

Keeping people who want to stay

BOOK 2: RETENTION & PROGRESSION



race equality
in **Further Education Colleges**

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Foreword

'To play their part in improving the national economy, colleges need a skilled and motivated workforce that is representative of the diverse, multi-racial nature of British society'

Challenging Racism: FE Leading the Way p.11

As the profile of learners becomes more diverse in response to social inclusion and widening participation agendas, staff who understand the needs of the organisation, its clients and the communities it serves are a college's most vital asset. The measures outlined in this, the second of the Commission for Black Staff in FE's Good Practice guides, are presented in the context of the Race Relations Amendment and the Learning & Skills Act, both of which have imposed major changes on the sector. In particular, meeting Basic Skills targets and the focus on work-based learning will require new skills and approaches, and presents genuine challenges to the sector. Recruiting and retaining the best people for the job, regardless of their racial or cultural background, is a pre-requisite for meeting this agenda. This guide may target Black staff, but it represents good practice for all FE employees.

The Final Report of the Commission for Black Staff in FE, published in November 2002, made a compelling case for greater strategic rigour in the sector's efforts to recruit, retain and progress staff from Black and other minority ethnic communities. Yet the task of promoting interest in a career in FE has rarely seemed more challenging. The Commission's main report made reference to the funding concerns of managers and unions. Although increased funding for the sector announced by the Secretary of State in November 2002 begins to address these concerns, there is still much to be done to redress issues of pay and resources. Both employers and unions have voiced concerns about staff recruitment and retention and finding ways to retain and progress staff remains an undisputed priority.

People from ethnic minority communities need to see FE as offering them a viable career path. The DfES message that ‘you never forget a good teacher’ has led to a renewed interest in the rewards of teaching as a career. This message is equally true for teachers in the FE sector but also includes the many thousands of technicians, administrators, librarians, finance officers, support, guidance, welfare, security and estates workers who all contribute to learners’ success. There are countless adults and school-leavers whose encouragement to achieve came from someone working in a college – individual staff who took on the role of educator, mentor, role model or informal advisor.

Many FE staff choose their career because of the rewards that come from helping to change people’s lives. However, as well as making a difference, employees seek fair, attractive working conditions and opportunities for career or personal development. These are the rewards that colleges will need to actively promote and develop as they pursue their efforts to attract and retain a more diverse and representative workforce.

Wally Brown

Chair, Commission for Black Staff in FE

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Aims & target group

This is the second of three good practice guides targeted at Further Education colleges. It outlines some of the measures that can be considered by colleges seeking to retain and progress employees from under-represented minority ethnic groups. It aims to provide practical guidance to staff with responsibility for leading, planning, delivering and monitoring Race Equality, and will be of particular interest to

- governors and board members
- senior and middle managers
- staff with responsibility for recruitment & selection, staff support, appraisal and development, personnel and other human resource functions
- members of College Equality Committee
- Trade Union officers
- members and facilitators of focus groups for Black and other ethnic minority staff
- others with an active interest or stake in this area, including providers of Further and Higher Education, Adult and Community learning and Training.

Using this guide

The good practice examples are drawn from a wide range of FE contexts, and have been selected for their relevance to both multi-ethnic and less diverse colleges. Although the focus is on Black and minority ethnic staff, in line with the Commission's mandate, many of the measures suggested can be used more widely to the benefit of other groups or isolated individuals within departments or teams, serving as a trial run for more widespread improvements. Priorities will vary considerably from college to college, subject to changing profiles and circumstances. Some suggestions may be inappropriate or premature, others will warrant consultation or risk-assessment before they are introduced. Many of the examples demonstrate that with effective leadership and committed staff, even minor adjustments to working practices and procedures can have a positive and lasting effect on your college's ethos, profile and relations between staff and learners.

Terminology

The Commission uses the generic term BLACK to refer to members of African, African Caribbean, Asian and other visible minority ethnic communities who may face racism. However, it is conscious that the debate on terminology is constantly developing. Who is or is not included in Race Equality policies or targeted initiatives can be an emotive issue for some staff, and it is advisable to clarify the use and scope of key terms like 'visible minority', 'Black and minority ethnic (BME)' or 'under-represented groups' when they are adopted.

A glossary of key terms is included in all the Commission's publications. *(see p68)*



Chapter 1

Commission findings

'Getting to grips with how racism impacts on the working lives of Black staff and the organisations they work in, speaks volumes about how far the sector is willing to go to meet its challenges'.

Ivan Lewis, MP

With the institutionalisation of Race Equality, colleges face important and challenging developments. In particular, they must meet the requirements of the Race Relations Amendment Act (2000) and respond to the findings and recommendations of the Commission for Black Staff in Further Education. In its final report, *Challenging Racism: Further Education Leading the Way* (Nov 2002), the Commission identifies Black staff as a largely untapped resource whose potential needs to be fully utilised if the sector is to achieve equality and diversity in the workforce and empower all learners to achieve. Its report presents a wealth of data supported by evidence that confirms the need for proactive change in the way colleges recruit and develop Black and other ethnic minority staff. The data provides invaluable benchmarks for measuring progress and insights into regional variations.

Under-representation

Despite a significant increase in the percentage of ethnic minority students over recent years the Commission found that Black staff are under-represented at both local and regional level compared with learner populations. Ethnic minorities make up 14% of learners, yet the findings revealed that

- Most colleges employ less than 5% Black staff
- Black staff are more likely to be employed in part-time or support roles
- Black staff are under-represented at management and senior management level
- Only 1% of principals are Black
- Many college corporations have no Black governors or corporation clerks
- There are very few senior and full-time Black inspectors

Tackling under-representation has been identified as a key priority by the Commission, particularly in senior management. Its recommendations to colleges and key stakeholders include

- taking steps to ensure that their staffing reflects the profile of learners from minority ethnic communities in the national or local population, as appropriate
- setting ambitious race equality employment targets for their staff, measured against appropriate benchmarks by July 2003, for incremental implementation by July 2009.

Employment

The Commission's report has highlighted how discriminatory policies, practices and attitudes in colleges have impacted upon the working lives of Black staff currently employed within the sector. Examples range from subtle stereotyping that traps people in jobs with little hope of progression, to bullying and harassment. The evidence suggests more Black staff have formal qualifications and more are likely to be educated at degree level than their White counterparts, yet

- Proportionately fewer Black staff are on permanent contracts compared with their White colleagues
- Black lecturing staff are over-represented in part-time lecturing posts yet under-represented in the more secure fractional posts
- Black lecturers are concentrated in certain curriculum areas, particularly basic skills and English for Speakers of Other Languages(ESOL)
- Black staff are disproportionately concentrated in contracted out services, where they are three times more likely than White staff to be employed in security posts

Race equality

Efforts to tackle racial discrimination in FE are long overdue. Evidence to the Commission suggests that policies to promote Race Equality, although well intended, are often undermined by a lack of institutional commitment or staff ownership. Few senior managers used available ethnic data to set targets for the employment and progression of black staff or recognised the importance of monitoring the policies of contract holders. These factors may account for the findings from a commissioned survey of eight case-study colleges, which suggested that

- Less than half of Black staff but almost four fifths of White staff felt that their college offered 'real' equality of opportunity for employees irrespective of race, sex, religious or cultural background.
- Black staff expressed lower levels of job satisfaction compared with White colleagues
- Black staff were more likely to report feeling blocked in their progression or dissatisfied with equality policies
- Almost one third (30%) of Black staff reported experiencing direct disadvantage or discrimination because of their 'race'.
- More Black staff (43%) than White staff (38.8%) had jobs that they considered 'too stressful'.
- Over half of all respondents expected to change their job within five years
- Black Caribbean women were the least likely to foresee such a change; however, of the Black African Caribbean men who were considering changing their job within the coming five years, 95% indicated they would also change their employer.

Staff retention

The implications of these findings for staff retention and future employment are self-evident. In the same survey, Black staff emphasised poor promotion

prospects and experiences of racism and discrimination as factors that would encourage them to leave their jobs. When identifying factors impacting on their decision to leave, they were also more likely to identify poor conditions of employment such as lack of job security, inflexible working hours, lack of resources to do their jobs and the attitudes of colleagues. In focus group discussions, 'bullying' management styles emerged as another important consideration.

Although such concerns are not typical of all colleges, they cannot be dismissed. The survey's findings suggest that it is not enough for colleges to establish fair recruitment procedures that attract the best candidates from the widest field. As the impact of the RRAA improves opportunities for Black staff in the public sector, their options are likely to expand. Increasingly, the challenge is to develop and retain a pool of talented Black staff that will enrich the learning and skills sector as a whole, with the same job mobility and career progression routes as most White staff have traditionally enjoyed. The success of this strategy depends largely on the will of individual managers in colleges, not only to attract more Black applicants but to support, develop and 'nurture' the Black staff they currently employ in order to maximise their potential to the full.

Agenda for action

The Commission will continue to work in partnership with the sector to disseminate its findings and promote an Action Agenda for change. Short-term priorities (by 2004): include

- The establishment of a **stakeholder group** in partnership with the DfES and the LSC with responsibility for developing and monitoring the progress of its recommendations to colleges and key stakeholders
- The establishment of an **implementation group** to disseminate its findings and key messages via regional briefings to promote awareness and good practice in colleges
- Support for the development of a funded **pilot programme of professional development** of Black staff, involving mentoring and work placement opportunities to enable Black staff in participating colleges to gain the experience necessary to apply for permanent senior management posts. The Leadership College, once established, is expected to adopt and extend the programme to support the career development of Black staff at all levels.
- The commissioning and publication of three **RACE EQUALITY IN FE Good Practice Guides**, in consultation with practitioners and key agencies, focusing on
 - Recruitment & Selection (July 2002)
 - Retention & Progression (April 2003)
 - Staff Development (Sept 2003)

Characteristics of an inclusive college

Good employment practices aimed at promoting Race Equality cannot take place in a vacuum. There are a number of features associated with well-performing colleges that must also be considered, if the Commission's recommendations are to succeed. These are outlined in Book One in this series *Attracting people who want to get in*, as well as in the Commission's final report. They are spelt out in detail in the CRE's *Guidance to colleges on implementing the RRA Amendment* and in a number of other key documents concerned with Race, Equality and Diversity issues (see *resources & websites*, p63). They present a consensus view that forward-looking, inclusive colleges seeking to promote race equality will be characterised by:

- **Leadership**

Clear leadership and commitment to promote equality and race equality; the college's commitment is highly visible and features importantly in its prospectus, annual report (including the results of monitoring information) and annual financial statements

- **Policy**

There is widespread consultation with representatives of different interest groups in the college to develop a race equality policy¹ and action plan, including discussions with trade unions

- **Accountability**

Governors, managers, staff and learners understand their responsibility to promote and be accountable for promoting race equality and equality of opportunity

- **Mainstreaming**

The college's Race and Equality policy and action plan are integrated into the college's strategic plan; each department has its own Race and Equality plan and managers at all levels have measurable race and equality objectives built into their personal appraisal plans.

- **Target setting**

Targets for race and equality are set as part of the college's strategic plan, using key benchmarks including the size of the college's minority ethnic population, its student profile and the size of the minority ethnic population nationally to address under-representation by Black staff.

- **Marketing**

Positive multi-racial, multi-cultural images are used to promote the college, regardless of its ethnic composition or that of the locality. The college is conscious of the need to meet the needs of diverse communities.

1. See model policy in the *Joint Agreement on Guidance for Equality in Further Education* (Association of Colleges and National Joint Forum of recognised unions, February 02)

- **Ethnic monitoring**

Data is collected and analysed by ethnicity used to monitor in a uniform way, and the findings are presented and publicised annually in a clear and accessible form.

- **Positive action**

Positive action is used to provide facilities and services to meet the special needs of people from particular racial groups, including English Language classes and training targeted at minority ethnic groups and encouragement given to applicants from racial groups that are under-represented in a particular areas of work;

- **Reviewing progress**

Steady progress is achieved by regularly reviewing and evaluating policy and assessing impact.



Stefano Cagnoni



Chapter 2

Race equality in employment

'Colleges play an important part in the moral and social lives of their communities.

*Promoting good race relations,
tackling unlawful discrimination,
and removing barriers for Black staff
must be part and parcel of their mission'*

[Challenging Racism: FE Leading the Way p.12](#)

Taking steps to tackle under-representation, outlaw discrimination or improve the retention and career development of Black and ethnic minority staff has become a strategic priority for colleges. As well as the compelling social, business and human rights case for Race Equality, there are important legal and statutory changes driving this agenda forward, requiring colleges to revisit their employment policies and procedures. They include

- forth-coming legislation to outlaw religious discrimination
- the general and specific duties of the Race Relations Amendment Act (2000) which are highlighted in the guidance issued by ALI-OFSTED and incorporated into the framework for provider performance review
- a significant shift in the burden of proof in cases of indirect discrimination, resulting from the EU Employment Directive on racial discrimination which comes into force in July 2003
- LSC Circular 03/01, which responds to the Success for All framework for quality and success by calling for all colleges to have Development plans in place by August 2003 showing:
 - how the skills of managers, teachers and support staff will be developed and enhanced and rewarded over a three year period
 - how colleges will increase staff diversity, including any employment targets that the college may wish to set itself.

EU Employment Directive on religious discrimination

The EU Framework Employment Directive requires the UK and other member states to introduce domestic legislation outlawing discrimination at work on the grounds of religion or belief by December 2003. Colleges must comply with the new law, which will apply only to employment. It will mean taking appropriate steps to outlaw practices that could discriminate against employees who are members of religious minorities – for example by

- Taking account of religious observances, festivals and fast periods when planning staff development and other college activities
- Reviewing rigid dress codes that do not take account of religious requirements such as turbans for Sikh men, skull-caps for Jewish men and trousers or ankle length dresses for Muslim women
- Revising timetables and working requirements that take no account of religious observances such as the need for appropriate prayer facilities for Muslim employees; the right of Jewish employees to observe Hanukah and the Sabbath; the right of Hindu employees to observe Diwali (etc.)
- Allowing up to three days annual leave for staff to observe days of religious or other significance
- Ensuring that requests for extended unpaid leave to meet religious obligations are treated sympathetically

- Ensuring that caterers can meet the dietary requirements of employees from all the major religions
- Reviewing or developing policies to take account of these new requirements

Organisations (e.g. church schools) whose ethos is 'based on religion or belief' can continue to give preference to candidates who share their faith, providing this is 'a genuine, legitimate and justified occupational requirement'².

The new law against religious discrimination will reinforce the provisions of the Human Rights Act (1998), which came into force in April 2002³. This established, among others, the right to freedom of thought, conscience and religion, and freedom of expression. The HRA has implications for corporate governance and the employment of staff as well as the provision of education and other college services. In particular, it provides

- an absolute right to hold religious opinions and other beliefs
- a qualified right to manifest religion or belief both individually and collectively.

Race Relations Act & RRA Amendment

The Race Relations (Amendment) Act 2000 came into effect in April 2001. It amends but does not replace the 1976 RRA. This means that

- Direct and indirect discrimination and victimisation on grounds of race, nationality, citizenship, colour, ethnicity or national origin remain illegal
- Positive Action continues to be the only lawful way to tackle under-representation in employment and training

Incitement to racial hatred has been unlawful in the UK since 1968. In the aftermath of the events of September 11th 2001, the government has introduced emergency legislation that extends the Race Relations Act to encompass 'incitement to religious hatred'

RRAA general duty

The RRA Amendment has extended protection from unlawful racial discrimination in key aspects of service delivery by the public sector and in employment. It does this by placing a new general duty on listed public authorities to have due regard in everything they do to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups.

The Act requires all public authorities listed in Schedule 1A of the Act, including further education colleges, to adopt a systematic and proactive approach to meeting the general duty. The three strands of the general duty are complementary and each should be acted on in relation to all the relevant functions of the organisation in both

² See *Discrimination on the grounds of Religion or Belief* (NATFHE, 2002) which gives a more detailed overview of the implications for employers of current and future legislation in this area

³ See Book One in this series, *Recruitment & Selection: Attracting People Who Want To Get In*

employment and service delivery. The weight given to a particular function or policy should be 'proportionate to its relevance to race equality'.

The purpose of the Act is to embed the elimination of discrimination and the promotion of equality of opportunity and good race relations by making the general duty central to, and an integral part of, the way public sector organisations operate. Giving Race Equality 'due regard' will be achieved by bringing these considerations into the day-to-day work of the college so that they become commonplace. This means mainstreaming Race Equality performance indicators into college strategic planning and quality assurance processes, thereby making it a function of all core activities rather than a 'bolt-on' consideration.

RRAA specific duties

To help colleges meet the general duty, the Home Secretary has placed a number of specific duties on further education colleges which are enforceable by the Commission for Racial Equality. They describe key steps towards achieving the general duty, and require colleges to:

- prepare and maintain a written race equality policy (by 31st May 2002)
- to assess the impact of policies on students *and staff* from different racial groups
- to monitor the admission and progression of students *and the recruitment and career progression of staff* by racial group
- to include arrangements in the written race equality policy for publishing the results of assessment and monitoring
- to take reasonable steps to publish the results of monitoring.

These requirements outline general processes and procedures that should give rise to specific actions. They apply regardless of a college's ethnic profile, and are subject to OFSTED-ALI inspection and LSC Performance Review. ALI, OFSTED and the LSC are bound by the same general duty and subject to a set of specific duties that enable the general duty to be met. This means that they will be inspecting and monitoring college's compliance with the duties placed upon them.

Responsibilities & benefits of RRAA compliance

Governing bodies of colleges are legally responsible for compliance and are liable if there is a breach of the law. The Commission for Racial Equality (CRE), which has powers to enforce the Act's duties, has published a statutory code of practice to guide implementation of the Act, which can be purchased from the CRE. The provisions of the code can be taken into account in legal action that may be taken against a college under the Act. Advice on complying with the Act is also available from regional CRE offices and local Race Equality Councils. Compliance should not be the sole motive for meeting these requirements, however. As well as avoiding the financial and human costs of tribunals, colleges stand to benefit in a number of other ways – for example, by

- helping to reduce the devastating social impact of racism
- raising the achievements of staff and learners by ensuring that they are not held back by discrimination and harassment
- meeting inspection and funding body requirements
- establishing standards, practices and procedures that will help address the needs of other disadvantaged or under-represented groups
- establishing a robust equalities infrastructure that facilitates compliance with other anti-discrimination legislation including
 - the Special Educational Needs and Disability Act (SENDA) 2001 which amends the Disability Discrimination Act (DDA) 1995
 - the Sex Discrimination Act 1975
 - the Human Rights Act (1998)
 - the European Employment Directive, which requires member states to outlaw discrimination in employment on the grounds of sexual orientation and religion or belief by December 2003, and on the grounds of age by December 2006.

Employment monitoring

'The role of the Equality Assurance Steering group is to continually monitor our performance against national or local benchmarks. The Principal takes personal responsibility for Equality & Diversity and last year the college received an LSC Beacon Award for Equality & Diversity'.

EO manager

Colleges must ensure they are able both to collect and report such ethnic data as may be requested by the LSC. While ethnic monitoring already applies to students, the LSC acknowledges that there are significant gaps in the data it currently collects on staff. For example, no information is available on the ethnic profile of college managers, which renders external benchmarks unreliable. Local LSCs are increasingly likely to be looking for this evidence as part of the Provider Performance Review.

Ethnic monitoring is a complex issue, not helped by the blurred distinction between national, 'racial' and ethnic categories. Colleges must comply with Data Protection requirements and respect the right of individuals to decline to take part. Promoting the potential benefits of ethnic monitoring and demonstrating how the data is used will help to reduce the scope for refusals and incomplete returns. Staff awareness of the case for ethnic monitoring is a precondition for improving the accuracy of data, supported by well-publicised results. Categories should be based on the 2001 census categories, and may be further sub-divided to reflect the local profile if required (see *Book 1, Ethnic Monitoring*). The Commission for Racial Equality's detailed guidance on ethnic monitoring for public authorities explores many of the complexities in further detail.

MONITORING AND REVIEWING POLICIES FOR ADVERSE IMPACT

WHAT?	HOW?	WHO?	ACTION?
MONITOR all policies that are relevant to the general duty for their impact on different racial	AGREE a review cycle that includes scrutiny of all relevant policies and procedures; including <ul style="list-style-type: none"> ● Race / Equality ● Staff Recruitment & Selection ● Employment ● Staff Development ● Appraisals ● Disciplinary ● Exits ● Partnerships Ensure all Review committees DISCUSS the key review questions	<ul style="list-style-type: none"> ● Governing Body ● Subcommittees ● Heads of Department ● Review Committees ● The Equality Forum ● Student and Trades Union representatives ● Staff/ student focus groups with a scrutiny role 	
CHECK whether there are any differences	IDENTIFY any significant differences in the number of staff from different racial groups who <ul style="list-style-type: none"> ● apply for/ are offered employment ● take part in staff training ● receive appraisals ● pursue formal grievances ● apply for/ are offered promotion ● decide to leave 	Managers responsible for... <ul style="list-style-type: none"> ● Human Resources/ Personnel ● Staff Development ● Staff Appraisals ● Management Information ● The line management of staff 	
ASSESS whether these differences have an adverse impact on any particular racial group	ESTABLISH whether these differences have a negative or adverse effect on people from different racial groups - for example, on <ul style="list-style-type: none"> ● Staff trained overseas ● Asylum seekers ● Support staff ● Part-time/ contract workers 	<ul style="list-style-type: none"> ● Human Resources/ Personnel/ Staff Development Managers ● Senior Management Team 	
SUMMARISE results of data analysis and circulate findings	PUBLISH main findings for inclusion and consideration in Annual Reports and Reviews; for staff to access via college intranet, staff newsletter and/or team briefings; and to inform partners and other external groups	<ul style="list-style-type: none"> ● Head of Human Resources ● HR Sub-committee ● Departmental Heads ● Marketing/Communications ● Senior Management Team 	

4. See section 3.6 of the *Joint Agreement on Guidance for Equality in Further Education* (Association of Colleges and National Joint Forum of recognised unions, February 02) for a comprehensive list of all relevant Employment policies.

EMPLOYMENT TACKLING THE PITFALLS	
POTENTIAL PITFALLS	PRACTICAL WAYS TO RESOLVE THEM
<p>There is a lack of 'ownership' of Equality policies and action plans</p> <p>There is limited awareness of good practice, including the purpose and value of ethnic monitoring</p>	<p>Strengthen existing standards by building explicit race equality and other equalities performance indicators into Inspection, IIP, Chartermark, EFQM and other quality frameworks</p> <p>Work in partnership with recognised unions to promote staff awareness of equalities issues</p>
<p>There is a lack of staff awareness of the relationship between data collection and inspection and provider review requirements</p>	<p>Publish findings on the college intranet and/or in other accessible formats</p> <p>Organise briefings, staff development and other dissemination events to promote more confident use of equalities data in curriculum planning, self-assessment, and review activities</p>
<p>Key staff do not feel confident to interpret the data</p>	<p>Identify colleagues or agencies they can speak with who have relevant experience of data analysis</p>
<p>Job applicants, staff or learners choose not to disclose their ethnic background</p> <p>The reasons for monitoring are not clear</p> <p>There are fears or suspicions about how the data will be used</p>	<p>Provide clear, simple guidance in community languages where appropriate explaining why the information is required, how it will be used and where it can be accessed</p> <p>Emphasise confidentiality, impartiality and data protection rights, particularly to job candidates, asylum seekers and other vulnerable groups</p> <p>Promote staff awareness of the need to comply with Data Protection law in the way information is requested, accessed and stored</p>
<p>There is confusion over which box to tick</p>	<p>Use form lay-out and guidance notes to clarify the meaning of different categories and reduce the scope for confusion</p>

EMPLOYMENT TACKLING THE PITFALLS	
POTENTIAL PITFALLS	PRACTICAL WAYS TO RESOLVE THEM
Individuals are offended by ethnic monitoring questions or categories	Train personnel and frontline staff to explain the importance of completing monitoring forms and respond with sensitivity to complex queries
<p>The organisation needs other, relevant information</p> <p>Standard categories include citizenship and nationality options for some groups but not others</p> <p>There is a reliance on 3rd party reporting</p>	<p>Encourage self-classification wherever more possible, while ensuring that data from ISRs corresponds to the LSC's core categories (based on 2001 census)</p> <p>Identify ways to access more accurate information using supervision, employee surveys, skills audits and appraisals to verify MIS data</p>
It is an inappropriate time to ask	Use follow-up calls, quota sampling, incentives or the next available opportunity to capture the information

Interpreting the data

Collecting, analysing and interpreting numerical data, disaggregated by race, gender, disability and age, is becoming a standard HR function. Quantitative data supported by qualitative evidence will be increasingly important as the LSC, in common with other public authorities, seeks to monitor the progress towards employment targets and assess the impact of Race Equality policies. The college database and Management Information System must be fit for purpose if it is to facilitate the equality monitoring process. Posting the information on the college intranet ensures that it is accessed, and makes it easier for managers and teams to produce accurate data, interpret results and measure progress in a systematic way.

Even in areas where numbers are too low to produce a reliable indicator, close ethnic monitoring can help colleges to establish needs and rates of progress. Interpreting the results is subjective and requires some expertise in data analysis, including an ability to cross-reference with other relevant factors and use qualitative evidence to verify findings.

Ethnic monitoring of exit rates

A public service examined its data on the rates at which different groups were leaving the service. The data suggested that a smaller percentage of ethnic minority staff were leaving than white staff. However, further analysis showed that over 70% of white males had completed more than 20 years service when they left, but that this was true for less than 10% of the ethnic minority leavers. Women were also found to leave early in their careers. The service had a practice of issuing questionnaires to people who were about to leave to try to find out why. Leavers were also offered an interview to discuss issues raised by the questionnaire if they wished. The information yielded by these methods was found to be patchy and did not help the service to understand why ethnic minority staff appeared to be leaving after a relatively short period of service. The service has commissioned external researchers to carry out interviews with staff who have left the service over the past three years to try to uncover the real reasons...and to make recommendations on how to improve retention rates among ethnic minority and female staff. The aim is to improve the services exit interviewing practices so that they provide better information for future monitoring purposes.

Ethnic Monitoring:
A Guide for Public Authorities, CRE 2001

Assessing the impact of employment policies

The RRAA places a specific duty on colleges to assess the impact of policies on staff as well as students from different racial groups. The requirement applies to recruitment, health & safety, grievances, staff development all other relevant areas, and the activity should not be confined to Race or Equality policies. The college's Quality Review cycle will include provision for the scrutiny of key policies either annually or every three years. It can be readily adapted to include questions that will help to highlight adverse impact - for example:

- Could this policy or procedure affect some racial groups differently?
- What does available statistical data tell us?
- Does the policy or procedure promote good race relations?
- Have we taken account of all relevant and available information - for example
 - staff surveys or sampling activities?
 - feedback from staff consultations and focus groups?

- reports from responsible managers and their teams?
- the views of the Equality Forum and other key committees?
- Does the policy or procedure need to be revised in the light of this assessment?

Assessing the effectiveness of employment-related policies and procedures is a key function of Human Resource departments. Close analysis of data and embedding key questions into the policy review process is a way of mainstreaming Race Equality and reduces the scope for discriminatory employment practices.

IMPACT ASSESSMENT: WHAT TO MEASURE

- the number and proportion of employees by ethnic group in departments, occupations and grades over a specified time - are the differences narrowing, increasing or staying the same?
- the number and proportion of employees and applicants from different ethnic groups at each stage of a particular process - are some groups more or less successful when involved in selection, appraisal or promotion?
- the proportion of staff by ethnic group who leave, are involved in disciplinaries or lodge complaints about discrimination - are some minority ethnic groups over-represented?
- the proportion of staff by ethnic group who have opportunities to participate in development or appraisal activities - are some minority ethnic groups under-represented?
- the proportion of staff by ethnic group who successfully complete their probation period - are some minority ethnic groups more successful than others?
- the proportion of part-time staff from different ethnic groups - are some minority ethnic groups less likely to access training opportunities and fractional or full-time posts?

Use of employment data to assess equality policy

Overall the proportion of applicants from different minority ethnic groups does not vary much when analysed by different types of posts i.e. teaching, support and management. Some exceptions include:

- *There was a higher proportion of applicants from Black Caribbean origin applying for teaching posts compared with support posts*
- *For applicants of Indian origin the converse is true*

- *The proportion of applicants of Pakistani origin is higher than the college's current staff profile for that section of the community. Compared with the overall population in the city, staffing levels from this section of the community are significantly under-represented in the college*
- *The proportion of applicants of White European origin applying for management posts is significantly higher than those applying for either teaching or support posts.*

Further analysis is required of short-listed and successful applicants. This will be one of the immediate tasks of the recently appointed Director of Access and Equal Opportunities (who) will work closely with both the Personnel department and Staff Development unit to

- *Develop better monitoring & tracking systems and*
- *Develop and deliver a range of staff training in the programmes for all managers involved in the recruitment and selection of staff.*

Extract from equal opportunities committee report

Setting race equality targets

'College targets are set for the employment of ethnic minority staff, linked to the Census data for the local area. Staff data is monitored against the targets at school and service area level as part of the quarterly Management Performance monitoring process'.

Senior manager

Race Equality targets provide the college and its HR department with challenging short or long-term goals and are a useful mechanism for monitoring and measuring progress over a specified period. They represent an organisation's desire for change and are not to be confused with quotas, which remain unlawful. They should set out to at least mirror the local or regional minority ethnic learner profile except in predominantly White areas, where the aim should be to match or exceed the representation of ethnic minorities nationally.

Employment-related targets do not need to be confined to statutory requirements for tackling under-representation. Whether or not Black and ethnic minority staff are in significant numbers, managers acknowledge the value of race equality targets relating to other HR functions - for example

- To increase participation in staff development, appraisals and employee reviews
- To improve response and resolution rates for complaints and grievances by identified groups

- To increase or decrease the number of reported racist incidents
- To reduce the proportion of Black staff employed on casualised contracts
- To improve the results of staff satisfaction surveys

Departmental or cross-college equality targets can be based on internal or external benchmarks, as appropriate. Targets to reduce racial incidents, for example, might be benchmarked against external data on the number of racist incidents provided by local police, LEAs or council officers responsible for monitoring such incidents. Where reporting is low, an increase could be more desirable initially than a decrease. Alternatively, the college may wish to set targets based on internal performance indicators, such as a specified increase in the number of staff who receive training in this area. Employment targets will also help to drive local and regional partnerships linked to neighbourhood renewal or community cohesion strategies.

Employment milestones: a regional approach

The LSC has approved funding for a positive action project designed to recruit more members of ethnic minority communities. The college has made a £4K contribution. Eight colleges are involved. Two staff have been appointed to manage the project which has a life span of one year. The Project managers will work with Personnel or Human Resource managers of all the partner colleges to access information about types of jobs vacancies, recruitment and selection processes, qualifications, skills, experience, attitudes and attributes required...Statistical data about ethnic minority staff is needed for analysis and setting milestones or targets. Ours was the only college that provided such information at the meeting.

The Project milestones are:

- *300 people to receive guidance and support*
- *120 people to receive further support and enskilling*
- *60 people to receive vocational training and upskilling*
- *30 people to be appointed into jobs*

Support will be provided to people to do PGCE, IT training, How to write applications, interview skills and confidence building. There will be sharing of good practice among the colleges.

Regional Positive Action Project
extract from steering committee notes

Achieving results

'24% of our staff are now of ethnic minority origin. They have been recruited as part-time staff then mentored and supported to convert from part-time to full-time status. This process has been very successful.'

HR manager

Targets can provide motivation and strategic direction to achieve lasting results. They also give a clear message about the college's commitment to achieving a more diverse and representative workforce. When agreed in consultation with staff and other stakeholders, they will help to drive the change process by giving departments, teams and committees a tool with which to measure the impact of policies and review the progress of action plans. This means making target-setting central to the planning and review of HR strategy. However, setting targets should not be seen as an end in itself. Their existence alone will not produce the desired outcomes, particularly if they are not 'owned' by the staff who are expected to deliver them. Success is more likely if, once set, college targets are properly communicated to staff and supported by

- Action or implementation plans that specify individual responsibilities and timeframes
- Clear priorities that have been negotiated and agreed with individual managers, unions and key staff
- Appropriate human, material and/or physical resources
- Revised policies, guidelines and procedures that have been clearly communicated to all staff
- Relevant, up to date management information that can be accessed via the college intranet
- appropriate, high quality training that promotes good practice and encourages new ways of working
- Regular review of progress against targets
- Regular progress reports to governors, senior managers and relevant committees
- Flexibility to revise targets, where necessary to take account of changing circumstances

Managing long-term organisational change is a far greater challenge that target-setting implies, especially in colleges where there is low awareness or resistance to new ideas and inclusive values. With or without targets, there are no 'quick fixes'. Targets represent an ideal, and should by definition be challenging and ambitious. At best, they provide evidence of improvement and a sense of achievement. In colleges where Race Equality has not been high on the agenda, it may be wiser to aim for small, achievable, incremental milestones and to focus on strategies to increase staff ownership and embedding real change.

Improving representation & retention - a college HR strategy

'We are now monitoring more closely the ethnic profile of staff across the college and also our recruitment. This has shown a year-on-year increase in the number of staff from non-white background, although we need to increase the numbers of black applicants to the college. We are reviewing all our staffing policies and procedures to ensure that they are non-discriminatory. In particular, we have reviewed the staff recruitment policy and completely revised our staff application form to ensure that all personal details are on a separate, tear-off slip. We are starting to monitor staff retention more closely and the turnover of staff by department and ethnicity. We have invited staff to join a support network to help them raise any issues of concern in a safe environment. Our staff development policy is well-established and last year the college invested £300,000 in training. We encourage all staff to apply for jobs that are advertised internally and externally. This year, we are running a course on how staff can best apply for jobs, which looks at how to complete application forms and present yourself at interview. We have a very thorough system of staff review rather than appraisal, where the focus is on personal development. All new staff have mentors appointed to help them through the induction period. This is being rolled out to support staff this year. The college has a well-established grievance policy which has been used. Staff are also invited to raise any issues of concern through a support network. The college sets targets in relation to equality. This is ambitious and we know that it will take a very long time to get the staffing profile in line with that of our students'.

[College self-assessment report](#)

Inspection & review

'Black learners should be taught by both Black and White staff. White students also need to experience positive Black role models if they are to function properly within a diverse society and the globalised economy.'

[Challenging Racism: FE Leading the Way p.43](#)

Current ALI-OFSTED inspection criteria were published in advance of the RRAA requirements or the CRE's Statutory Code of Practice and Guidance to Inspectorates. However, the Handbook for Inspecting Colleges was amended in May 2002 to take account of the new duties. The CRE is working closely with ALI

and OFSTED to raise the awareness of inspectors, who will wish to see evidence of compliance. All Inspection reports must now comment on the steps colleges have taken to implement their Race Equality policy. In particular, colleges must demonstrate that their leadership and management are 'effective in raising achievement and supporting all learners'. To do so, they must produce evidence that there is a parallel commitment to staff. The evidence should show that

- managers 'champion' race equality and provide effective leadership and strategic direction in this and other equalities areas
- values of equality and inclusion are prominent, understood and inform the way staff teach and support learners
- anti-discriminatory policies and procedures are 'owned' and are actively promoted
- employees of the college have opportunities for continuous professional development and are appropriately supported
- staff are employed who understand the diverse needs and backgrounds of learners and their communities
- staff are trained and resourced to respond to learners' language, learning and support needs, and take full account of learners' national, ethnic, cultural or religious backgrounds
- staff are committed to the values and policies of the organisation and empowered to deliver these both inside and outside the classroom

Meeting learners' needs and raising achievement are not the prerogative of any particular ethnic group. Colleges or departments with few or no Black staff can still do much to demonstrate staff awareness of race equality issues and a long-term commitment to increase the representation of under-represented groups. Their evidence might include

- Agendas, minutes and records of discussion that address these and other race equality-related issues
- Evidence of staff induction, training, Staff Development days, cross-college events or similar initiatives to raise staff awareness of cultural and religious diversity
- Curriculum materials that challenge racial stereotypes or promote positive images
- Evidence that isolated Black and minority ethnic staff are supported and have full access to career development opportunities
- Evidence of other successes and achievements related to Race Equality.

Inspectors recognise the importance of positive role models in motivating learners from Black and minority ethnic communities and equipping White students to live and work in a multi-cultural society. Learners will readily confirm the empowerment or 'added value' to be gained from staff who have similar life experiences or an empathic understanding of their support needs.

Wherever possible, your evidence should aim to show that the experience of all learners is enriched by positive interactions with staff from a diverse range of

backgrounds. Provision for Asylum Seekers, Travellers, religious or linguistic minorities and overseas students is included in this remit.

Performance review

'The employment position of Black staff ...raises questions about the possible impact on the retention and achievement of Black learners, who need positive role models they can emulate at all levels of the college hierarchy'

Challenging Racism: FE Leading the Way p.44

Although the primary focus of Inspection and Performance Review is on learner recruitment, retention and achievement, the general and specific duties to comply with the RRAA and the requirements of the Learning & Skills Act makes Race Equality central to this agenda. There are implications, both in employment and service delivery. Colleges are expected to support the LSC's efforts to comply with the RRAA and produce a detailed annual analysis of further education staff 'by racial group'. Collecting, reporting and interpreting employment data of this kind should therefore be seen as a central function of all Provider Performance Reviews. This has important implications for Human Resource management. Increasingly, LSCs will want to see evidence that colleges are taking active steps to close equality gaps in job outcomes as well as learning. The extent to which staff benefit from measures to promote equality and eliminate oppressive behaviour will be seen as an important indicator that providers are committed to race equality and taking steps to comply with legal and statutory requirements.



RACE EQUALITY IN EMPLOYMENT	
LEADERSHIP & MANAGEMENT INDICATORS	
INDICATORS	EVIDENCE
Clear direction is given through strategic objectives, targets and VALUES THAT ARE FULLY UNDERSTOOD BY STAFF, sub-contractors and work-placement providers	<ul style="list-style-type: none"> ● Prominent commitments to Race Equality – e.g. in college literature/ common areas ● Staff induction to promote awareness of college values and individual responsibilities ● Procedures for monitoring and evaluating the policies and practices of contract holders
The college is making progress towards achieving A MORE REPRESENTATIVE WORKFORCE	<ul style="list-style-type: none"> ● Findings from analysis of data on applicants for employment, appointments and promotion and exits by racial group ● Regular training of interview panel members ● Successful outcomes – e.g. increasing participation in career development
Demanding TARGETS FOR EMPLOYEE RECRUITMENT, RETENTION AND PROGRESSION are set and met	<ul style="list-style-type: none"> ● Progress against targets to improve HR functions – e.g. increased availability of appraisal, staff development or career progression opportunities to under-represented groups
The quality assurance arrangements are systematic and informed by THE VIEWS OF ALL INTERESTED PARTIES	<p>Improvements resulting from</p> <ul style="list-style-type: none"> ● EO Committee recommendations ● Staff surveys/ individual appraisals ● Consultations with relevant staff networks, focus or support groups and local, regional or national organisations ● Negotiations with recognised trade unions
Rigorous self-assessment leads to identified priorities and CHALLENGING TARGETS FOR IMPROVEMENT	<ul style="list-style-type: none"> ● Use of Race Equality indicators in self-assessment reports
Priorities are supported through RESPONSIBLE FINANCIAL MANAGEMENT	<ul style="list-style-type: none"> ● Use of allocated funding to support Positive Action/ Race Equality initiatives
Staff understand and are fully involved in the organisation's QUALITY ASSURANCE arrangements	<ul style="list-style-type: none"> ● Use of Race Equality indicators in self-assessment reports, teaching observation, assessment criteria and/or staff appraisals

LEADERSHIP & MANAGEMENT INDICATORS	
INDICATORS	EVIDENCE
The INFORMATION NEEDS of managers and other staff are met and management information is used effectively to the benefit of learners	<ul style="list-style-type: none"> ● Regular communication of analysis of data on staff and learners, disaggregated by racial group (e.g. via college intranet) ● Active use of data in planning and review
There are EXPLICIT AIMS, VALUES AND STRATEGIES PROMOTING EQUALITY FOR ALL that are reflected in the provider's work	<ul style="list-style-type: none"> ● A self-standing Race Equality policy and implementation plan ● Teaching resources, displays and notices that promote positive images/ achievements ● Procedures for monitoring and evaluating the policies of contract holders
There are EFFECTIVE MEASURES TO ELIMINATE OPPRESSIVE BEHAVIOUR, including all forms of harassment	<ul style="list-style-type: none"> ● Explicit behaviour codes and sanctions ● Induction activities for staff and students ● Training/ curriculum activities that raise awareness of unacceptable behaviour
There are EFFECTIVE PROCEDURES FOR DEALING WITH APPEALS AND COMPLAINTS	<ul style="list-style-type: none"> ● Separate grievance and harassment procedures, agreed with Trade Unions ● Fair, accessible procedures with mechanisms for resolving complaints informally
Governors or other supervisory boards effectively oversee the provider's STRATEGIC DIRECTION, and regularly monitor the quality of provision and their own performance	<ul style="list-style-type: none"> ● Regular progress reports to governors supported by quantitative and qualitative data ● Governor training/ briefings to raise awareness of Race/ other Equality issues
The 'BEST VALUE' PRINCIPLES of comparison, challenge, consultation and competition are applied in securing resources and services	<ul style="list-style-type: none"> ● Consultations with staff and learners from representative ethnic groups ● 'Best Value' training for managers
Efficient and effective use is made of RESOURCES	<ul style="list-style-type: none"> ● Use of available funds to pursue targets ● Effective deployment of key staff



Chapter 3

Keeping people who want to stay

'Colleges cannot afford to contribute to the devastating impact of unfair discrimination and harassment upon individuals and society. Neither can they afford to ignore the significant implications for efficiency, productivity and organisational competitiveness resulting from discriminatory employment practices'.

Challenging Racism: FE Leading the Way, p.17

Having attracted staff who want to work in your college, the real challenge - regardless of their ethnic group - is to create a working environment that encourages them to stay. Starting a new job is not just about understanding new responsibilities and procedures. New employees need to feel welcomed, valued and supported. This is true for all staff, but may be a particular consideration for Black staff joining predominantly white colleges or teams. Careful thought should be given to post-appointment procedures and how new staff are to be inducted and supported during the probationary period. This is especially important for part-time, outreach and community education staff who may be working in isolation or with limited access to help and support.

Post appointment

Newly-appointed staff are more likely to thrive if they are welcomed into the organisation and encouraged to feel part of their new team. Police and medical checks are impersonal and bureaucratic, and many employers treat these as bureaucratic and other post-appointment formalities as a paper exercise. Envelopes stuffed with college policies and reports will help to familiarise new managers with their likely workload, but opportunities to shadow key staff, attend team meetings and ask questions can be far more valuable if there is sufficient time between their appointment and take-up of the post. All new staff will benefit from

- A named contact person - ideally the line manager or a member of the Personnel team - who can give advice or information
- A staff handbook giving essential, up to date information about key policies, behaviour codes, staff responsibilities, entitlements and procedures
- Invitations to team meetings, staff development and cross-college events
- A password allowing access to the college intranet for information about the work of the college or department
- Effective induction and peer support

Settling people in

'When I started there was no structured induction to the college. You learned as you went along. I found that very daunting because my background wasn't FE and I wasn't teacher-trained. So I hung around the staff room and tried to pick things up by watching what other people were doing. I was a GNVQ Course Tutor, but no-one told me what I was meant to do in the tutorials and at first they were a nightmare. I had to come home and ask my daughters what I should be doing. No-one told me I had to tot up the registers and do percentages and I had no training on how to do schemes of work. I did eventually get a mentor who showed me hers but that was long after I'd started. When I finally got my induction, it was two months into the term.

Part-time GNVQ tutor

It is in the interests of all line managers to settle new staff into the job as smoothly and efficiently as possible. Regardless of their ethnic background, new members of staff should have access to effective induction and initial support. Good lines of communication between new staff and their line managers encourage both parties to raise concerns. They are vital for part-timers, detached workers, 'invisible' support staff and individuals in teams where they may feel lonely, conspicuous or isolated. All new staff are entitled to enter a safe working environment with the equipment and resources they need to perform their job. Uncertainty about where to go for information or practical help can disempower even the most experienced of colleagues. It also reinforces the new employee's sense of being an 'outsider'. This is compounded if their entitlement to proper induction is not honoured.

Induction

'EO induction for staff includes information posted on the college intranet. New staff cannot access other menus until they have worked through the EO module, which is designed to help them understand and deal with diversity issues'

Staff development manager

Investing in mandatory staff induction is a long-term saving and a requirement for colleges with Investor in People status. If there is a cross-college approach and it is delivered in an interesting and engaging way, it can empower new staff and reduce the scope for problems in the future. It also guarantees that newcomers are extended a formal welcome by senior managers and other 'key players'. Ideally, induction should include a central meeting for all new starters plus a local focus relating to their particular area of work. It should be supported by starter packs linked to checklists that are returned to and monitored by HR, together with their feedback on the induction process itself. It is good practice to pay part-timers to attend, and to produce key messages on video or the intranet for those who can't.

Racial discrimination affects people's life chances and should have the status of a Health & Safety issue. All staff should be made aware of the college's commitment to Equality and Diversity and what this means in practice, including how to access support. Appropriate induction activities will help raise awareness of staff rights and responsibilities in this area, and encourage early ownership of the college's core values and strategic priorities. The existence of sanctions for breaching the policy and any positive action measures, including Black networks, focus or support groups, should be introduced in this context. Whereas all new staff should have a key contact person, usually from within their curriculum area or team, new Black staff may welcome information about how to access alternative advice and support, particularly if they are isolated. This should not, however, be assumed.

INDUCTION CHECKLIST	
THINGS YOU SHOULD KNOW BEFORE YOU START WORK	
All new staff, both part-time and full-time, should be able to complete this checklist:	Please tick ✓
Introduction to key staff (in person)	
College mission statement	
Statement of college values	
Summary of strategic plan	
Inspection report – college strengths & weaknesses	
KEY POLICY STATEMENTS	
Health & safety	
Equality & Diversity	
Quality	
Information systems	
College intranet	
Staff newsletter	
EO monitoring	
Staff and student profile	
Contract of Employment	
Mentoring & personal support	
Sickness & absence procedures	
Grievance & harassment procedures	
How to deal with a racist incident	
NATFHE & UNISON	
Who's who in the college? (organisational chart)	
Useful contacts	
Internal	
External	
Staff appraisal	
Training & development opportunities	
College calendar	
Plan of college sites	
Staff facilities	
Information for part-time lecturers	
Useful departmental information	



Supporting new staff

'After a week here, I was ready to walk out. There were colleagues who didn't see me as an equal and clearly resented the appointment of a Black male. From them I experienced a subtle form of racism such as deliberately giving me the wrong information, and being shouted at to 'get out of the way' by a learning support assistant who was taking notes for one of my students and couldn't see the board. I'd only ever been a part-timer, and I felt mentally naked. I was naïve enough to expect people to follow procedures simply because they existed. I didn't know how to handle difficult people or situations. Having someone to talk to who was prepared to explain things to me without being patronising or dismissive and who spoke my kind of language was what stopped me from walking out.'

Lecturer

Staff should feel safe to ask for help or support regardless of their status or length of service. However, when managing new staff, this need should be anticipated. Probationers should be closely supervised and given access to tailored support, organised around at least three reviews within their first six months of employment. For new teachers, the review process should include feedback from at least one lesson observation. It is the responsibility of line managers to ensure that all newcomers receive appropriate support, including temporary and part-time employees. 'Buddy' schemes and other forms of peer support can help by providing a sympathetic listener and someone to 'show them the ropes'. For many Black staff, access to an empathic colleague or supportive manager during their first year in post is a key factor in the decision to stay. This is no less true for people who have worked for the college for many years and are 'expected to know'.

● Induction activities

LANGUAGE IN CONTEXT

Working in small groups, review each of the words listed and try to agree whether there is any context in which it would not be appropriate to use the following words:

Black	Girls	Disabled	Gay
White	Boys	Blind	Lesbian
Coloured	Ladies	Handicapped	Master
Half-caste	Man/men	Special Needs	Love
Race	Housewife	Deaf	Old
Sunshine	Mrs	Normal	Young

When/ why are some words offensive or best avoided?

Are there any other words that should be on this list?

CASE STUDIES

MANAGING DIVERSITY

A colleague comes to see you in confidence to report that s/he is being harassed by another member of staff.

What action would you take as their line manager?

What are the implications of taking no action?

CASE STUDIES

HARASSMENT

A young Black female student is constantly hassled by a group of 17yr old boys. They tell racist jokes to each other but insist that it's 'only a bit of fun' or that they 'didn't really mean it'.

What action would you take if you witnessed one of these incidents?

How do you think the college should handle these situations?

Do you know what is in place to protect staff and students from racial or sexual harassment?

CASE STUDIES

RELIGIOUS NEEDS

A Muslim student goes to the canteen for lunch. When she asks whether the meat dish is Halal, the canteen assistant replies, 'sorry, but what you see is what you get'.

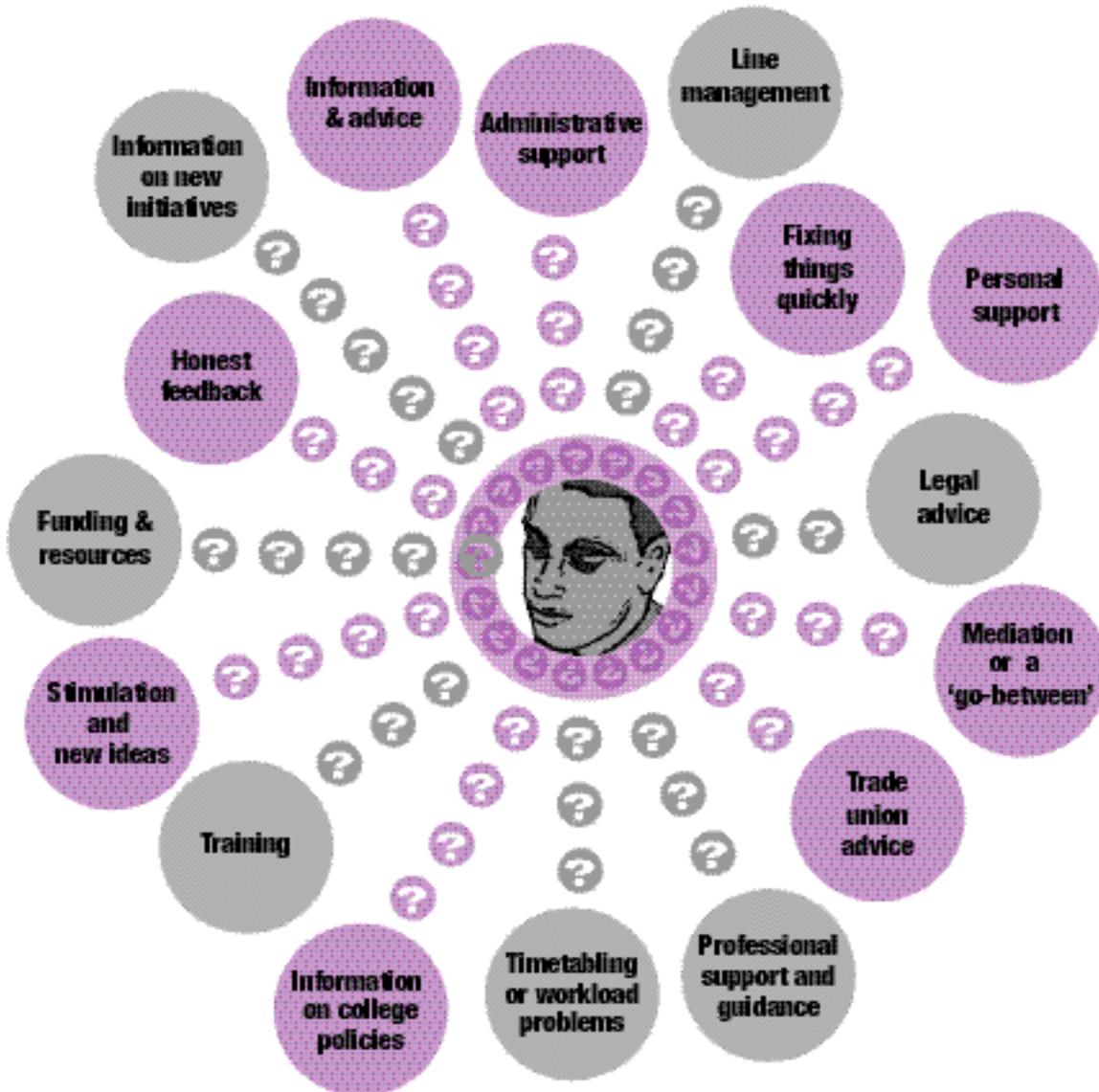
Should people with particular cultural or religious needs be catered for in the college?

The canteen service is contracted out- so if the student complained, who is responsible?

Do you know what is in place to support staff or students from minority ethnic groups?

Supporting new staff: a checklist for line managers

Use this to map your support network or as a checklist for creating links with key people.



Strategies to promote race equality

'Our celebrating diversity campaign aims to help all staff and students to understand more about the different cultural and religious backgrounds of students and staff at the college. Management lead on the commitment to equality. The campaign has been short-listed for the LSC Beacon Award in Equality and Diversity'.

College self-assessment report

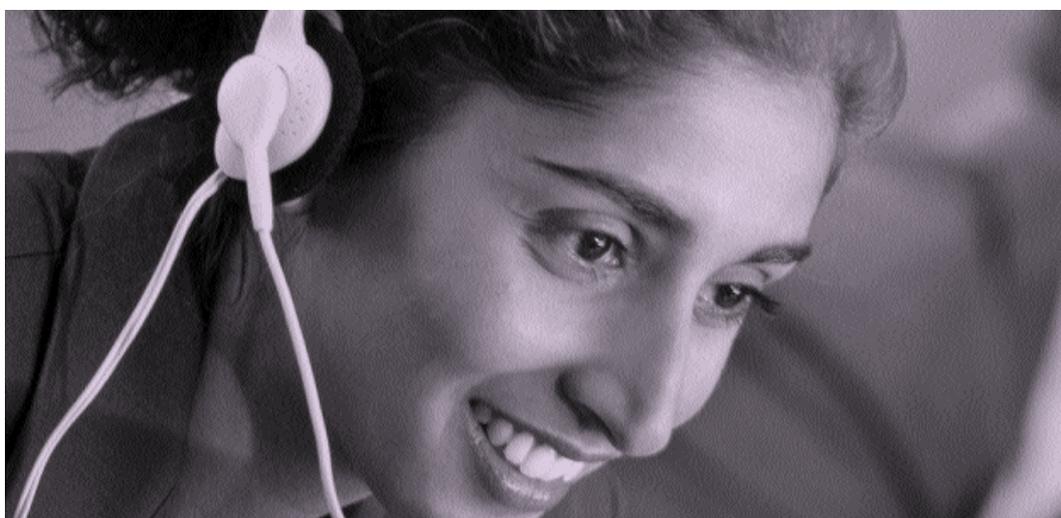
'We adopt a whole-college theme linked to diversity, such as 'Environment Week, and encourage all curriculum areas to get involved.'

Curriculum manager

Supporting and developing Black staff are part of a wider endeavour to promote Race Equality in the sector. Colleges will need to develop different, complementary strategies designed to

- improve policies, procedures and conditions of service
- outlaw harassment and discrimination
- tackle inappropriate attitudes and behaviour
- involve Black staff in planning and decision-making
- build the capacity of individuals
- improve the culture and general ethos of the organisation

There is no blueprint for promoting race equality. The scope for intervention and the particular form it takes will depend on the context and priorities of each individual college, including its current ethnic profile and any past successes or failures. There are many ways to take this agenda forward, even in colleges where race equality has not been high on the agenda. They range from small, subtle changes to revised strategic priorities that can affect the whole college community.



Empowering Black staff: a checklist of good practice examples	
Do we...	
Raise awareness of governors, managers and staff of legal and statutory requirements?	<input type="checkbox"/>
Promote the college as an employer in the community?	<input type="checkbox"/>
Set targets to improve staff and learner representation in key areas?	<input type="checkbox"/>
Use staff induction activities to raise awareness of the rationale for Race and Equality policies and staff responsibilities for implementing it?	<input type="checkbox"/>
Use focus groups or other mechanisms to consult Black staff, learners, community groups and/or representative organisations?	<input type="checkbox"/>
Ensure that the feedback from consultations informs planning and decision-making?	<input type="checkbox"/>
Include 'race equality implications?' as a standing item on governing body, negotiating forum, departmental, team and committee meeting agendas?	<input type="checkbox"/>
Include the requirement that people respect and adhere to the college's Race Equality policy in job descriptions, service agreements and learner contracts?	<input type="checkbox"/>
Have a robust, well-publicised Behaviour Code that is promoted in staff and student induction?	<input type="checkbox"/>
Provide regular Staff Development on Race and other Equality issues?	<input type="checkbox"/>
Ensure that frontline staff are trained to promote the college's mission, image and values?	<input type="checkbox"/>
Maintain staff awareness of equality issues via briefings and regular awareness-raising events?	<input type="checkbox"/>
Provide supported career progression opportunities for staff who request it?	<input type="checkbox"/>
Include explicit race equality indicators in staff appraisals and classroom observation?	<input type="checkbox"/>
Encourage staff to challenge, record and monitor racial incidents?	<input type="checkbox"/>
Have impartial, accessible grievance and harassment procedures?	<input type="checkbox"/>
Ensure staff have access to counselling, skilled mediation, mentoring and peer support?	<input type="checkbox"/>
Highlight staff and learner achievements internally and externally?	<input type="checkbox"/>
Involve students in Race Equality initiatives (e.g. marketing, media, consultation events)?	<input type="checkbox"/>
Post images of Black staff, students and governors in the foyer and other common areas?	<input type="checkbox"/>
Encourage all curriculum areas to support Black History Month, Eid, Diwali, Caribbean Day, Human Rights, Holocaust Remembrance and other cross-college events or theme days that celebrate diversity or focus attention on the importance of race equality?	<input type="checkbox"/>
Include religious festivals when planning the college calendar and/or a programme of cultural events?	<input type="checkbox"/>
Promote positive images, messages and achievements via exhibitions, notice boards in corridors and common areas and displays of students work?	<input type="checkbox"/>
'Market' relevant projects, initiatives and achievements via newsletters, college publicity, on the website, I-drive or intranet and in the local press?	<input type="checkbox"/>

● Targeting Black staff in an employee survey

'The college undertook an employee attitude survey that included a question asking participants how satisfied they were with the extent to which the college was honouring its commitment to Equal Opportunities. The survey found that 28 per cent of Black staff were fairly satisfied, with 52 per cent declaring they were not very satisfied. As a result the college issued a more detailed questionnaire, including questions on harassment, applications for promotion and job satisfaction. This more detailed survey will help the college to identify areas for further development and inform the equal opportunities action plan.'

EO manager

● Responding to community consultation

Another strategic change involved making parts of the college more welcoming to Black staff. This came about as a result of moving certain subject areas between the college's annexes, centres and sub-colleges. This meant that a predominantly white main site was transformed into a community- focused site, with a relatively high proportion of Black staff.

Vice Principal

● Community consultation

'The Principal and all members of the college Senior Management Team have met with local community leaders. The venue for the meeting was specifically arranged in the community. Six key areas were identified by community leaders for action, which the Senior Management Team have now taken on board. Feedback was given a few months later, and they have been kept informed of our progress. This included a one-day Recruitment Fair, where we marketed the college as an employer at a venue in the heart of the community. The college had a wide range of employment opportunities to offer, with twenty six live vacancies in areas covering teaching, administration, IT and technician support. Contracted services were available to offer employment opportunities in catering, cleaning, security and part time teaching. Student Services were on hand to offer education and training advice if required.'

HR manager

● Involving Black staff in action planning

' It was formally agreed that Black staff would meet regularly, reporting to the Equal Opportunities forum. The Black staff raised a number of concerns about management styles and attitudes and the way grievance procedures were being implemented. They also put forward suggestions to remedy the situation. These included ensuring that all staff development and training opportunities had an

equal opportunities perspective, especially training for college managers; training to raise awareness of negative attitudes and behaviours; and managing conflict. The current employee profile which lacked Black staff representation across the college also had to be tackled. Management was asked to consider providing positive action training, training opportunities for part-time staff and a number of measures to improve the recruitment and selection process. Subsequent meetings were held to report back to the group on what action had been taken. As a result of this consultation, a strategy was developed to address a number of Race Equality and equal opportunities issues and was incorporated into the college's action planning process over the following two years.

Senior manager

● Changing the staff profile

'Over recent years there has been a significant increase in the number of Black managers. The college now has a Vice Principal, an Assistant Principal, two Directors, three Heads of Department and eight Section Leaders who are Black... A number of staff have been promoted internally as a result of the active targeting and mentoring of Black staff.'

HR manager

Consultation

'The college has set up several staff focus and support groups. This is a new initiative designed to identify training and mentoring requirements. It also has a clear remit to progress concerns.'

College manager

The views and experiences of minorities may not be fully represented in negotiations with unions or when analysing the results of audits or staff surveys. For this reason, the RRAA makes consultation with Black employees, clients and community groups a condition of compliance. In predominantly White areas, this will require efforts to tap into regional and national networks or to develop closer links with voluntary or public sector organisations that can provide direction or act as a sounding-board for new initiatives. Where they are in sufficient numbers, the views and suggestions of Black community representatives, staff and learners should be sought, and seen to influence decision-making. Similar efforts should be made to consult with other under-represented groups, including staff and students with disabilities. Consultation will be most effective when it anticipates needs and barriers by ensuring that meetings and events are:

- Held at a time when a majority of the target group can attend
- Located in an accessible venue
- Designed to encourage dialogue and communication (via seating, discussion activities etc.)

- Clear about the purpose, scope and desired outcomes
- The limitations of the consultation are transparent
- People have sufficient information with which to form a considered view
- Interpreters are on hand and written information is translated into other languages if needed (for example, when consulting with groups of asylum seekers)
- People feel comfortable and enabled to speak and express their views
- People believe the consultation will genuinely influence planning, resources or outcomes
- Feedback and progress reports given to demonstrate that their views and time were valued

Setting up Focus Groups

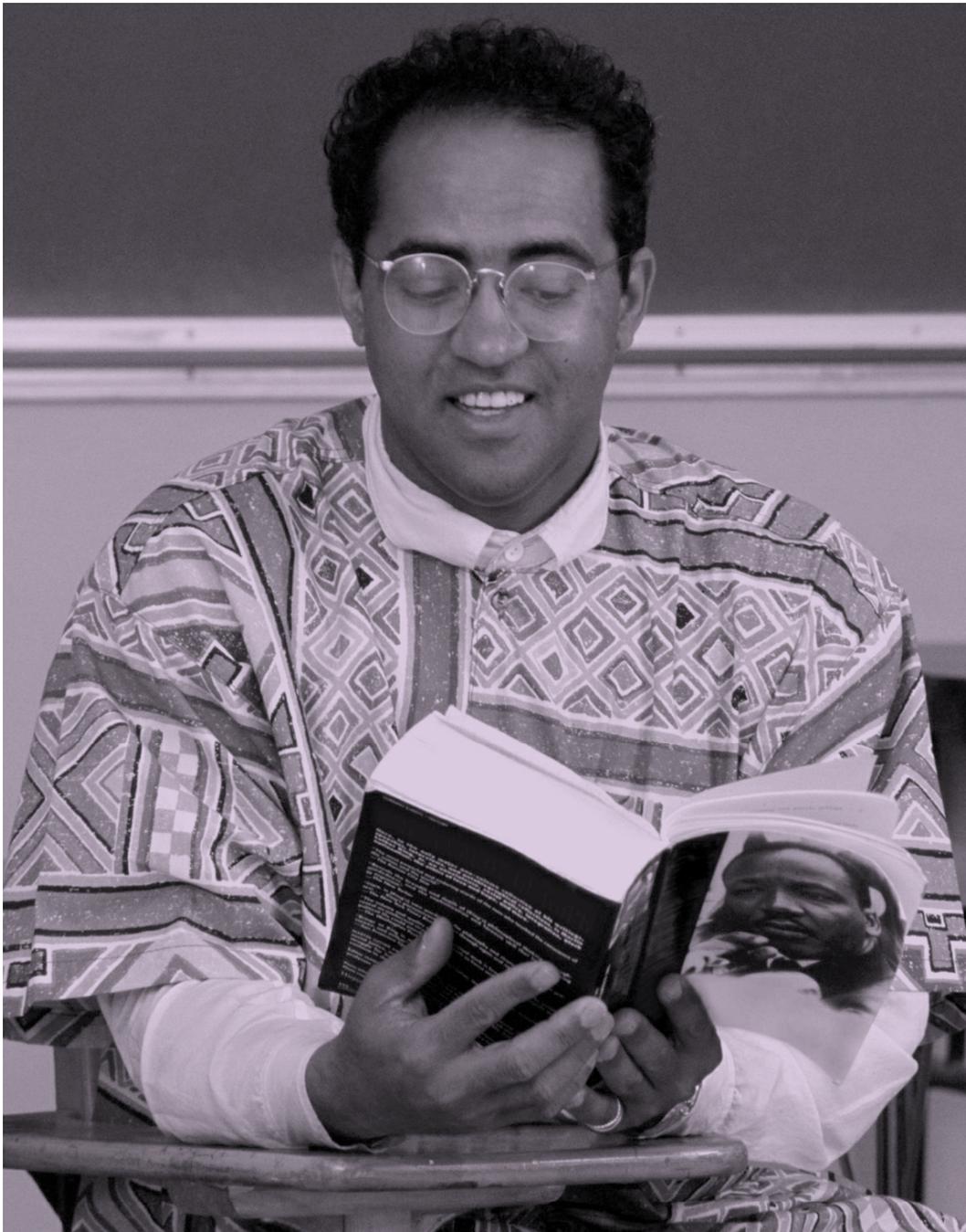
'The college had an effective Black staff group, so Black staff could meet and gain support. The group was recognised by the college management and able to meet in college time and meet with college management. The group enabled Black staff to raise equality issues and was supported by the college's race equality officer who also provided equality training'.

Inspection report

Focus groups for Black or ethnic minority staff and other 'common interest' groups can be an important tool for empowering minorities and improving the college's provision and ethos. They serve as a support network and provide a direct line of communication between the organisation and its staff, learners and local communities. If steps are taken to establish strategic links between focus groups and key committees, they can also provide a ready forum for

- Identifying shared issues, views and concerns
- Exploring strategies for improving access and participation
- Verifying findings, perceptions or assumptions
- Consultation
- Review of relevant policies
- Scrutiny of ethnic data, benchmarks and targets
- Impact assessment
- Targeted training and personal development
- Organising social events that promote diversity awareness and inclusion
- Empowering black staff, learners and communities to influence decisions that affect them

Many public sector organisations have successfully used focus groups for staff or service users to identify race equality priorities or action plans. The mutual benefits are widely acknowledged, especially where they were initiated by Black staff themselves. However, the impact and continuity of targeted focus groups will send important messages to all staff, and both will depend on careful forward planning and positive encouragement. Not all colleges will find focus groups easy to establish, especially if the rationale for doing so has not been well communicated or the target group not clearly defined. Where initiated by senior managers, their function must be transparent, and distinct from the collective bargaining role of recognised trades unions or the role of the EO Committee. Prior consultation, good communication and skilled facilitation will help managers to avoid most potential pitfalls, including staff fears about hidden agendas.



FOCUS GROUP FOR BLACK & ASIAN STAFF**TERMS OF REFERENCE****FREQUENCY OF MEETINGS**

The group agreed to meet for half a day, 4 times per year. Meeting dates are to be agreed in advance and well publicised, using all available means to ensure that black staff are aware of the dates/ venues and are encouraged to attend.

CONSTITUENCY

The group will be open to all black (African, African-Caribbean and Asian) staff.

DECISION-MAKING

The group will adopt a democratic, consultative approach to decision-making, adhering to the agreed ground rules and taking account of the views of all who attend. A quorum shall consist of an appropriate percentage of the black staff employed by the Council (the percentage to be agreed once the number is confirmed).

KEY FUNCTIONS

The group agreed that it should have the following key functions:

- MONITORING the Council's ethnic/ race-related data and statistics
- SCRUTINISING relevant policies and procedures for race equality
- TRAINING & CAREER DEVELOPMENT via a programme of staff training and development designed to support progression
- SUPPORT & EMPOWERMENT by promoting mentoring, work shadowing and other positive action strategies
- COMMUNICATION with decision-makers, relevant committees, external agencies and other black staff

MONITORING

It was felt that, despite the extent of ethnic monitoring within the Council, staff do not generally have access to these statistics and the information is not consistently analysed or acted upon. It was proposed that a key function of the Black & Asian Staff Focus Group should therefore be

- to monitor the Council's ethnic data and statistics for adverse impact, in line with the requirements of the Race Relations Amendment Act
- to feed back any omissions or race equality implications to the appropriate managers or committees

SCRUTINY

The group was keen to respond positively to the Council's consultation agenda by serving as a consultative forum for black staff. It was proposed that an important function of the group could be

- to scrutinise relevant Council policies and procedures for race equality
- to feed back any concerns, omissions or race equality implications to the appropriate managers or committees

Support groups

'As soon as the group was advertised, I got an e-mail from an Irish member of staff asking whether he was included. I wasn't sure what to tell him - and no-one I asked seemed to know...'

HR manager.

The value of support groups or networks should not be underestimated. For those involved, they can

- provide a support network for staff who face harassment or lack institutional encouragement
- promote social and professional ties that help to combat loneliness and isolation
- break down barriers between Black lecturers, support staff and senior or middle managers
- give rise to mentoring, 'buddying' and informal peer support
- facilitate information exchange
- identify needs, issues and shared concerns

Support groups are not a panacea for institutional racism. Their establishment may reinforce the view that problems experienced by Black staff in the college are down to cultural or religious differences, individual deficiencies or can be resolved by Black staff alone. Black, Asian and other minority ethnic staff may have diverse views or experiences of the college, requiring skilled facilitation. It is therefore important to define and, if necessary, justify who is to be included. Groups that focus exclusively on support issues or individual grievances sometimes lack power and direction and can soon lose their momentum. This can lead to declining attendance and reinforce feelings of marginalisation. In such circumstances, resources may be better spent and achieve more tangible results if they are targeted at identified individuals and based on a close assessment of their personal support needs. Targeting all staff who require support can also be a viable strategy.

Tackling racial harassment

'Black staff are very used to racial comments from white colleagues. There seems to be an acceptance of this practice by senior management because even when people are challenged about their behaviour, nothing appears to be done. The college operates an "old boys network" and incidents just seem to get covered up.'

College support worker

Like other forms of harassment in the workplace, racial harassment describes inappropriate, offensive or demeaning behaviour, which is unwanted, causes insult or injury, creates an unpleasant working environment or threatens a person's job security. It can be subtle or overt, is often (though not always) persistent, and usually (though not always) intended. It can encompass

- name-calling and verbal abuse
- negative views or assumptions about a person's lifestyle, professional competence or abilities
- intrusive or offensive questions and undermining comments
- unfounded complaints, suspicion or mistrust
- exclusion
- racist jokes or innuendos
- physical attacks, including attacks on property
- patronising, over-critical or bullying behaviour
- putting individuals under pressure to conform or prove themselves
- allocating a disproportionately heavy or difficult workload
- non-verbal actions (e.g. sending someone offensive jokes or images via e-mail)

Managers are responsible for creating a safe working environment. Harassment at work causes stress, illness and absenteeism and has a negative impact on staff relations. It can also have a negative impact on retention and lead to costly employment tribunals. Yet staff do not always feel safe to complain about such experiences for fear of being accused of 'whingeing' or labelled a troublemaker. Others may lack faith in existing procedures or the ability of colleagues to change. It should be the responsibility of all staff to challenge such behaviour, since to ignore racial harassment is to collude with it. College harassment procedures⁵ should be supported by disciplinary proceedings that lead to suspension or dismissal in extreme cases. Where serious complaints are upheld, these sanctions should be enforced to send out a clear message that racism will not be tolerated. Where individuals want confidentiality or choose not to pursue their complaint, managers should explore other ways of ensuring that the harassment stops.

Recording racist incidents

"A racist incident is any incident which is perceived to be racist by the victim or any other person. It may be perpetrated against individuals on the basis of their race, colour, nationality, culture, language or religion."

Macpherson Report, 1999

Racist incidents are by definition one-off occurrences, although they may not be acknowledged until several incidents have occurred. They include acts of Islamophobia, anti-Semitism and other incidents based on racial, national or religious intolerance. They usually (though do not always) involve some form of threatening or aggressive behaviour. They can occur both within and between different ethnic groups, including White groups. Local Crime & Disorder

⁵ See *Joint Agreement on Guidance for Equality in Further Education* (Association of Colleges and National Joint Forum of recognised unions, February 02)

strategies will include mechanisms for recording and monitoring racial incidents by ward, borough or region. LEA data collected from schools, police 'hate' crime statistics and victim support records are combined to gain an umbrella view that should inform local responses. Colleges with a commitment to race equality will

- have a system in place for recording, monitoring and regularly reviewing the occurrence of racial incidents so that they inform training and staff development plans
- share this information with the police and other appropriate agencies
- review and respond to any trends, concerns or serious incidents by giving clear messages and prioritising safety
- offer staff training on how to recognise, handle and discourage racist incidents
- provide counselling and support to victims or targets
- ensure that clear messages are given to staff and learners about zero tolerance.

Challenging stereotypes

'Students and staff...are often surprised when they find out I'm a lecturer. As a Black woman, students expect me to be the office receptionist, canteen lady or secretary.'

Lecturer

'The receptionist was friendly and helpful, but her first question to me was 'have you come here for the access interviews?''.

Consultant

Stereotyping affects Black people both in and outside the classroom. Even in colleges where Black staff and learners are in a majority, assumptions are sometimes made about:

- their competence or behaviour patterns
- the jobs they are most likely to be in
- the tasks they are best suited to
- their authority, status or qualifications

In focus group discussions, Black staff and learners often cite anecdotal experiences of being challenged by caretakers, security or frontline staff in 'gatekeeper' roles; or of having their authority questioned in an embarrassing or confrontational way. Others have experiences of managers, colleagues or learners with low expectations that can undermine their confidence. These experiences are commonplace, and not confined to mainly White contexts. Stereotypes can be tackled through the taught curriculum, learning resources and in staff training. Key values, messages and positive images displayed prominently in staff rooms and other common areas can also help to challenge negative perceptions.

Avoiding Tokenism

Tokenism entails using Black staff as a form of organisational ‘window-dressing’ without giving them access to positions of genuine influence – for example

- using untrained Black staff on interview panels in order to present a favourable image of the institution to potential applicants
- promoting individuals because of the colour or community links rather than on merit
- using isolated, ineffective or unrepresentative individuals on college committees, in order to claim that there is Black representation

The perception that this is the intention may be as damaging as the fact, for it will discourage or demotivate committed staff and slow down the pace of change. Staff scepticism can be countered by senior managers who are committed to...



- giving clear, consistent messages about the need for equality and Black representation
- taking the time to explain to individuals why they have been approached and how they might benefit
- giving individuals the option to decline or withdraw
- recognising the contribution of staff who act as translators, interpreters or ‘role models’
- providing mentoring and work-shadowing opportunities for people with limited experience
- enabling individuals to access training, professional networks or support that will help them to be more effective
- ensuring that individual contributions are valued and heard.

Image used on college year planner’

Grievance procedures

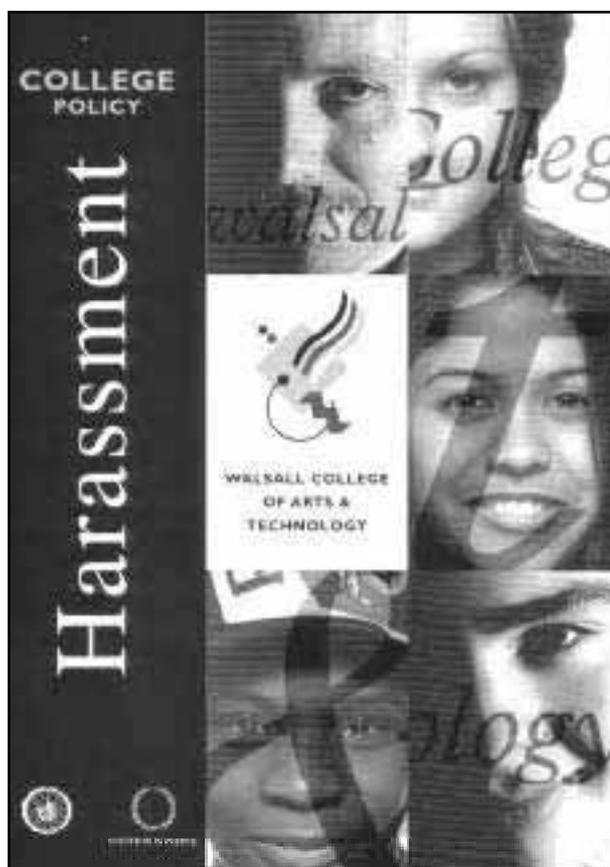
‘Before a situation reaches the formal Grievance or Harassment procedure, staff (or students) can contact our Mediator Team (trained by the Mediation Society) for advice and guidance in confidence, and can use one of the team to act as a ‘go-

between' to try and resolve the situation informally. Notice boards showing photos of each mediator and how to contact them are displayed around each college site in prominent positions.'

HR manager

An explicit code of conduct supported by credible grievance procedures are an organisation's way of establishing its 'bottom line'⁶. Both are necessary if individuals are to feel confident that their complaints or grievances concerning racism and other forms of inappropriate behaviour will be taken seriously. Grievance procedures should be linked to college harassment and disciplinary procedures, and individuals should always be advised to keep a detailed log of incidents and any potential witnesses. Procedures must be strictly impartial, and should never rely on the sympathy of individual line managers. Where problems are allowed to fester, frustrations will mount, increasing the scope for a breakdown in relations or a formal complaint. The best procedures will include

- both formal and informal ways to resolve the issues
- effective union representation
- training for key staff in conflict-resolution
- access to counselling, peer support or skilled mediation
- quality assurance criteria to ensure confidentiality and a quick response rate
- the involvement of external 'critical friends' or community representatives in formal hearings where there is a need for ethnic minority representation on tribunals or disciplinary panels
- follow-up training to enable individuals and the organisation to learn from past mistakes
- mechanisms for revising policies, procedures or practices in light of any findings



Teambuilding activities and access to impartial advice and mediation will encourage people to resolve issues informally. It is important staff have someone to talk to in confidence who understands how discrimination or harassment can affect confidence and self-esteem. Where people are isolated and cannot access in-house support, an external counsellor, focus group, mentor or Black practitioners' network should be sought.

⁶ See *Joint Agreement on Guidance for Equality in Further Education*, which was agreed between the Association of Colleges and recognised unions in the National Joint Forum (February 02)

COULD THIS HAPPEN HERE?

The Race Relations Act 1976 defines direct discrimination as less favourable treatment 'on grounds of race, colour or nationality (including citizenship), and ethnic or national origins'.

Anti-Irish remarks in the staffroom

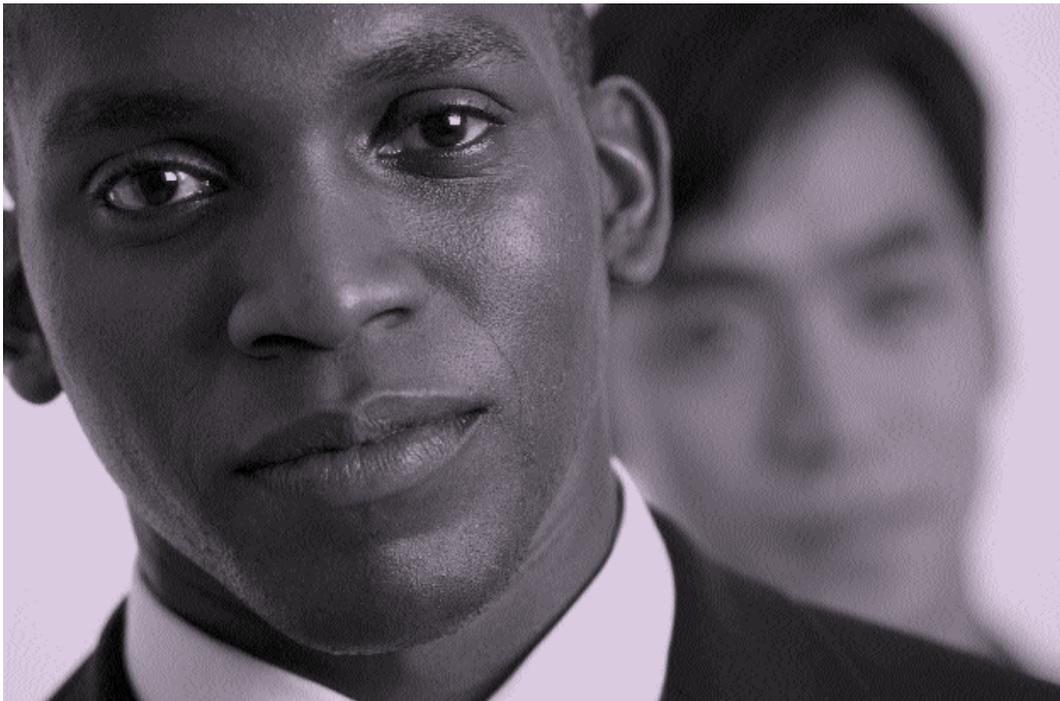
In September 1995, a lecturer of Irish origin was awarded nearly £30,000 as a result of anti-Irish comments made to him by colleagues, the manner in which his complaint about the comment was dealt with by the college authorities and, finally, the college's failure to shortlist him on racial grounds for interview for a new job vacancy

The lecturer, Mr B. entered the staff room where a number of his colleagues were being formally introduced to a visiting Careers Officer by stating their name and position in the college. Mr B was introduced as follows: 'This is A, he's Irish'. Mr B. was offended by that introduction and left the staffroom. The issue came to a head for him when he was referred to as an 'Irish prat' by one of his colleagues in front of other members of staff. He again felt compelled to leave the staffroom. The next day he returned to work, informed college management of the incident and demanded a written apology from the colleague who had made the comment. There followed considerable toing and froing as regards the college grievance procedure and eventually he felt the necessity to make a formal complaint. He did not feel that his complaint had been properly addressed by the grievance procedure and the college authorities. Nobody from the management had suggested using the college's harassment procedure, which dealt with racial harassment, as an appropriate means of dealing with his grievance. During the on-going dispute, Mr B. applied for a new job vacancy as an associate lecturer. He was not short-listed even though he knew other less experienced colleagues had been. He felt aggrieved by the failure to shortlist him and requested a meeting with management to discuss the matter...Mr B. felt that his ongoing dispute with regard to the racist comments had influenced management in its decision not to short-list him for the vacancy. He brought a case in the tribunal alleging that

he had been unlawfully discriminated against, contrary to the Race Relations Act 1976.

The tribunal was satisfied that the anti-Irish comments were clearly discriminatory and contrary to the Act. The incident when Mr B. was introduced was clearly intended to treat him less favourably than other members of staff who were introduced with reference to their respective positions in the college. The tribunal further held that management had made no genuine attempt to resolve the matter and that at various stages of dealing with the complaint through the grievance procedure, the college failed to deal with the basis of the complaint and to work towards its satisfactory resolution. The college had ignored its own harassment policy and during the course of the grievance procedure, Mr B. had been caused a lot of unnecessary stress and worry. The tribunal considered therefore that Mr B. had been further discriminated against by the college's failure to resolve the matter much sooner. There was no way of showing that the refusal to shortlist him had been on racial grounds, but the tribunal felt able to make such an inference from the overall circumstances of the case.

Croners Employment Case Law Index/ Jan 1996





Chapter 4

Supporting people who want to progress

'All staff, especially Black staff, felt that relationships with their line managers were very important in affecting career progression. Positive relationships were instrumental to good progression; negative relationships could block progression... Black staff in particular highlighted a lack of promotion opportunities and experiences of racism and discrimination as factors that would encourage them to leave their jobs.'

Challenging Racism: FE leading the way p.81

What is positive action?

Positive action, as defined in the Race Relations Act (1976), is the only lawful device for tackling under-representation, yet it is under-used by colleges. The law encourages employers to take proactive steps to address the under-representation of certain racial groups in order to redress the negative impact of past discrimination. In particular, Section 38 of the RRA makes it lawful for an employer

- to address special educational, training or welfare needs identified for a specific racial group
- to provide training and special encouragement for people a particular racial group where they have been under-represented in certain occupations or grades during the previous twelve months.

Positive Action does not allow for racial discrimination in recruitment, selection or promotion or for positive discrimination (See Book 1). The scope for lawful action is confined to encouraging job applications and providing 'training or special encouragement'. All staff must still be appointed and promoted on merit and it is unlawful to use quotas or to ring-fence particular posts so that only candidates from a particular racial group can apply. The tendency to confuse targets with quotas is a common mistake, and can lead to misunderstandings if this important distinction is not understood. Activities linked to the monitoring and publication of ethnic data, as required by the RRAA, are an ideal tool for raising staff awareness of the case for Positive Action.

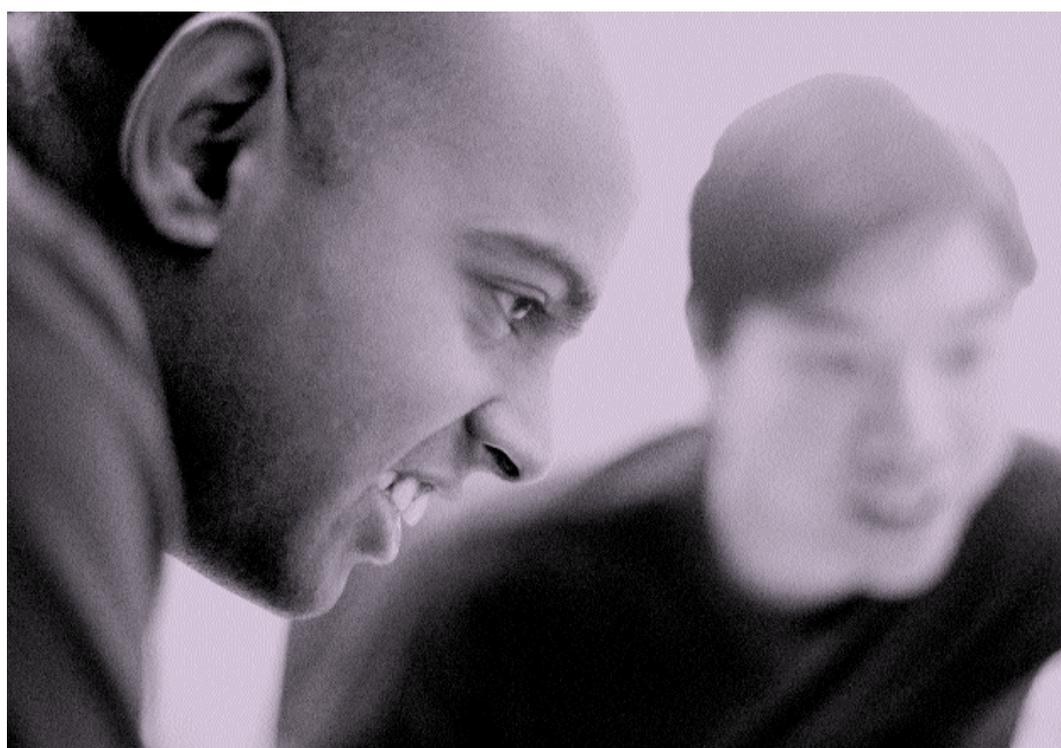
Positive action measures

'Fifty per cent of all Management Development places are allocated to Black staff via targeted letters, and all training requests, even if they don't relate to college priorities, are considered by the Staff Development Committee.'

HR manager

Positive action is a logical outcome of impact assessment, and can encompass a range of measures. As well as targeted advertising and recruitment literature to encourage ethnic minority job applicants (See Book 1), there is considerable scope for initiatives and incentives to be targeted at under-represented staff already in post. Good practice examples consistently stress the importance of regular staff appraisal, personal development plans and the key role of line managers in 'nurturing' staff who wish to develop new skills or progress their career. They also highlight the value of personal development plans that feed into a clearly mapped Positive Action strategy. However, these measures are most effective where colleges take equally proactive steps to address institutional racism – for example, by assessing data, policies and procedures for negative impact and training governors, managers and key staff. The LSDA's sponsored leadership courses and other 'fast-track' management programmes have begun to make an impact on the sector's profile, but it will take time for their effect to become apparent. In the meantime, the onus is on individual colleges to champion appropriate action and 'grow' Black staff who show potential, using appropriate Positive Action strategies.

POSITIVE ACTION MEASURES	
Could we...	
Provide more opportunities for post-appointment qualification?	<input type="checkbox"/>
Provide work-shadowing opportunities for staff seeking career development or promotion?	<input type="checkbox"/>
Offer 'fast-track' or sponsored training to employees wishing to gain new skills or access middle and senior managerial posts?	<input type="checkbox"/>
Allocate a number of places for Black and other minority ethnic staff on existing courses?	<input type="checkbox"/>
Organise a targeted survey, consultation or focus group?	<input type="checkbox"/>
Offer coaching or progression training to staff who have indicated that they wish to improve their applications, interviewing or communication skills?	<input type="checkbox"/>
Arrange internal or external mentoring individuals who express an interest?	<input type="checkbox"/>
Consider other forms of training or special encouragement to improve our current staff profile?	<input type="checkbox"/>



● College positive action strategy

'The department is taking active steps to address black under-representation and promote awareness of institutional racism. They include:

- *One-to-one careers advice sessions for Black staff with an external consultant*
- *Recruitment of support staff wishing to become teachers on to C& G 730, with paid cover to facilitate day release*
- *Organising and funding cover for black staff focus group meetings*
- *Discussions with the LSC (Learning & Skills Council) both nationally and locally to identify funding for fast-track training for black staff in partnership with other London colleges who aspire to becoming middle or senior managers*

Extract from staff development report

● Positive action trainees

The college has committed to five Positive Action Trainee posts to be filled this current academic year. Through a selection process that involved working in close partnership with the local employment agency, two teacher trainees have been placed in the Arts Faculty and one trainee placed in the Customer Support Services section. The teacher trainees both have relevant qualifications and prior experience in the media field. During their two-year traineeship, they will achieve the City and Guilds 7307 and the Certificate in Education, placing them in a strong position to apply for future teaching posts.

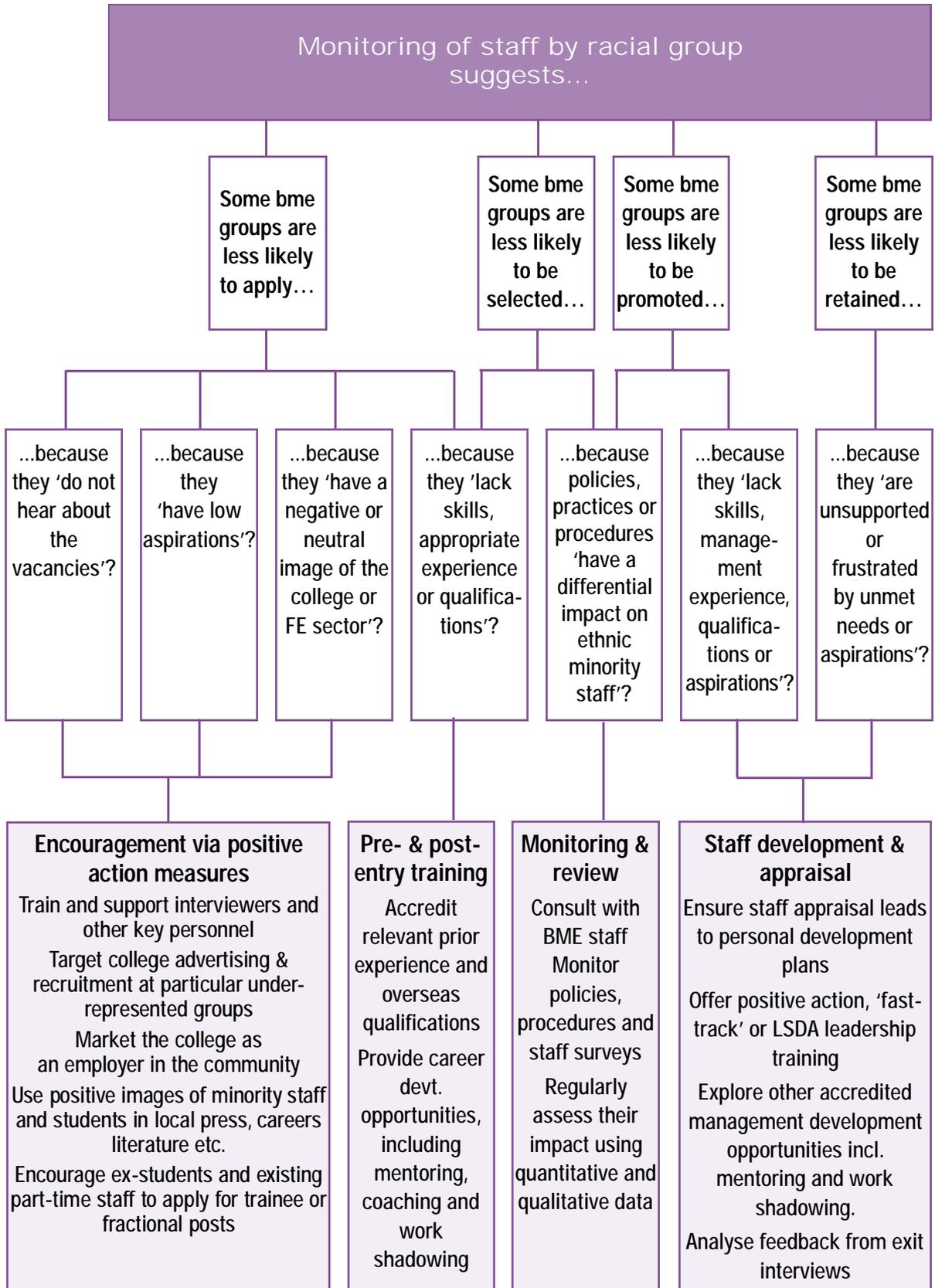
HR manager

● Progression training

'The college Strategic plan and Operating Statement (02-03) contains targets for staff training and development, including specific targets for training Black staff in management training. For the last 4 years the college has offered free management training to aspiring middle managers. The course has been developed with Sheffield Hallam University and leads to the award of a Diploma in Education Management. In 2001 we decided to encourage more black and ethnic minority staff to undertake this management training programme. We reserved 5 out of 10 places on the course for Black staff. We repeated this again in 2002. Since its inception, we have successfully trained 5 black staff in this qualification, and a further 2 are progressing with the programme. A further cohort has been identified for the next programme.'

HR manager

Race equality & employment: An overview of positive action strategies



Staff appraisal

'We call our appraisal 'Support and Supervision'. It is both formal and informal, and everyone has to have at least one annual review resulting in individual targets and development plans'

Personnel assistant

Staff appraisal or performance review can be a highly effective tool for identifying individual targets, aspirations and support needs. It can be seen to benefit all staff, and is a transparent mechanism for supporting positive action measures such as mentoring and work shadowing. It is most effective where staff and line managers are encouraged to value the process and can trust it to actively inform staff and personal development. Structuring interviews around Individual Development Plans will ensure that needs are discussed and recorded, and progression options are mapped. They also help line managers to identify retention issues and positive action measures. These should be clearly recorded and communicated so that they inform Staff Development and HR strategy.

'Growing' part-time staff

'We arrange for groups of applicants for part-time teaching posts to go into classrooms so they can see who our students are and what's involved before they start'.

'Part-timers are actively encouraged to apply and we provide training for unqualified staff who are encouraged to do PGCE or Cert Ed courses rather than City & Guilds which is a less valid qualification these days. We try to 'grow' our own staff – students who become part-timers who use the experience to apply for full time teaching or support posts.

'The college encourages the employment of students on a casual and permanent basis as visiting and permanent tutors... Staff normally start as part-timers and after a successful probationary period which is reviewed and evaluated through appraisal, they are then upgraded. We also have community-based provision which is managed by staff from the targeted communities'.

Discussions with HR managers

Part-time work has traditionally been a 'first rung' for people seeking the confidence or experience to apply for full-time posts. Yet Black staff are over-represented in part-time lecturing positions and less likely to be employed in fractional posts, making them a largely untapped resource. Where colleges have adopted strategies to 'grow' their own part-timers, the rewards include a pool of skilled, committed staff who understand local needs and have a stake in the empowerment of local communities. Staff development funding can be used strategically to fractionalise hourly-paid staff or provide additional increments as an



incentive for gaining new qualifications. Similar initiatives can be used to encourage temporary or agency staff into permanent administrative, technical and support posts.

The college's efforts to attract more part-timers will be much enhanced if effective support, consultation, and career development mechanisms are in place. If they are to have a sense of belonging, their participation in appraisal, staff development and team or cross-college meetings is essential. Ideally this requirement should be written into contracts and staff should be paid to attend. Induction packs and buddy schemes can be a useful way of supporting part-timers who are constrained by their hours or other commitments from attending. It is also good practice for HR managers to write to part-timers regularly with relevant news and information and messages of appreciation. Similar measures may also be appropriate for agency staff.

Mentoring & workshadowing

Where individuals have expressed the wish to progress their careers, they will find it easier to achieve their goals if they have access to external or internal mentors, with support from managers in the organisation who are willing to 'nurture' their professional development. A well-chosen mentor can model or illustrate professional potential and offer valuable guidance and encouragement. Mentoring is a skilled role, and should not be confused with supervision, appraisal, coaching, peer support or informal social contact.

The best mentoring schemes ensure that mentors are properly trained and supported; and are supplemented by work-shadowing opportunities linked to colleagues with particular skills or expertise. Although there is evidence to suggest that Black staff are better qualified than their White peers, many have found their promotion prospects blocked by a lack of relevant managerial or 'hands-on' experience.

Work shadowing enables staff to gain better insights into the demands placed on managers or staff in other roles, giving them real insights into the job that are invaluable when applying for promotion or secondment. Involvement in interviews or committees can be equally empowering.

Coaching, on the other hand, encourages individuals or small groups to focus on identified weaknesses or develop existing strengths. All three approaches can help to re-motivate staff who are bored, unhappy or unproductive in their current roles by enabling them to gain new skills and organisational insights. Such responses will be most successful when they

- stem from an effective and sensitive appraisal
- are based on a fair, objective needs analysis
- are properly supervised
- are supported and understood by the staff involved
- feed into a structured, accredited programme of continuous development

Minimising the risks

'When I got back to the office, I got raised eyebrows as if to say 'is everything alright?' and... 'any new words we mustn't use, then?' I got the impression that some colleagues felt threatened by the idea of Black staff going off into a room by themselves, especially in college time'.

Admin worker

Taking positive action to tackle under-representation may seem risky or contentious. If staff awareness is low or the rationale has not been properly communicated, opportunities targetted at Black staff could be perceived as divisive. Individuals or teams may need a better understanding of the potential benefits of targetted action, or reassurance that they have not been unfairly

excluded. Managers should also be aware of the potential discomfort of Black staff who may not appreciate why they have been 'singled out'. Greater staff ownership can be achieved by ensuring that there is a firm senior management commitment to

- transparency and two-way communication
- clear, consistent messages
- publicising evidence that supports the need for change
- involving staff and unions in discussions about possible remedies
- emphasising to staff and line managers the important distinction between Positive Action, which is legal and positive discrimination, which is not
- ensuring that alternative opportunities available to other groups are well marketed, to reduce the scope for complaints.

Black staff focus groups, targeted training, mentoring and other forms of positive action are a valid form of staff development and should be approached in this spirit. Individuals should not have to justify their entitlement to be released during working hours and should feel confident of their line manager's support if they are challenged. There may be practical issues of travel and cover to resolve, which often pose particular barriers for support staff. It may also be appropriate to launch parallel groups for disabled staff and other under-represented groups, so that more people are seen to benefit from these initiatives. In colleges where focus groups have proved unpopular with Black staff or unduly contentious, it may be preferable to develop an alternative, less controversial strategy – encouraging better ethnic representation on existing committees, for example, or support and training linked to Individual Development Plans. Where lack of funding is a concern, colleges should make full use of the Standards Fund (02-03). This includes a National Priorities Fund providing additional help for institutions wishing to improve quality through staff development; and pilot support for institutions wishing to encourage Black and ethnic minority staff into management training.

Redundancy

Mergers and restructuring exercises are sometimes unavoidable but in the event that redundancies have to be made, it is important that the scope for uncertainty is minimised. This requires a commitment on the part of senior managers to an effective consultation process and clear communication with all groups of staff. The 'due regard' required by the general duty of the RRAA will require managers to analyse those who have been targeted for redundancy by ethnic group and ensure that the process is free from covert or unwitting racial discrimination. Race Equality policies will lack credibility if a disproportionate number of redundancies involve Black staff.

Exit interviews

Exit interviews are an essential feature of good Human Resource management and will ensure that the views and opinions of colleagues who leave are on record.

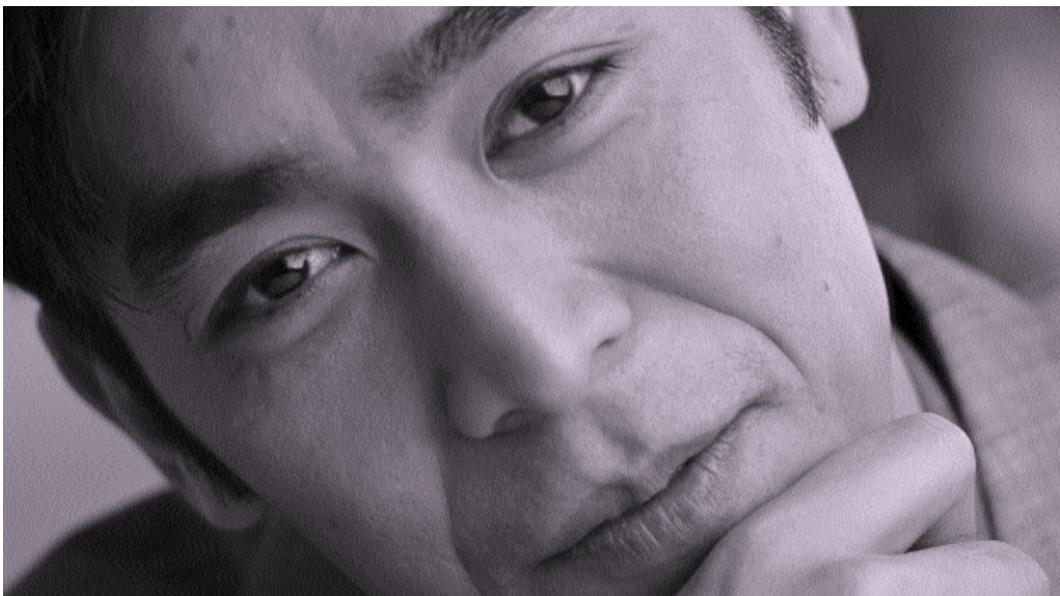
Where HR departments find that despite their efforts staff are still leaving in disproportionate numbers, exit interviews are the only reliable way to establish what else could be done to stem the flow. A healthy turnover of staff ensures fresh approaches and new ideas, and is to be desired. However, if staff are leaving because they are unhappy or dissatisfied with the college as an employer, it is important that this information is 'captured' and, wherever possible, acted upon. This is best achieved by means of exit questionnaires tied to the offer of an interview with an appropriate member of Personnel. People are more likely to speak openly about any concerns or grievances if they are guaranteed anonymity. Their responses should be closely monitored and fed into the review process, rather than left on individual files.

Valuing staff who choose to stay put

Not all Black staff will be interested in career progression. Some will be happy to stay where they are, as long as they experience job satisfaction, respect from colleagues and an acceptable wage. They may have family, childcare or personal constraints that deter them from seeking promotion, or other interests which tie them to their job. Retaining such staff and encouraging them to feel valued is no less of a priority. Family-friendly policies, respect for people's work-life balance and conditions of service that respect religious festivals are among the many good practices described throughout this guide that can help to achieve this.

Where appraisals and continuous development plans are used effectively, it is possible to keep individuals motivated through training, up-skilling, involvement in cross-college activities and rewarding achievement. All staff should feel confident that their contribution is valued, however invisible or menial their job. A commitment to race equality will ensure that Black staff and learners receive this message too. Regular, high quality staff development ensures that staff can stay abreast of changing priorities and do not become resistant to change.

The many ways colleges can use Staff Development to make Race Equality central to their practice is the subject of the third and final guide in this series.



Glossary of key terms

● Black

Black is commonly used to describe people who because of their 'race', colour or ethnic origin are identifiably different. Originally used to refer exclusively to people of African descent, it also serves as an umbrella term and may include people from a much wider range of geographic, cultural and linguistic backgrounds. When used in this generic way, 'Black' refers to people with a common yet diverse experience of racism rather than a particular skin tone. The Commission has used the generic term 'Black' to refer to members of African, African Caribbean, Asian and other visible minority ethnic communities who may face racism. However, the Commission is conscious that the debate on terminology is not static.

● Culture

Culture refers to the shared rituals, symbols and practices that give a group its sense of identity. Expressed through music, language, food, dress, art etc, culture is a dynamic concept that may include, but is not necessarily the same as, someone's personal beliefs or their religious or moral values.

● Direct discrimination

Direct racial discrimination occurs when a person is treated less favourably than others on grounds of their race. The Race Relations Act defines 'racial grounds' as race, colour or nationality (including citizenship), and ethnic or national origins (RRA §1(1)(a)). People from all racial groups, including White people, are protected by this law.

● Ethnic minority/minority ethnic

Ethnic minority refers to people who belong to minority groups with a distinct cultural and historical identity. The term is used loosely to encompass:

- people who were born overseas but have settled in Britain
- people who are British born whose parents or grandparents were born overseas
- religious and linguistic minorities
- national minorities like the Welsh, Irish or Scottish.

The term 'minority ethnic' reverses the emphasis in order to stress that all people belong to ethnic groups. Thus people are described as belong to *majority* or *minority* ethnic groups. These terms may need to be reviewed as in some inner-city areas 'minority' ethnic groups are increasingly likely to be in the majority.

● Ghettoisation

The term 'ghettoisation' refers to the clustering of Black staff or students in certain geographic or vocational areas of the college – for example, ESOL or Community Outreach – in a way that confirms stereotypical assumptions about what Black staff or students do best.

- **Harassment**

Harassment on grounds of race involves threatening, intrusive or undermining behaviour towards a person of a particular racial or ethnic group. It is usually, though not always, intentional and on-going. It includes persistent name-calling, bullying or ridicule, and acts of psychological, verbal or physical abuse.

- **Indirect discrimination**

Indirect discrimination on grounds of race occurs when a criterion or apparently neutral practice which applies equally to everyone has a disproportionately adverse effect on people from a particular racial group, and there is no objective justification for the rule (RRA §1(1)(b), §28). The definition changed in line with the EC Burden of Proof Directive that came into force in July 2000.

- **Institutional racism**

Institutional racism, as defined by Macpherson, refers to *'the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin... seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people'*. While it may be unconscious or unwitting, as Macpherson suggests, there is evidence that it can also be calculated and deliberate.

- **Marginalisation**

Marginalisation occurs when a person or group is excluded from decision-making or mainstream activities.

- **Positive action**

It is lawful under both the Race Relations and the Sex Discrimination Acts to provide training and special encouragement for people of a particular racial group, or either sex, who have been under-represented in certain occupations or grades during the previous 12 months (RRA §37, §38; SDA§47). It is also lawful to address any special educational, training or welfare needs identified for a specific racial group (RRA §35). Positive Action encompasses a range of measures to encourage people to take full and equal advantage of opportunities in jobs, education and training. It is not to be confused with positive or 'reverse' discrimination, which involves giving preferential treatment to a particular group and remains illegal in the UK.

- **Prejudice**

Prejudice occurs when someone pre-judges an individual or group of people from a particular racial group because of ignorance or a belief in certain stereotypes or assumptions.

● 'Race'

The idea that people belong to different races was developed in the 18th and 19th centuries in an attempt to explain perceived differences between people. However, genetic research has shown that a person's skin colour is of little more relevance than the colour of their eyes or hair. The notion of 'race' is used less and less these days as genetic research has shown that biologically, human beings are essentially the same. Recent studies also suggest that prior miscegenation (the mixing of people from different racial groups) is common within three or four generations, even in individuals who, from their appearance, are identified as White, Black or Asian.

● Racism

Racism describes a complex set of attitudes and behaviour towards people from another racial or minority ethnic group resulting from long-standing historical relationships. It is most commonly based on:

- the belief that physical or cultural differences correspond directly with differences in personality, intelligence or ability, leading to assumptions about racial superiority or inferiority
- the social and economic power of members of one racial or ethnic group to promote or enforce such attitudes
- racism is described in the Macpherson report as both overt and subtle '*...conduct ... words or practices which advantage or disadvantage people because of their colour, culture or ethnic origin.*'

● Stereotyping

Stereotyping is the act of labelling or categorising particular groups, usually in a negative way, because of pre-conceived ideas. It relies on broad generalisations, often popularly held, that all members of a particular racial or ethnic group will think and behave identically.

● Structural racism

Structural racism describes discrimination that is endemic within wider society – for example, in education, employment, housing and the Criminal Justice system. It goes beyond individual organisations, referring to the way racism has come to pervade the culture and institutions of British society as a whole.

● Tokenism

Tokenism refers to the appointment or use of individuals in positions that carry little or no influence, conveying the false impression that they have power or status within the organisation.

● Victimisation

Victimisation on grounds of race occurs when a person is discriminated against for taking action under the Race Relations Act or for supporting such action by another (RRA §2). A recent ruling by the House of Lords makes it clear that an employer can be found liable regardless of whether they are consciously or subconsciously motivated.

● Visible minority

Visible minority is an alternative term for 'ethnic minority'. Some see it as a less ambiguous way of identifying non-White groups.

Resources and websites

● Resources

- Challenging Racism: Further Education Leading The Way (*Commission For Black Staff In FE, 2002*)
- Discrimination on the grounds of religion or belief: A NATFHE discussion document (*NATFHE, 2002*)
- The duty to promote Race Equality: a framework for inspectorates (*CRE, 2002*)
- Ensuring equality of opportunity: quality information pack (*AOC, 2002*)
- Ethnic monitoring: a guide for public authorities (*CRE, 2001*)
- Equality in practice: a guide to mainstreaming (*LSC, 2001*)
- Framework for a Race Equality Policy for Further Education Colleges (*CRE, 2002*)
- Joint agreement on guidance for Equality and Race Equality in Further Education (*AOC, 2002*)
- Learning & Skills Council strategic framework to 2004 (*LSC, 2001*)
- Race & Representation: An inquiry, Harminder Singh (*NATFHE, 2002*)
- Race Equality In FE Colleges/ Book One: Recruitment & Selection – ‘Attracting people who want to get in’ (*Stella Dadzie/Commission for Black Staff in FE, 2002*)
- Race Relations (amendment) Act 2002: Equality & Diversity guidance (*LSC, 2002*)
- Statutory code of practice on the duty to promote Race Equality: a guide for institutions of further and higher education (*CRE, 2002*)

● Websites

Association of Colleges
www.aoc.co.uk

Commission for Racial Equality
www.cre.gov.uk

Disability Rights Commission
www.drc-gb.org/drc

Equal Opportunities Commission
www.eoc.org.uk

Home Office

(links to Human Rights Unit and Race Equality & Diversity Unit)

www.homeoffice.gov.uk

Learning & Skills Council

www.lsc.gov.uk

Learning & Skills Development Agency

www.lsda.org.uk

NATFHE

www.natfhe.org.uk

Network for Black Managers

www.feonline.net

Niace Racially Inclusive Network

www.niace.org.uk

OFSTED

www.ofsted.gov.uk

The 1990 Trust

www.blink.org.uk

The Runnymede Trust

www.runnymedetrust.org.uk

The Refugee Council

www.refugeecouncil.org.uk

RACE EQUALITY IN FURTHER EDUCATION COLLEGES



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