

## 2. Research Methodology and Approach to Measuring Awareness and Knowledge

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This chapter presents an outline of the study's approach and methodology. We begin with a discussion of how the research instrument was designed<sup>1</sup> to capture different aspects of respondents' awareness and knowledge. We go on to provide summary details of the survey sampling approach, and key characteristics of the sample (fuller details of these are provided in Appendices 1 and 2).

### 2.1 'Awareness' and 'knowledge'

#### 2.1.1 Definitions and classifications

##### **Awareness vs knowledge**

Throughout the report, we refer to the separate, but related, concepts of 'awareness' and 'knowledge'. It is important, therefore, clearly to define both terms, before discussing how the research instrument was designed to capture the two concepts. For the purposes of this research, the following operational definitions were used:

- **Awareness** occurs when an individual is sufficiently informed about a subject for him/her to be conscious of its existence and its broad subject matter. In this sense, awareness of an employment right or piece of legislation implies that the individual had heard of it, and had some idea of the area of working life to which it relates.
- **Knowledge** requires a theoretical or practical understanding of a subject. In this sense, knowledge of an employment right or piece of legislation implies that the individual could demonstrate some understanding of the detailed provisions of the legislation.

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<sup>1</sup> During the design of the survey instrument, a number of agencies and organisations with relevant expertise in the area of employment rights were consulted. A full list of the agencies involved is provided in Appendix 1.

In the sense used here, therefore, knowledge is a 'stronger' concept than awareness. It is possible to demonstrate awareness without having any substantive knowledge of a subject, but not *vice versa*.

A key assumption of the research method is that it is possible to distinguish between awareness and knowledge, and the research instrument was constructed with this end in mind. As the existence of knowledge presumes awareness, the research instrument was designed to ensure that those without awareness did not answer knowledge questions. If a respondent was not aware of the existence of an employment right, they were not asked knowledge questions about that right.

### **Awareness/knowledge vs a general sense of entitlements**

It was also important to ensure that the research instrument did not confuse awareness and knowledge of employment rights, on the one hand, with respondents' **general sense of entitlements**, perceptions of natural justice *etc.* on the other hand. While the research was also interested in the latter, and questions based on hypothetical scenarios were included in order to identify respondents' sense of fairness or justice in workplace behaviour (see Section 2.2 below), the scenarios also included questions to help distinguish such a broad sense from a specific awareness or knowledge of employment rights.

### **Self assessment of knowledge and awareness**

In looking at both awareness and knowledge, it was seen as important to distinguish between:

- **respondents' own assessments** of whether they were aware of employment rights, and of whether they had any detailed knowledge of those rights; and
- **assessments based on answers to specific questions** about the rights in question.

Having both some evidence on respondents' assessments of their own awareness/knowledge and testable evidence on their actual levels of awareness/knowledge, is important for two reasons. First, by comparing the two, we can make some judgement about the reliability of individuals' assessment of their own awareness/knowledge levels. Second, in so far as awareness and/or knowledge influences behaviour, it may not only be verifiable levels of awareness/knowledge which are important. Individuals' own beliefs about the extent of their awareness/knowledge may also be an influence.

## **Informed awareness: prompted vs unprompted**

A final distinction made in the research, when looking at actual or 'informed' awareness levels among respondents, was between prompted, partly prompted and unprompted awareness, representing, in a broad sense, increasing levels of awareness:

- By 'unprompted' awareness, we mean the extent to which a respondent could, without prompting, provide an example of an employment right or law.
- Respondents who could not themselves give such an example, were then given an example, and with this prompt, were asked if they could provide other examples. Being able to do so can be seen as 'partly prompted' awareness.
- Finally, respondents were given specific examples of employment rights and asked if they were aware of these rights. This is reported here as 'prompted awareness'.

### **2.1.2 What contributes to awareness and knowledge?**

Drawing on psychological theories of knowledge acquisition<sup>1</sup>, it is likely that the knowledge levels of our sample (and by association, their levels of awareness) will be dictated, at least in part, by respondents' levels of interest in the area of law in question or in employment law generally. Interest levels in turn are likely to be affected by a range of different factors, *eg* the personal characteristics, job role, occupational level and/or sector of the individual in question. These differences could be heightened by the additional factor of experience. In this context, interest in employment law may be stimulated by any employment-related difficulty the individual has experienced, whether directly as an employee or indirectly (*eg* as a manager or colleague of others).

This makes clear the importance of taking into account the personal and job-related characteristics of individuals when assessing their knowledge of such a specific, vocationally-related topic area. The questionnaire was designed to collect a range of information of this type (further detail is contained in Appendix 3) together with any experiences of or difficulties with employment law.

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<sup>1</sup> See, for example, Reeve C and Hakel M (2000), 'Toward an Understanding of Adult Intellectual Development: Investigating Within-Individual Convergence of Interest and Knowledge Profiles', *Journal of Applied Psychology*, 85(6), pp.897-908.

## 2.2 Operationalising definitions of awareness and knowledge

Having identified the main distinctions to be captured in the research instrument, it was necessary to operationalise these distinctions in terms of a series of questions.

A key design issue to be tackled was that any information given to the respondent, either as a prompt or as part of a question, might in turn affect the response of the individual. In short, it is difficult to ask respondents about an issue without leading them. A number of different questioning techniques were employed, with each one designed to assess a different level of awareness/knowledge in line with the classification outlined in the previous section. Measuring knowledge was more straightforward than measuring awareness, as established, factual, questioning techniques exist for the former (eg multiple choice format questions).

In addition to the actual design of the questions, it was important that the **order** of the questions was structured to ensure that by answering one set of questions, respondents were not provided with the answers to the next. Table 2.1 below contains a summary of the different levels of awareness and knowledge and provides details of the questioning techniques used at each level and the order in which these questions were asked. It can be seen that three broad groupings of questions were used at different stages in the questionnaire (the questionnaire itself is provided in Appendix 4):

- The first group of questions was aimed at uncovering respondents' self-assessed levels of knowledge and awareness about employment rights in general.
- The second group of questions (which were asked repeatedly about a succession of specific employment rights) asked first about respondents' awareness of a specific employment right, starting with an unprompted question, and then moving through successive questions with increased levels of prompting. The precise route through the questions depended on the answers to preceding questions. Finally, for those with some awareness of the right in question, a set of questions was asked which were designed to test respondents' substantive knowledge of the provisions under consideration.

**Table 2.1 Approaches adopted in the research to operationalise definitions of ‘awareness’ and ‘knowledge’**

Question order	Construct	Definitional approach	Questioning technique	Asked of:
1	Self-assessed awareness	Respondents assess their own general level of awareness of employment rights.	Respondents select from a range of options which describe how informed they feel about their generic rights at work.	All respondents
2	Self-assessed knowledge	Respondents assess their own knowledge/level of knowledge of employment rights in general.	Respondents select from a range of options which described how much they know about their rights at work.	All respondents, filtered according to their level of self-assessed awareness (as recorded in their response to question 1).
3	Unprompted awareness	Respondent is able to provide general information about a subject with no prompting.	Respondents are asked to provide an example of a law that protects their rights at work.	All respondents
4	Partly-prompted awareness	Respondent is able to provide information about an employment right, following a prompt giving an example.	Respondents are given an example of a law that protects their rights at work, and asked to give other examples.	Respondents unable to give an example of a law in response to question 3 (unprompted).
5	Prompted awareness	Respondent is able to answer a direct question about awareness of a particular right.	The interviewer describes, successively, a number of laws protecting rights at work, and the respondent is asked whether they were already aware of them.	All respondents
6	Substantive knowledge	Respondent is able to provide specific information about a particular area as a response to direct questioning.	Respondents are asked to provide the correct answer to a question about a particular employment right, either from a range of possible options given by the interviewer, or as a response to an open question about that right.	Respondents who say (in response to question 5) that they were aware of the law in question, or who were not sure if they were aware of it.
7	Perception of entitlements	Respondent indicates some perception or sense of lawfulness of a situation, but is not required to demonstrate awareness.	Interviewer describes a hypothetical situation (scenario) to the respondent, who is asked to make a judgement about whether it is lawful or not.	All respondents (each respondent is randomly asked a subset of the scenario questions).
8	Extent to which perceptions of entitlements reflect awareness/knowledge that particular circumstances are covered by an employment right or provision.	Respondent is able to provide information about an employment right, following a prompt.	Interviewer asks (in the context of a hypothetical situation or scenario) in what way the respondent thinks that employment rights have been infringed.	Respondents who state that employment rights have been infringed in response to question 7 (scenario).

- The third group of questions was based on a set of hypothetical situations (or ‘scenarios’). In these questions, respondents were asked to assess the ‘lawfulness’ of a situation (*ie* whether or not they believed the situation as described was lawful)<sup>1</sup>. The situation was described as happening to someone else, in order to make the situations as broadly applicable as possible. The questions were designed to provide an illustration of an individual’s sensitivity to particular aspects of the law. Those who perceived an infringement of the law, in response to the question, were then asked for details of the way in which the law had been infringed. It should be stressed that these questions were designed with two purposes: first, to indicate how far respondents’ perceptions were based on a real awareness or knowledge of the law in question (rather than say, a simple perception of ‘natural justice’ or ‘fairness’); and second (see 2.3 below) to assess the extent and manner in which respondents felt they would enforce these perceived rights. It should also be noted that although all the scenarios<sup>2</sup> were designed to depict events likely to constitute a breach of statutory provision, all cases are, in practice, decided on the facts at an employment tribunal.

## 2.3 Exercise of rights

It was anticipated, on the basis of previous research<sup>3</sup>, that the proportion of the sample who would have faced actual or potential violations of their employment rights would be relatively small (and the proportion who had experience of taking action as a result, even smaller). It was therefore seen as important to understand how respondents would act in situations where they felt their rights had been infringed in some way.

The scenario questions were therefore also used to identify such propensities to act. Thus, moving beyond issues of awareness and knowledge, respondents who identified (in response to the scenario questions) particular situations as unlawful were then asked a series of questions about whether they themselves would take

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<sup>1</sup> Due to time constraints in the interview, the scenario questions were randomly rotated between respondents, such that each respondent was asked three out of a possible 15 scenario questions.

<sup>2</sup> In the case of two of the scenarios, in particular (those relating to dismissal on grounds related to age and sexual orientation — see Chapter 9), there is perhaps greater ambiguity in their interpretation. The scenarios were designed to depict a potential breach of unfair dismissal legislation, but there is also a possibility that respondents will see them in terms of anti-discrimination legislation (although currently, there is no statutory provision covering discrimination on grounds of age or sexual orientation).

<sup>3</sup> In particular, Genn (1999) *op. cit.*

action in similar situations, and what kind of action they would take.

## 2.4 Grouping of legislation

Employment-related legislation was grouped into five generic categories for ease of reference, and the questionnaire designed around these categories. The categories used were:

- the law relating to issues of ‘work-life balance’ (including laws on maternity rights, parental leave and emergency leave for dependants)
- legislation relating to working time (including legislation such as the Working Time Directive)
- legislation concerned with terms and conditions of employment (including contracts of employment, statements of employment *etc.*)
- the law protecting individuals from unfair dismissal
- anti-discrimination law (including the Disability Discrimination Act, Race Relations Act, Sex Discrimination Act and the Equal Pay Act).

Within each of these categories, the questionnaire attempted to cover a range of legislation, but it was not possible to include questions on every aspect of the law. In particular legislation related to collective agreements and health and safety was not included in the questionnaire.

## 2.5 Survey methodology

The survey data were collected during June and July 2000, using computer-assisted telephone interviewing. The sampling method for these interviews used:

- randomly selected household telephone numbers (across Great Britain)
- a random selection of eligible individuals from within households
- weighting of the achieved sample against Labour Force Survey (LFS) data, to ensure that the data used were representative of the relevant population on a national scale.

A thousand completed interviews were achieved. Further details of the survey methodology, response rates *etc.* are provided in Appendix 1.

## 2.6 Survey respondents

In this section we provide a few summary statistics<sup>1</sup> looking at respondents' occupations, working time patterns, contractual status and trade union membership, and how these vary with some key personal characteristics such as gender, education and age. This group of variables is used extensively throughout the report (along with others of relevance to the particular topic being analysed) in our analysis of how the various measures of awareness and knowledge of employment rights vary with the personal and employment characteristics of respondents.

Table 2.2 shows the familiar occupational differences by gender, with men in the sample slightly over-represented in managerial and professional/associate professional occupations, and more strongly over-represented in craft, semi- and unskilled manual occupations. Women, on the other hand, are significantly concentrated in clerical and secretarial occupations, personal and protective services and sales jobs. The table also shows a clear relationship between occupational level and educational attainment. Those in managerial and (especially) professional occupations are more likely than any other occupational groups to be educated to NVQ Level 5 or equivalent, while those in

**Table 2.2: Survey respondents by occupation, gender and educational level**

Occupation (SOC)	Gender (%)		Highest qualification (NVQ equivalent) (%)						
	Male	Female	No qual.	NVQ1	NVQ2	NVQ3	NVQ4	NVQ5	Don't know
Managers/administrators	18.0	16.3	11.3	12.5	17.0	7.2	25.2	23.2	12.5
Professional/technical	15.3	12.3	2.1	4.5	6.6	19.0	20.6	37.7	—
Associate professional/technical	10.2	9.7	6.2	6.8	8.0	5.9	16.1	11.6	25.0
Clerical/secretarial	6.3	23.9	10.3	22.7	16.0	11.8	12.6	8.7	12.5
Craft/skilled manual workers	16.4	5.0	13.4	12.5	14.2	18.3	5.9	5.8	—
Personal and protective service	6.3	12.8	11.3	9.1	11.8	8.5	7.3	1.4	12.5
Sales	5.6	12.5	7.2	5.7	11.5	13.1	5.2	5.8	12.5
Plant and machine operatives	11.6	2.6	17.5	19.3	4.2	12.4	2.8	4.3	—
Other unskilled jobs	8.1	4.3	18.6	5.7	9.4	3.9	1.7	—	25.0
Don't know/refused	2.1	0.7	2.1	1.1	1.4	—	2.4	1.4	—
Unweighted base (n = 100%)	444	556	150	96	221	173	283	66	11

*Note: some qualifications (eg recognised trade apprenticeships, Certificate of Sixth Year Studies, other professional, vocational or foreign qualifications) require more information to allocate them to NVQ Level 2 or NVQ Level 3. For consistency, therefore, they have been allocated to NVQ Levels 2 in the table above. 'Other qualifications' have been coded according to LFS guidelines across NVQ Levels 1, 2 and 3.*

<sup>1</sup> Throughout the report percentages in tables are weighted, although we also show the un-weighted total sample numbers in each table.

operative and other unskilled jobs are more likely than any other groups to have no qualifications.

Table 2.3 makes clear the extent to which women are more likely to work part-time than men.

Table 2.4 shows that men in the sample are more likely to be found in permanent employment than women, and that while there is some tendency for the likelihood of permanent employment to increase with educational level, the pattern is not a clear-cut one.

**Table 2.3: Working time patterns by gender**

Normal weekly (contracted) hours	Gender	
	Male (%)	Female (%)
1-16	2.1	10.0
17-34	4.8	25.1
35 or more	93.1	64.9
Don't know/refused	—	—
Unweighted base (n = 100%)	444	556

**Table 2.4: Permanent or temporary work by gender and educational level**

Permanent/ temporary job	Gender (%)		Highest qualification (NVQ equivalent) (%)						
	Male	Female	No qual.	NVQ1	NVQ2	NVQ3	NVQ4	NVQ5	Don't know
Permanent job	87.5	82.9	93.9	87.4	89.5	77.1	85.0	76.5	88.9
Temporary job	10.6	16.4	4.1	11.5	9.1	22.9	12.9	22.1	11.1
Don't know/refused	1.9	0.7	2.0	1.1	1.4	—	2.1	1.5	—
Unweighted base (n = 100%)	444	556	150	96	221	173	283	66	11

Finally, Tables 2.5 and 2.6 look at trade union membership patterns in the sample. Men are slightly more likely than women to be trade union members (Table 2.5), and those with low or no qualifications are most likely to be members (this, in turn, is likely to reflect the variation in occupational patterns by educational level, as shown in Table 2.2 above). Once again, however, the relationship with educational level is not a clear-cut one, and the lowest rates of union membership are found among those with intermediate qualifications (NVQ2 or NVQ3 or equivalent) .

Trade union membership in the sample increases significantly with age up to the 46-55 age group, after which it declines to just under 30 per cent (Table 2.6).

**Table 2.5: Trade union membership by gender and educational level**

Union membership status	Gender (%)		Highest qualification (NVQ equivalent) (%)						
	Male	Female	No qual.	NVQ1	NVQ2	NVQ3	NVQ4	NVQ5	Don't know
Trade union member	30.0	27.8	33.7	48.9	22.7	23.0	30.4	29.4	44.4
Staff association member	1.9	1.7	—	1.1	2.1	0.7	1.7	7.4	—
Not a member	63.1	69.1	63.3	48.9	71.3	76.3	62.2	60.3	55.6
Don't know/refused	4.9	1.4	3.1	1.1	3.8	—	5.6	2.9	—
Unweighted base (n = 100%)	444	556	150	96	221	173	283	66	11

**Table 2.6: Trade union membership by age**

	Age (%)						Don't know
	16-25	26-35	36-45	46-55	56-64		
Trade union member	7.8	20.1	35.7	46.2	28.8	20.0	
Staff association member	0.7	0.4	2.6	3.1	4.1	—	
Not a member	87.9	75.6	56.5	49.3	65.8	80.0	
Don't know/refused	3.5	3.9	5.2	1.3	1.4	—	
Unweighted base (n = 100%)	139	273	276	228	81	3	

A fuller breakdown of the characteristics of survey respondents including a range of other personal characteristics and characteristics of the jobs they do can be found in Appendix 2 at the end of the report.

## 2.7 Statistical significance

For the most part, the results presented in this report are based on simple bivariate cross-tabulations of survey variables (although some multivariate analysis is also presented in the Statistical Annex (Chapter 12). We have not presented all possible relationships between the relevant variables in the tables in the report. The crosstabulations selected for inclusion in the report have been chosen according to three criteria:

1. That there is a relationship between the relevant variables (although in some cases we have also included findings which show that there is no relationship, particularly in cases where such a relationship might be expected, *a priori*, to exist).
2. That the relationship is statistically significant at conventional levels (we have taken a cut-off of 95 per cent significance in a 2-sided test, although most of the findings presented are significant at a higher level of significance).

3. That there is some theoretical reason to expect a relationship between the variables considered.