

## **HRM in the Creative Industries**

## **Introduction**

Diversity within the creative industry has become a theme which needs to be addressed particularly in terms of gender. Age, race and gender have all come under scrutiny, but it would seem that gender has made the biggest impact in the creative industry. Gender relations in the workplace as well as at home are changing with a basic need of the ability to restructure work and the family (Ellingsæter, 2010). Crompton (2009) suggests that for the production of gender egalitarianism, it is necessary that the gender divisions are restructured in the work and home. Women's roles have changed significantly from the primary caregiver to the role of the professional through the opportunities which they have been afforded. Women have taken a more independent role within society, which has seen them marrying and having children later in life. However, these are not the only considerations in terms of gender equality. Women have accepted that the professional and personal roles can be combined, however this has also had an impact on the opportunities which they are afforded, particularly those who want to be parents as well as professionals which can almost penalise them. McDonald (2013) points out that in advanced economies women can compete equally with their male counterparts in education and employment yet their dilemma rests with the family role. It is important that personal choices will not affect their career. McDonald (2013: 982) suggests that

*'women must weigh up their aspirations for achievement in market employment against their own and their partner's family aspirations.'*

It is important, particularly within the creative industries that there is still a lack of equality towards women. Frampton identifies that successful females have remained silent due to the inequalities which have persisted within the industry and which can severely damage careers.

## **Section 1**

It is appropriate that the impact of the relevant HR functions are identified when addressing diversity issues particularly within the creative industries. Frampton identifies that in order to improve diversity the next generation must be involved and inspired by leadership of those already in the industry. He suggests that diversity should be improved, and that the industry must become more inclusive, and not discriminate on the

basis of age, sex or race. Frampton also believes that in the creative industries there is genuine movement for gender equality, identifying the #Metoo movement as it has historically been difficult to achieve action. The inappropriate behaviour of males is more identifiable with women coming forward with their stories which has been seen most recently in the Weinstein case. However, it has become important that HRM strategies can positively enhance an equal workplace. Frampton does identify that the inequalities must be addressed by both genders, thus the policies set out by HR departments are a necessity to keep the workplace in check. How diversity within the workplace is managed is extremely important, with Carbery and Cross (2013) identifying that many organisations have addressed diversity and inclusion through values such as integrity, respect for both the individual and the community, which are vital to the success of the business.

Alexander et al (2017: 240) identify many challenges within the recruitment of talent, stating that

*'As skills can be taught, trained, and developed, for talents to be expressed, explored and exploited to their full potential by organisations, they have to be detected, channelled, cultivated, and supported.'*

Lewis and Heckman (2006) and Dejoux and Thévenet (2012) have identified that over the last twenty years the processes and practices of HR have changed to address the issue of talent management. The establishment of a talent pool in the organisation should be part of the strategic HRM role to ensure the success of the organisation. This should also be secured on the best person for the job without any discriminatory practices which provide for inclusion and diversity. Ayega and Muathe (2018: 9) identify that

*'Cultural diversity is what binds all groups of employees at all levels in a company. Cultural diversity calls for a type of organisational culture where all members can pursue their aspirations without being inhibited by gender, race, nationality or other qualities that are relevant to performance.'*

The importance of this is the need to manage diversity and this should be stated in any HRM policy that in order to combat any attempt of discrimination. It is important that HRM policies can identify the need for inclusion and diversity and that relevant policies exist to deter discrimination.

It should be noted that according to Jones et al (2015) that diversity does not drive the creative processes but rather it is the abilities of the team members who can work together, sharing information, communicating, handling conflict, and working together as a collective. While there is concern within HRM to manage and promote equal opportunities this had placed more emphasis on managing diversity which organisations have placed more focus on policies which lead to the valuing and recognition of the differences within the workforce. Foster and Harris (2005) have identified these as being used for the good of the individual and the organisation. Thus, inequality can be used as an opportunity for exploitation. It is necessary that the correct policies are implemented which provides opportunities for all, inclusive of age, race, gender, sexual orientation, etc. It is important that effective managers are aware of the skills which are required for the creation of a successful and diverse workforce. They must firstly understand what discrimination is and the consequences of it and Koonce (2001) identifies that they must recognise their own cultural prejudices and biases. It is also important that managers can recognise the need for change and how to implement this (Koonce, 2001). Flagg (2002) suggests that the organisation needs to learn how to manage diversity so that the organisation can be successful.

Managing diversity is important, but it is the manager who must understand what is best for the organisation. Roosevelt (2001) states that the ability to manage diversity is a complete process to the creation of a working environment which includes all within the organisation. Koonce (2001) also identifies that the promotion of diversity must be done in a safe place for employees, where all employees are afforded the ability to communicate, listen and speak. There is a need for policies which provide information, access and opportunities to all and that according to Flagg (2002) all employees are given the opportunity for constructive and critical feedback which can identify mistakes and successes. The world is changing, and managers need to be aware of this in order to promote the diversity in teams which can produce high value within the organisation. The ability to respect individual differences is key to the success of the organisation and can create competitive advantage as well as the increase in productivity. The ability to manage a diverse work environment can create a fair and safe workplace where the employees have access to the opportunities and challenges which the organisation faces. It is also important that management can provide the employees with the required tools –

knowledge, training, information, etc, where the employees can be educated on the role of diversity and the laws and regulations which go with it.

## **Section 2**

The Equality Act 2010 (Equality and Human Rights Commission, 2010) came into law on 1<sup>st</sup> October 2010 with 90% of the Act being implemented. This Act has the same goals which are identified as the four major EU Equal Treatment Directives (EU Council, 2000). The main purpose of the Act is to organise and simplify the current legislation and provide a new discrimination law which protects the citizens from unfair treatment through the promotion of a more fair and equal society. The Equality Act 2010 brings over 116 separate pieces of legislation together into one single legislation and in combination this framework aims to protect the rights of individuals as well as the advancement of equality for all. There are nine pieces of legislation which have been combined in this Act:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006, Part 2
- Equality Act (Sexual Orientation) Regulations 2007.

The Act also requires that there is equal treatment in accessing employment as well as in private and public services. In terms of disability, it is important that organisations provide reasonable adjustments for disabled people as their duty of care.

Toynbee (2009: n.p.) stated

*‘A public-sector duty to close the gap between rich and poor will tackle the class divide in a way that no other policy has... This new duty to narrow the gap would permeate every aspect of government policy. Its possible ramifications are mind-bogglingly immense.’*

This was to be extremely wide-ranging change to previous legislation; however, it is significant to point out that there are certain employment exceptions which include actors and models in films, television and the fashion industries. There are three main concepts which are important in this Act – protected characteristics, prohibited conduct and proportionate means of achieving a legitimate aim. In understanding these three better, it is important to understand the language and concepts of the Act. For example, there are 9 protected characteristics – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. This follows to the prohibited conduct which includes – direct discrimination, indirect discrimination, disability discrimination, harassment, victimisation, and failure to make reasonable adjustment to accommodate a person’s disability. In terms of understanding proportionate means of achieving a legitimate aim – this can indirectly disadvantage a group due to the new test of justifying policies. This can be identified through policies which may impact on a particular group, such as changing shift patterns which would disadvantage a working mother.

In order to promote diversity, organisations must comply with the legislation and it is important that policies and procedures which are not up to standard must be changed appropriately. However, many of the policies should already be in place with the exceptions of the admittance of the protected characteristics which had not previously been identified. Policies which should already be in place in an organisation should include discriminatory practices such as:

- direct for all protected characteristics
- discrimination by association for race, religion or belief, and sexual orientation
- discrimination by perception for age, race, religion or belief, sexual orientation
- indirect discrimination for age, race, religion or belief, sex and sexual orientation.

One major change in legislation is that harassment policies should recognise that individuals can complain of behaviour which they find offensive even if it is not directed at them. Policies must be relevant to the workplace and enacted according to the legislation. However, this is not always the case as can be seen in the advancement of the #Metoo campaign which Frampton identifies which has given a voice to women who have been victims of sexual harassment. It is evident that the policies are not up to date, but organisations have been seen to scurry their harassment policies into place after an incident has occurred. Weinstein and others who have had accusations made against them have relied on their victims being silent in order to further their careers, as well as to hide the shame that they feel.

Morris (2017) identifies that white males are still dominating the jobs in the creative industries, with only 40% of the jobs filled by women. DCMS (2017) identifies that there is still a lack of racial and gender diversity particularly within the creative industries. According to the DCMS (2017) figures – there is a clear bias towards men in the creative industries with 63% of the roles filled by men in comparison to 37% of women. It is also appropriate to discuss the implications of direct and indirect discrimination which is not only gender based but also against the protected characteristics. An example which has been high profile in the news is Asher's Bakery case in Northern Ireland. This case has made its way to the Supreme Court due to the nature of the dispute. The ruling found that the company – Asher's Bakery discriminated for refusing to make a cake with the slogan '*Support Gay Marriage.*' The refusal from the Bakery came due to their religious beliefs. This is just one example of direct discrimination which made its way to the news. Indirect discrimination can be seen when actors become too old for the roles they are playing such as the role of James Bond, particularly when it is part of a successful franchise.

### **Section 3**

The ability for the employee to engage in the work environment to be involved and enthusiastic for the role they play is a necessary requirement towards job satisfaction. Employee engagement as defined by Perrin's Global Workforce Study (2003) is the willingness of the employee to help the organisation succeed through their flexible efforts. This study showed that the engagement of the employee was affected by various

factors which involved both emotional and rational factors in the relationship to work and the experience of work. Dernovsek (2008) identifies that Gallup suggests that employee engagement is the employee's positive emotional attachment and commitment to an organisation. While Robinson et al (2004) defines the concept as a positive attitude which is held by the employee towards the organisation and its value. It is important to understand that an employee who is aware of the context of the business will work with their colleagues to improve the performance within their role for the benefit of the organisation. However, it is important that the organisation can recognise that this works both ways and there is a requirement to develop and nurture the engagement. Employee engagement is built on from earlier concepts of employee commitment, organisational behaviour and job satisfaction but it is broader in its scope. It also provides a stronger predictor of the positive organisational performance which has been upheld through the earlier concepts but clearly shows the relationship between the employee and employer.

Markos & Sridevi (2010: 89) identify that

*'Employee engagement is a vast construct that touches almost all part of human resource management facets we know hitherto. If every part of human resources is not addressed in appropriate manner, employees fail to fully engage themselves in their job in the response to such kind of mismanagement.'*

It should be noted that those employees who are emotionally attached to their jobs/ organisations are highly motivated and involved and have a great sense of enthusiasm for their role within the organisation. It is these employees who go the extra mile for the organisation (Markos & Sridevi, 2010). It has become important for management to understand the demands of the environment as well as the requirements of their employees. Organisations are striving to compete in their chosen markets, and it is important that they have the human resources to allow them to compete. Techniques such as TQM (Total Quality Management) and BPR (Business Process Reengineering) have been identified as necessary to the increase of organisational performance as a focus on the operational and process improvements. Accordingly, the realisation of managers that by focusing on employee engagement they can create a more productive and efficient workforce has not gone unnoticed. However, it is important to note that any initiatives for improvement must have the willingness of the employee to be involved and to engage in order for them to be successful.

According to Fernandez (2007) there is a distinction between job satisfaction and engagement as employee satisfaction is not the same, thus employee engagement has become a critical success factor in HRM. According to Markos & Sridevi (2010: 90) other researchers (Erickson, 2005; BlessingWhite, 2008; Macey & Schneider, 2008).

*'take job satisfaction as a part of engagement, but it can merely reflect a superficial, transactional relationship that is only as good as the organisation's last round of perks and bonuses; Engagement is about passion and commitment – the willingness to invest oneself and expand one's discretionary effort to help the employer succeed, which is beyond simple satisfaction with the employment arrangement or basic loyalty to the employer.'*

The ability to fully engage the employee is important to the success factors which should be obtained through full engagement so that maximum job satisfaction and maximum job contributions can be obtained. Human Resources (2007) found that according to Stephen Young, Executive Director of Towers Perrin, separates the roles of job satisfaction and employee engagement as not the same and distinguishing that it is only the concept of employee engagement which is the strongest predictor for an organisation's performance.

In using employee engagement in the creative industries, it is appropriate to identify that the employees are happy in their positions and provide a willingness for the organisation to succeed. Frampton does identify success stories within the article, and it is important to identify these in context. In understanding the concept there are obvious challenges to employee engagement in the creative industries which can be seen in terms of discrimination of gender, race or age. However, the concept could be more inclusive to the creative industries through the development of management to engage the employees more readily and allow more autonomy within the workplace, signalling more communicative and informative processes which can allow the employee to find their own self-worth in the organisation. While Frampton suggests that an older person may not be treated fairly, it is time that equality legislation was more readily affected in the creative industries allowing diversity and the ability for management to motivate employees towards success.

## **Conclusion and Recommendations**

It is important to understand the HRM role within the creative industries, particularly where discrimination is still an obvious factor. The various movements which have evolved to understand and fight against discrimination are readily identifying the need for diversity within the creative industries. The ability to promote employee engagement must also come with the ability to promote the self-worth of the employee making them feel like they make a difference so that they can become motivated towards the success of the organisation. It has been established that discrimination does still exist even with the Equality Act 2010, but this is less obvious through the legislative processes. However, cases such as Asher's Bakery will always appear and provide discrepancies in the legal frameworks whether it is to highlight discrimination against the gay community or towards religious beliefs. It is important that discriminatory practices are lessened, and diversity is embraced to allow all individuals a fair chance at employment in the sector they wish to work. Recommendations can be made to make sure HRM is in line with the current legislation and that this is updated where and when necessary.

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