



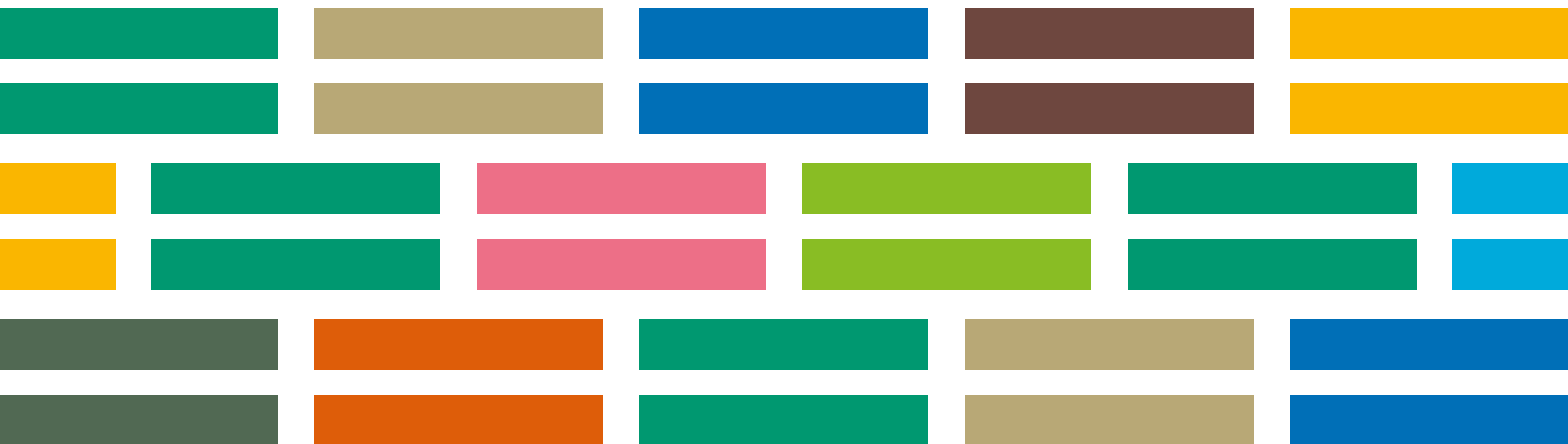
Diversity Monitoring Data Questionnaire for the Built Environment

Global members



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1. Background: A Memorandum of Understanding

In April 2022 a Memorandum of Understanding was signed by principal officers of The Chartered Institute of Building (CIOB), Institution of Civil Engineers (ICE), Landscape Institute (LI), Royal Institute of British Architects (RIBA), Royal Institution of Chartered Surveyors (RICS) and the Royal Town Planning Institute (RTPI).

For the first time, the named institutes agreed to cooperate with the purpose of creating a built environment sector that is as diverse as the communities it serves; that acts inclusively; treats everyone fairly and provides a culture that delivers the best outcomes for the societies in which it operates and for whom the collective memberships work.

The signatories recognised the potential of their combined membership of over 350,000 members to affect a meaningful and tangible improvement in Equity, Diversity and Inclusion (EDI) standards across the built environment.

The initial area identified was to promote a consistent and comprehensive approach to the collection of personal member 'diversity' data to ensure the institutes are representative of the societies in which they operate.

This report aims to address the following agreed activities as set out in the MOU Action Plan (action 1.3):

- Agree format for the way in which questions will be asked globally (i.e., outside UK Research best practice models of global EDI data collection)
- Produce recommendations for global data collection categories
- Short report summarising research and making recommendations

Note for employers: whilst this report focusses on the task of collecting diversity data from members of the professional institutes, it may also be useful in considering the collection of employee data, having first given due consideration to the differing contractual terms and relevant local legislation.

2. What do we mean by ‘diversity’ data?

This personal data relates to those characteristics that have been identified as being subject to disadvantage and /or discrimination in wider society. In the UK and the Republic of Ireland this has included reference to an individual’s age, disability, gender, religion, sexual orientation as well as other factors such as socio-economic disadvantage and carer responsibilities.

Historically the signatory institutes have not collected such detailed demographic data on their memberships in a consistent way and consequently do not have a clear understanding of the gaps and areas of most need for advancing diversity, equity, and inclusion. The lack of this data does not permit meaningful comparison between the related professions within the built environment

3. Why collect 'diversity' data?

Collating and analysing individual diversity data will provide a comprehensive understanding of the demographic of the signatories' collective and individual memberships. It will facilitate the identification of any underrepresentation in our membership and the development of targeted and efficient initiatives to advance diversity, equity and inclusion across the whole of the built environment.

Furthermore, being transparent on our membership demographic is important in itself as it provides clarity on the motivation for our work and encourages accountability on the agreed measures to promote meaningful change. Collecting diversity data facilitates the following tasks that are fundamental to promoting a more representative sector:

- The identification of under-representation in membership compared to the wider population
- Comparison and benchmarking across and against the various built environment professions and the wider employment sector
- The formulation of actions to address any identified under-representation
- Assessment of the impact of actions implemented to promote a more inclusive sector

4. An initial approach – UK & ROI only

All of the signatory institutes have international members residing around the globe. However, as a first step, the signatory institutes agreed to define the questions to be asked of its collective memberships in the United Kingdom (UK) and Republic of Ireland (ROI). This decision was based on the existence of legislation that defines the ‘protected’ personal characteristics and availability of comparator databases such as workforce and Census data collected by the Office of National Statistics in the UK.

The UK’s Equality Act (2010)¹ and the ROI’s Equal Status Acts (2000-2018)² define the ‘protected characteristics’ or ‘grounds’ as:

- i. Age
- ii. Disability
- iii. Gender
- iv. Gender reassignment
- v. Marital status
- vi. Pregnancy & maternity/family status
- vii. Religion or belief
- viii. Race and ethnicity
- ix. Sexual orientation

This data is to be collected by the MOU signatories in accordance with operational capabilities (i.e., CRM functionality) and linked to individual membership records. Such an approach gives the signatories the ability for diversity data to be deleted when an individual ceases to be a member in accordance with data protection regulations. It also provides the ability for members to update their diversity as they change (e.g., with acquiring a disability in later life). All such collected data will be protected, anonymised, and aggregated to facilitate analysis.

It should be noted that the collection of this personal data is encouraged but remains *optional* for members and their consent is gained before completion of the form.

1 <https://www.legislation.gov.uk/ukpga/2010/15/contents>

2 <chrome-extension://efaidnbmninnibpcjpcglclefindmkaj/https://www.ihrec.ie/app/uploads/2022/08/IHREC-Equal-Status-Rights-Leaflet-WEB.pdf>

5. The challenges of international data collection

Collecting member diversity data *beyond* UK and Ireland presents challenges due to a combination of different factors:

i). Legislation

Firstly, there are very different legislative frameworks in the territories in which our collective membership resides. A number of countries globally have limitations on data that can be collected, and diversity questions can only be asked for a very limited number of specific reasons. For example, under French law the processing of individual employee data revealing a persons' race and religious beliefs is prohibited. In addition, in over 50 countries worldwide it remains legally unsafe to declare a sexual orientation other than heterosexual.

Even with the collective agreement that the business and ethical case has been made for collecting such diversity data, an over-riding principle is that signatory institutes should not put members at risk by asking questions that are illegal or inappropriate in their country of residence.

A further factor is that these different legal environments impact on the availability of meaningful comparative data, without which any member data collected would have very limited use. Without an understanding the demographic of the wider population in each operating environment, it would not be possible to assess whether an identified group or characteristic is under-represented in a particular field or profession. The benefits of collecting diversity data in such an environment would be limited to trend analysis only.

It should also be noted that a number of the signatory institutes have small membership numbers in particular countries – sometimes fewer than 25 individuals. Collecting data from these members would constitute a risk as individuals could possibly be identified.

ii). Language/terminology

There is also the challenge presented by differing terminology and language around the globe that makes identifying meaningful universally understood questions difficult.

In respect of 'race' or 'ethnicity' for example, the descriptors that are commonly accepted in the UK and RoI do not always travel well. In South Africa, for example, there are only four race descriptors, African, White, Coloured and Indian/Asian. Of these only 'White' matches descriptors typically used in UK and Ireland. Furthermore, using the term 'Coloured'³ in the UK, RoI and in the United States & Canada would not be considered acceptable. These differences in language not only make defining the diversity questions difficult, but also finding meaningful comparisons would be complex, as discussed above.

iii). Culture & politics

It has been reported (ref 3 below) that a number of national governments have used personal diversity data to identify and act against the interest of particular groups or individuals. This has included the misuse of data in respect of ethnicity, religion, disability and sexual orientation.

Signatories to the MoU have received representations from individual members in various locations around the world requesting the ability to participate in member data collection. However, whilst data collection may provide validation and visibility, the value of collecting data on such low numbers without comparative data would be limited. Furthermore, it should also be emphasised that it would neither be reasonable nor responsible for professional member institutions to place individuals at risk for the reasons stated, even if members are willing to provide such information, as the ability to support such members could be severely limited and could lead to unintended consequences including harm.

3 The term 'Coloured' refers specifically to a legally defined racial classification during apartheid which endures in complex legal and phenomenological ways to the time of writing in South Africa. 'Coloured' is one of four race groups in South Africa today with which people strongly identify (including, Black, white and Indian/Asian), despite the abolition of the Population Registration Act in 1991 (Posel, 2001).

6. Potential approaches to international data collection

Given the challenges outlined above, a ‘one-size fits-all’ approach to global membership diversity data collection is neither practical nor advisable. Different approaches for consideration:

i). A regional approach

It has been suggested that it may be possible to group territories into regions where alignment on legislation and culture may align. This could potentially overcome issues with differences with language and culture in a financially viable manner.

However, this would not be practicable on a global scale as there are significant differences within regions such as Americas (e.g., ethnic groups in Mexico that don’t exist in the US or Canada) and legal differences within regions with close cultural ties (e.g., within the EU between Germany, France and the Netherlands). A regional approach, would not, therefore, provide a solution to the identified barriers.

ii). A ‘country-by-country’ approach

There are international commercial companies that currently collect employee data on a ‘country-by-country’ basis having conducted research into local legislation and culture. The advantage of this approach is that the questions asked can be adapted to ensure that they are in accordance with local legislation, language, and culture so to ensure that they are meaningful and do not put employees at risk by asking them. Employee data questions can be developed in light of the available comparators in each nation state.

The barriers to adopting this approach is that it is resource intensive in terms of researching both the local legislative and cultural environment. Communications encouraging individuals to provide their data would need to be adapted to local cultural and legislative sensitivities. Furthermore, the need to adapt methods of collecting, storing, and analysing the data on a country-by-country basis must be considered, as well as the capabilities of the CRM systems to collect and securely store such information. It should be noted that there are differences in the collection of member and employee diversity data due to the different responsibilities as set out in contracts of employment.

iii). Anonymised data collection

The adoption of an anonymous ‘survey’ approach to data collection may be seen as a solution to the challenges outlined above. However, the value of data collected anonymously has been questioned.

Diversity data collected anonymously is, for example, immediately historic as it cannot be updated by members when their details change. In addition, genuinely anonymous data can be challenging to achieve when reporting on small data sets as members could potentially be identified. Furthermore, anonymous data would have limited value as it would not facilitate the identification of particular geographic areas or particular professional roles to focus EDI efforts on. Finally, individual members who are reluctant to provide diversity data will not necessarily be reassured by an assurance that it is being collected in such a way.

7. Conclusion – the recommended approach

Ultimately, consistent data collection will require leadership and action by intergovernmental organisations (e.g., the United Nations) to implement standardised metrics, ensure data privacy and promote transparency in this area. Developing secure and trustworthy data gathering technology will also help to improve collection rates and contribute to comprehensive and meaningful analysis to promote equity and inclusion. Until such a commitment is realised, the challenges outlined in this paper will remain as serious obstacles to member data collection by the MoU signatories.

Recommendations:

Short term: The collection of member data on a regional basis is problematic to the extent that it is not feasible at this time, even if suitable resources can be identified as the legislative complexity renders it impractical. A ‘country-by-country’ approach is logistically possible, and it could provide useful intelligence to inform local EDI initiatives. However, this will require the identification of sufficient resources to complete the necessary due diligence and research on a country-by-country basis.

Given these challenges it is recommended that member institutes collect personal member ‘diversity’ data on two key questions that translate well around the globe:

- **Age**

Asking for date of birth is recommended.

- **Gender**

The following three options are recommended: Female, Male, Prefer not to say

We recognise that there will be members who do not use either the female or male options. However, this approach is recommended to mitigate the risk of exposing members to discrimination or harm when providing their information. As previously stated, an over-riding principle is that signatory institutes should not put members at risk by asking questions that are illegal or inappropriate in their country of residence.

Medium term: The above initial approach will give signatories a useful insight on these important questions that will help us build our understanding of the global sector whilst mitigating the risk of members contravening local legislation and cultural norms. The signatories should also keep this situation under review and liaise with experts in this field so that we are acting in accordance with current best practice.

Longer term: Should the necessary resources be identified; the signatories should consider a 'prioritised' approach for a wider collection of diversity data more aligned to the comprehensive approach adopted in the UK/RoI. This could involve targeting a limited number of countries with significant shared membership to allow data collection, analysis and meaningful comparison. Legal advice will need to be sought to facilitate an appropriate approach and comms developed with the input of local expertise. The learning from such an approach can then be used to inform a wider diversity collection exercise around the globe.

8. FAQs



FAQs for members and employees

Q: Why do you want this information?

Having an accurate picture of our membership/employees will allow us to identify gaps in representation, both within and between specific territories/countries. We can then use this information to help us analyse the impact of policies and practices and identify appropriate actions. This will help to ensure that we are providing value to all our members.

Collecting your data enables us as professional membership bodies to identify how inclusive, accessible and fair we are. In short, your data will help us:

- Develop an in-depth understanding of inequality, different experiences, and areas for action
- Indicate the impact of policies and practices on different groups in different territories
- Help us to ensure that we are not inadvertently discriminating against certain groups of people

Q: How will my data be used?

We only want to see the 'big-picture' – so we will analyse the data anonymously at the highest level in order to ensure that we are not inadvertently discriminating against anyone on the basis of their age or gender. Over time this be incorporated into annual membership reporting to ensure transparency.

The data will also be used to inform equality analysis to ensure we are acting in accordance with best practice in our role as a professional membership organisation.

Q: What are you doing with the aggregate data?

By agreeing to one set of data questions across all built environment organisations, we can create a holistic picture of the industry that is both shareable and comparable.

The results of the data will help shape not only our EDI action but also help us to make sure that we are delivering value for all our members.

Q: Who will have access to my answers?

All the answers you provide will be treated as strictly confidential and held within the terms of data protection regulations. Your answers will only be accessible to colleagues who will analyse the data at the highest level.

Q: Will I receive additional information?

No, the EDI data is not linked to marketing, it is being collected purely for monitoring reasons.

Q: Will my personal information be passed on to any third parties?

No, it will not be shared with third parties and will only be shared externally as aggregated/anonymous data sets. We will adhere to the highest standards of privacy and work to ensure there is no risk of individuals being identified through the data. We will never share any EDI data that identifies our members either directly or indirectly.

Q: If I want to give feedback or have any further questions?

Please contact the EDI teams or leads in your respective organisations.

Q: What if I do not want to answer these questions?

Although we encourage you to participate and share your data you do not have to answer any diversity data questions.

If there are any particular questions that you prefer not to answer you can select 'prefer not to say' or skip that question. This does not affect your answer to any other question.

Q: How were the equality monitoring questions chosen?

The questions are based current guidance and good practice recommendations taken from academic research and case studies from multi-national organisations.

9. References

1. Equality, Diversity and Inclusivity Monitoring, A Multi-country guide (Bird & Bird, May 2022)
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<https://op.europa.eu/en/publication-detail/-/publication/1dcc2e44-4370-11ea-b81b-01aa75ed71a1/language-en>
4. Diversity Data Guide (The Investment Association, PWC)
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With thanks to Jason Buwanabala global diversity data collection lead at PWC and Jack Cluer Head of Account Management at ENEI.

As the area of EDI data collection continues to evolve, it is possible that some of the categories and definitions suggested here may also need to be adjusted and additional areas of diversity might need to be considered. Feedback is welcomed. Please get in touch with your relevant membership body to provide any comments or questions.

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