul>   |



**MINISTRY OF DEFENCE STRATEGIC POLICY STATEMENTS****MOD Diversity Vision**

"Our vision is a workforce, uniformed and civilian, that; is drawn from the breath of the society we defend; gains strength from the society's range of knowledge, experience and talent; and, welcomes, respects and values the unique contribution of every individual".

**MOD Diversity Mission**

"Diversity is core business for the Ministry of Defence in order to encourage people throughout society to join us, remain with us, make their distinctive contributions and achieve their full potential. Also operating in multinational environments, our success will be improved by being able to understand and respond to different types of situations and people. We will be inclusive and not tolerate discrimination, harassment, bullying or abuse. We will ensure each individual is treated fairly, with dignity and respect and that the diversity of our workforce increases operational effectiveness".

**Armed Forces Diversity Goal**

"The Armed Forces diversity goal is to achieve an environment free from harassment, intimidation and unlawful discrimination, in which all have equal opportunity and encouragement to realise their full potential. The Armed Forces respects and value every individual's unique contribution, irrespective of his or her race, ethnic origin, religion, gender, social background and sexual orientation, and seek to enhance their operational capability by maximising that contribution".



**ACADEMIC RESEARCH: ABSTRACTS OF ARTICLES BY DR VICTORIA BASHAM  
AND BY DR CHARLES KIRKE**

**Effecting Discrimination**

**Operational Effectiveness and Harassment in the British Armed Forces**

**Victoria Basham**

University of Bristol, [REDACTED]

In recent years, the British military has introduced a number of policies aimed at recruiting and sustaining demographically diverse armed forces. Central to these is a "zero-tolerance" approach to discrimination and harassment. However, by undertaking an "effective" reading of policies aimed at managing sexual orientation and gender diversity, and by drawing on qualitative research with members of the British forces, this article demonstrates how the military's own implementation strategies facilitate discrimination against some recruits. It concludes that although the British military is understandably keen to protect its operational effectiveness, by clinging to unreflexive claims about the nature of social cohesion, and in failing to respond to societal demands for inclusion, military officials are undermining the social legitimacy of the armed forces. By extension, they are destabilizing, rather than protecting, their capabilities.

**Key Words:** British Armed Forces • sexual orientation • gender diversity • policy • cohesion • operational effectiveness • "effective" reading

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**Group Cohesion, Culture, and Practice**

**Charles Kirke**

Cranfield University, [REDACTED]

Anthony King's "The Word of Command: Communication and Cohesion in the Military" formed part of an ongoing debate in this journal on military group cohesion. For him, the main vector for cohesion is collective military practice in training and operations, which he sees as a precursor to social relationships. In his critique, Guy Siebold drew attention to social psychology's approach through the "standard model." In this article, the author suggests that all approaches to military group cohesion would be enriched by an understanding of the organizational culture in which the soldiers are embedded. The author seeks to demonstrate this point by providing an outline of a model of British Army culture at the unit level, and showing how it adds value to military cohesion analysis by applying it to one of King's ethnographic examples and by briefly showing how it would provide a richer context for the use of social psychology's standard model.

**Key Words:** military group cohesion • military culture • British Army

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## RECOMMENDATIONS FOR SPECIFIC MEASURES TO ENABLE AND SUPPORT THE PANEL'S STRATEGIC RECOMMENDATIONS

### Summary of Measures

1. The Panel recommends actions grouped under the four principles of Leadership, Partnership, Priority and Knowledge.

|                    |   |
|--------------------|---|
| <b>Leadership</b>  | <ul style="list-style-type: none"> <li>• Cross-company mentoring by the Army's most senior leaders</li> <li>• First hand accounts of diversity success seen and heard by the Army's most senior leaders</li> <li>• Diversity placed as a standing item on senior boards' agendas</li> <li>• Appointment of a Campaign Director</li> <li>• Establish expert working group to develop integration of values-based leadership</li> </ul> |
| <b>Partnership</b> | <ul style="list-style-type: none"> <li>• Appoint a Reference Group under the chairmanship of a respected independent senior executive</li> <li>• Become a corporate member of Opportunity Now</li> <li>• Establish Army support networks</li> <li>• Identify, profile and mentor role models<sup>82</sup></li> <li>• Train key personnel staff officers at Joint Equality and Diversity Training Centre</li> </ul>                    |
| <b>Priority</b>    | <ul style="list-style-type: none"> <li>• Personal scrutiny of delay by policy directors and casework regulator</li> <li>• Urgent consultation with Service Complaints Commissioner about options for reform of complaints handling</li> <li>• Army Inspectorate to initiate programme of assessment of penetration of Values and Standards</li> </ul>   |
| <b>Knowledge</b>   | <ul style="list-style-type: none"> <li>• Construct a map of action on diversity across Defence</li> <li>• Identify and chart career outcomes for minority groups in the Army</li> <li>• Direct Defence Fellowships and Staff College Research projects towards diversity.</li> </ul>  |

### Explanation

2. **Introduction.** In response to the Adjutant General's request for recommendations for specific measures to enable and support the Panel's strategic recommendations, we drew on the knowledge both of the Panel<sup>83</sup> and the Army's equality and diversity specialists (in the Employment Policy Branch). We frame our additional detailed recommendations with two important explanatory themes:

a. **Informing the Agency of the Leader.** Our detailed findings show that many of the Army's leaders are not suitably or sufficiently educated, trained or equipped to lead in a way that meets, comprehensively, the imperatives for diversity. This is in contrast to the quality of their leadership on operations. In recommending the agency of the leader as the principal means of reform, the Panel also emphasises that this agency must be informed by new levels of awareness and insight; and equipped with some new competences (which must complement and reinforce their operational skills). It is clearly not enough simply to assert that 'equality and diversity is an issue for leaders' – there is detailed work of research and reflection to be done first. The period of research and reflection we have recommended is vital.



b. **Long-Term Commitment.** The Army as an institution naturally seeks to meet a challenge or a problem with a plan of action which brings about a robust and enduring solution with the minimum of delay. The Panel's recommendations do not provide such a defined plan but instead assert the need for a carefully designed campaign followed by enduring sustaining action. The Army sets a very high standard for the conduct of its people, their relationships and their communities. Embedding these standards in the professional and social fabric of the Army calls for long-term commitment, not only to lead but also to learn. That is why we believe that this work will be the work of 10 years – albeit one in which there is significant and substantive progress in the first two or three years followed by consolidating and sustaining work to embed reform. Careful reflection and the gathering of knowledge must necessarily precede a campaign of action leading to cultural change.

3. **Our Approach to Further Work.** The Adjutant General, whilst acknowledging that the Army is a unique institution, requested in particular that the Panel should draw on what has worked for other organizations. The Panel considered the central and critical requirement to place the responsibility to meet the imperatives for diversity in the hands of the executive, that is, leaders. Against that backdrop, and in consultation with the Head of the Army's Employment Policy Branch, we considered these themes:

- a. Securing the engagement, commitment and enthusiasm of the most senior leaders;
- b. Bringing attitudes towards diversity into conscious awareness<sup>84</sup>;
- c. How other organizations have captured and exploited best practice;
- d. How other organizations have given minorities a voice that can be heard and respected – and in a way that strengthens the fabric of the organization;
- e. Sustaining the effort; and
- f. Who else could help the Army – particularly the experts brought together from time to time by the Ministry of Defence.

4. **Drawing on Wider Experience.** As we have emphasised in our report, the Panel found a particular resonance between the Army's experience and the key themes of Dr Shapiro's report 'Reframing Diversity'<sup>85</sup>. Dr Shapiro drew on the experience of a very wide range of organizations<sup>86</sup>, in both the public and private sectors. She found that 'organisations appeared to gain greatest impact from diversity when:

- a. Diversity is positioned as a core strategic Boardroom issue;
- b. Executives are able to swiftly realise direct and tangible business results;
- c. An organisation's drive for diversity is proactively led by top executives; and
- d. They work with their senior diversity professional adviser in an effective partnership.'

Against the background of the Adjutant General's question about 'what has worked elsewhere?', the measures we have recommended should be tested against these themes.

5. **Specific Measures.** We sought to crystallise a number of practical measures with which the Army could approach and shape the vital precursor period of research and reflection. We present them as four groups of measures aligned with the four strategic principles – leadership,



partnership, priority and knowledge – that we have suggested the Army should adopt. It has seemed to the Panel, almost from the outset, that the Army is exceptionally adept at adapting for success and that is likely to be the case here.

### Leadership Measures

#### 6. Engendering Understanding and Commitment.

- a. The Army will not reap the benefits of diversity until the imperatives for diversity are genuinely understood and acknowledged by leaders. During the period of research and reflection, and as an essential precursor to the new campaign, members of the Army Board will have to establish their own profound personal understanding of diversity<sup>87</sup> (beyond the explanation of the imperatives we have set out in our report). In this way, the Army Board will be informed and ready to place diversity as a core strategic issue in response to its acceptance of the strategic imperative for diversity. The Army's most senior leaders will all be equipped to provide visible and compelling leadership for diversity – in a way that is acknowledged and respected by, for example, the Equality and Human Rights Commission.
- b. **Actions.** The Panel recommends that:
  - (1) Army Board members each undertake an individual programme of cross-company mentoring with senior women in leading businesses – perhaps under the aegis of the FTSE 100 Cross-Company Mentoring Programme<sup>88</sup>.
  - (2) The Army Board hears at first hand about particular successes. For example, the experience of [REDACTED] of the West Midlands Police<sup>89</sup>, who transformed the diversity of his operations division, has a particular resonance with the Army.

#### 7. Preparation for the Campaign.

- a. In parallel with the period of reflection and research, the senior levels of the chain of command will need to prepare to close the gap (that we have identified) between perception and reality; and to take active ownership of the campaign. The Army Board should be kept informed of progress in the development of the campaign.
- b. **Actions.** We recommend that the Army Board and the Land Forces Command Board, having reflected on the Panel's report, agree to:
  - (1) Place Diversity as a standing item on their agendas;
  - (2) Direct that Divisional, Brigade and other 1★ Commanders must do the same; and
  - (3) Prepare to call individual board members to report on substantive activity and success – or otherwise – in their areas of responsibility. This will ensure that the commitment to diversity extends beyond Land Forces and into other commands, the Head Office of the Ministry of Defence and the Defence Equipment and Support organization.

#### 8. Designing and Leading the Campaign.

- a. Action for Diversity must be placed in the hands of executive leaders, that is, in the hands of commanders rather than the hands of the HR staff. This calls for a respected commander, with recent operational command experience, to lead the period of research



and reflection and to design the new diversity campaign. This individual will clearly require a period of private and corporate preparation which should include directly drawing on the experience of other organisations (for which we recommend a mechanism – through Opportunity Now – below). The campaign will be broad and painstaking and must be seen by the Army to be a serious and sustained professional undertaking. It must be started vigorously, with a determination to reveal and get to grips with real outcomes, and designed to secure fundamental improvement in the early years<sup>90</sup>.

b. **Action.** The Panel recommends that the Army appoints a brigadier, who will be the Campaign Director, to lead this task. He or she should have the aptitude not only to bring experience to bear but also, critically, to marshal a dispersed body of knowledge. This officer must also be capable of recognising and drawing on best practice beyond the Armed Forces in the public and private sectors; and to make the links between diversity and training for operations<sup>91</sup>.

#### 9. Drawing on the Army's Experience.

a. Our report highlights the effectiveness of the reform of the training organization following the Deepcut Review. We saw and heard how the concepts and methods of values-based leadership are being integrated across the whole training regime. This is being combined with the elements of coaching which are now being introduced and practised as part of the Defence Train the Trainer course (which is mandatory for Phase 1 and Phase 2 instructors in the Army Recruiting and Training Division<sup>92</sup>). This means that trainers – who are also leaders – are being equipped with the awareness and skills to establish and sustain team cohesion based on inclusion. There is more to be done in the training organization but it characterises an approach that draws together the best of the Army with best practice from other organizations. This integrative approach contrasts with the traditional way in which the wider Army has been trained in equality and diversity by a series of incremental courses or supplementary modules.

b. **Action.** The integrative effect of values-based leadership is a key component of the new campaign. How best to achieve it is one of the most important outcomes of the period of research and reflection. Therefore the Panel recommends that the Army forms its own expert working group to support the new campaign director to achieve the integration of values-based leadership. The membership must include subject matters experts in leadership; training and education; diversity; and conduct.

#### Partnership Measures

#### 10. Appoint a Reference Group.

a. In the same way that the Panel has drawn on knowledge and experience of the Army and other organizations, the work of designing the new campaign should be as well-informed as possible.

b. **Action.** The Panel recommends that a Reference Group be appointed for the campaign. Its core membership would include:

- (1) As Chair, a respected senior executive from an exemplar organization;
- (2) A very senior military officer drawn from outside the Army's chain of command such as the Deputy Chief of Defence Staff for Personnel;



- (3) The Service Complaints Commissioner; and
- (4) The Commissioner for the Armed Forces from the Equality and Human Rights Commission.

And its membership *should* include:

- (5) Legal Counsel;
- (6) A leading academic figure, such as Professor Charlotte Raynor (whose work validated and reinforced the Panel's findings and recommendations);
- (7) The Director General of the Army Recruiting and Training Division; and
- (8) A leading figure from the wider national training and education community.

#### 11. Draw on the Resources of a Powerful Partner.

a. The Army is already a member of a number of organizations – such as Opportunity Now, Race for Opportunity and Stonewall – whose missions are to promote diversity. These sophisticated and knowledgeable organizations offer substantive practical assistance. (They would also benefit from the Army's further engagement as their understanding of the Army's imperatives for diversity deepens.) The Panel's particular focus was on women and we noted that Opportunity Now is the only membership organisation representing employers 'who want to transform the workplace by ensuring inclusiveness for women'. Opportunity Now works 'to build and communicate the business case for this, share and inspire best practice and give employers and their people the tools to drive change.'

b. **Action.** We recommend that the Army becomes a corporate member of Opportunity Now<sup>93</sup> and immediately begins to draw on its services as a key component of the period of research and reflection. In this powerful way – which cannot be satisfactorily captured in a report of this nature – the Army will secure access to other award winning organisations and to learn about their best practice in a rapid and effective manner.

#### 12. Meet the Need to Support Individuals.

a. Many organizations have established, or encouraged the establishment of, support networks. For example, and most recently, the Ministry of Defence has supported the creation of the Armed Forces Muslim Association. Most encouragingly for the Army, the new Association's patron is General Sir David Richards, the Chief of the General Staff. The Panel heard from many individuals that they would draw encouragement and inspiration from support networks; and draw on their collective morale to break down feelings of isolation.

b. **Action.** Drawing on the model of the Armed Forces Muslim Association, the Panel recommends the establish of new formal Army Support Networks for:

- (1) Women soldiers; and officers;
- (2) Foreign and Commonwealth soldiers; and officers;
- (3) Lesbian, Gay, Bisexual and Transgender<sup>94</sup> soldiers; and officers; and



- (4) British Black, Asian and Minority Ethnic soldiers; and officers.

**13. Forge Strong Links between Commanders and Specialists.**

a. Whilst our report emphasises the imperative to place diversity in the hands of commanders, those commanders will still require expert advice. The Army's corporate subject matter expertise in this area is currently very tightly drawn around four members of Employment Policy Branch, only one of whom is appointed solely to deal with diversity. The number of individual subject matter experts must be increased if strong supporting links are to be forged between commanders and their advisors. This will be a key enabling measure for the new campaign.

b. **Action.** The Panel recommends that key personnel staff officers in divisional and brigade headquarters across the Army, and those supporting senior Army officers elsewhere in Defence, be trained in diversity during the period of research and reflection. The Equality and Diversity Advisors' Course at the Joint Equality and Diversity Training Centre is already entirely suitable for this purpose; and has the added benefit of bringing a joint Service perspective.

**14. Identify and, through Mentoring, Encourage Role Models.**

a. Many organizations have found that the powerful example of role models is a compelling force for reform. The power of example is particularly well understood in the Army; and there are many outstanding potential role models to be found there. The Panel saw examples of such role models in Ministry of Defence and Army media material and, most strikingly, in 'Soldier' magazine. It also saw how Recruiting Group uses role models to engage with and attract minority groups. Other organizations have looked in on themselves and, through the mentoring of role models, have realised their reforming effect. There are clear mutual benefits for the mentor too as any 'blindness' towards diversity<sup>95</sup> is transformed into insight and understanding.

b. **Action.** The Panel recommends that a number of role models from minority groups be formally identified, profiled and teamed with an appropriate mentor.

**Measures to Assert and Demonstrate Priority**

**15. An Immediate Emphasis on Complaints: Resolution and Accountability.**

a. The Service Complaints Commissioner has already made the most compelling case for urgent action to drive out delay in the resolution of complaints; and determinedly to call perpetrators to account. The culture the Panel found in many places does not support such action – unless or until it is called for by the Service Complaints Commissioner in individual cases. An immediate emphasis on resolution and accountability can only be realised by the active personal interest of commanders, particularly commanding officers.

b. **Actions.** Against the backdrop of a very busy chain of command, the creation of a Service Complaints Wing and in advance of a new campaign, the Panel recognises that a sea change in the conduct of the complaints system will be difficult to achieve. It is most unlikely to be achieved by a simple directive through the chain of command. Nevertheless, commanders' minds can, and should, be focused by direct scrutiny and intervention. We recommend that:



(1) Having been alerted by the Service Complaints Wing, the Director of the Office for Standards of Casework (Army) and the Director of Personal Services (Army) should personally encourage or direct commanders and commanding officers to expedite resolution and, when appropriate, disciplinary or administrative action.

(2) The Army consults the Service Complaints Commissioner about options for reforming – principally through simplification – the procedures for dealing with complaints of bullying and harassment. This should be implemented as a matter of policy but might require changes to the Armed Forces Act<sup>96</sup>.

**16. Priority of Assurance Effort.**

a. We saw that the Army has flexible and thorough assurance mechanisms in place to secure an accurate picture of life on the ground, particularly in the non-operational environment. Assurance effort should be prioritised and focused early on to establish a baseline against which to assess the progress of reform, that is, an improvement in the lived experience of the Army's people. Assurance will be a key component of the new campaign.

b. **Action.** The Panel recommends that the Army Inspectorate should design and initiate a comprehensive programme of assessment to determine and record – in quality and quantity – the extent to which Values and Standards penetrate and influence the social fabric of the Army.

**Knowledge Measures**

**17. Establish an Accurate and Comprehensive Picture of Activity.**

a. Practical measures to marshal, manage and exploit the Army's knowledge must overcome the same challenge that faced the Panel in trying to discover 'who knows what; and who is doing what?' There is an urgent need to discover and codify the true extent of the work being undertaken across Defence to meet the imperatives for diversity. That will inform future action to make the whole of its effects of that work greater than the sum of its parts. At the same time it will help to eliminate the wasteful and costly duplication of effort.

b. **Action.** We recommend that Employment Branch should construct a map of action on diversity across Defence that will serve as a guide to the new campaign director – and will readily inform the work of the Ministry of Defence, the Royal Navy and the Royal Air Force.

**18. Establish a Picture of Life and Career Outcomes.**

a. The new campaign must be properly informed by a clear picture of the outcomes of service in the Army for minority groups. The creation of this picture – which will be another baseline against which to judge the success of the campaign – should start without delay. It will be a vital tool in the development of the campaign.

b. **Action.** We recommend that the Director of Manning (Army) initiates work to identify and chart – by Corps and Regiment and by career field – career outcomes for minority groups.



## 19. Focus Intellectual Effort.

- a. The Director General of the Defence Academy told us that he would welcome requests for work focused on meeting the imperatives for diversity.
- b. **Actions.** The Panel recommends that the next two or three Defence Fellowship students be directed towards research that will inform military understanding of the social and professional dimensions and effects of diversity; and that a number of Joint Service Command and Staff College directed research projects be similarly tasked. This will harness the efforts of a number of high quality individuals in a particularly rich learning and inquiring environment.

<sup>82</sup> At the time of writing (Nov 09), the Royal Air Force had just announced the news that a female pilot was to join the Red Arrows – the first woman to do so: <http://news.bbc.co.uk/1/hi/uk/8350286.stm>

<sup>83</sup> The Panel drew on examples from organisations at the leading edge which should be considered during the period of research and reflection.

<sup>84</sup> Throughout its work, the Panel has often been reminded of Alice Miller's dictum: 'What is unconscious cannot be abolished by proclamation and prohibition. One can however develop sensitivity towards recognising it and begin to experience it consciously; and thus eventually gain control over it.' Quoted from 'The Drama of Being a Child' by Alice Miller, Virago Press 1995. Alice Miller is a distinguished psychologist and authority in the field of child development and child abuse.

<sup>85</sup> 'Reframing Diversity: Board executives and Senior Diversity Professionals Working Together for Strategic Impact' Dr Gillian Shapiro and Melanie Allison, Diversity Professionals Forum, 2007.

<sup>86</sup> Alliance and Leicester; British Council; Clifford Chance LLP; The Cooperative; Deutsche Bank; Herbert Smith LLP; HBOS; KPMG; LloydsTSB; PricewaterhouseCoopers; and the UL Film Council.

<sup>87</sup> In an educational context, Basil Bernstein once said 'If the culture of the teacher is to become part of the consciousness of the child, then the culture of the child must first be in the consciousness of the teacher'. Equally so, adapting this dictum to the context of leadership and diversity, 'if the culture of the *commander* is to become part of the consciousness of the *soldier*, then the culture of the *soldier* must first be in the consciousness of the *commander*'. (Source: Professor Diane Reay, Professor of Education at Cambridge University)

<sup>88</sup> [www.telegraph.co.uk/finance/3227466/Call-for-more-women-in-the-boardroom.html](http://www.telegraph.co.uk/finance/3227466/Call-for-more-women-in-the-boardroom.html)

<sup>89</sup> <http://www.guardian.co.uk/society/2009/may/13/interview-phil-kay>

<sup>90</sup> This is one of the central themes of Dr Shapiro's work (see Endnote 85).

<sup>91</sup> Particularly cultural awareness training.

<sup>92</sup> Source: DETS(A). Coaching is also being developed and established at the Infantry Training Centre, Catterick (source: DAPS).

<sup>93</sup> The Army is already a corporate member of Race for Opportunity.

<sup>94</sup> There is already a forum for lesbian, gay, bisexual and transgender members of the MOD and Armed Forces:

[www.mod.uk/DefenceInternet/AboutDefence/WhatWeDo/Personnel/EqualityAndDiversity/LGBT/MinistryOfDefenceLgbt.htm](http://www.mod.uk/DefenceInternet/AboutDefence/WhatWeDo/Personnel/EqualityAndDiversity/LGBT/MinistryOfDefenceLgbt.htm)

<sup>95</sup> Findings, Paragraph 3.30a.

<sup>96</sup> Recommendations, Paragraph 5.10.



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The Panel gathered a very large volume of documentary evidence which has been catalogued and archived in readiness for further work. Surveys are recorded in the Endnotes to Sections. The works recorded here have been of particular value in informing the Panel's work and the writing of this report.

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