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Assessment of race equality policies and plans in HEFCE-funded HEIs

Third round report to HEFCE by OPM

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Section 1: Introduction

The Race Relations Amendment Act 2000 (RRAA) places a general duty on all public bodies, including higher education institutions (HEIs) in England (and Wales) to:

- eliminate unlawful discrimination

- promote equality of opportunity

- promote good relations between people of different races.

In order to ensure that they meet the three strands of the general duty, the Act places a number of specific duties on higher education institutions to:

- monitor the applications, admissions, and progression of students

- monitor the career progress of staff

- publish their race equality policy

- take reasonable steps to publish the results of monitoring, assessment and review.

HEIs, along with other public sector bodies, were required to have a race equality policy and plan in place by 31 May 2002. In order to fulfil its own obligations under the RRAA, the Higher Education Funding Council for England (HEFCE) required HEIs to submit their race equality policies and plans for review in November 2002. On HEFCE's behalf, the Equality Challenge Unit (ECU) commissioned a review of HEIs' policies and action plans. The contract was awarded to an independent consultancy. The review was conducted using an agreed assessment template, which categorised each HEI as either:

- an exemplar of good practice at this stage in the implementation process (E)

- good/good with certain areas needing attention (G)

- developing appropriately but with significant areas needing attention (D1)

- developing appropriately but with major work to be done (D2)

- not yet aligned with the requirements of the RRAA: needing urgent revision (N).

This first round of reviews, reporting in February 2003, found that a significant number of HEIs fell short of meeting the requirements of the RRAA, and needed to do further work on their policies and plans. In May 2003, the ECU commissioned OPM to re-evaluate the quality and level of statutory compliance of race equality policies and plans of 45 HEIs who were awarded an N or D2 at the first assessment.

The reassessment used the same template and grading system as the initial review. It resulted in an overall summary report, produced for the funding council in July 2003, and a developmental report for each institution with advice about how to strengthen and improve their approach. Although the majority of HEIs had made significant progress, 17 institutions were judged to have

policies and plans that were still not compliant with the RRAA – ie they were awarded an N or D2.[1]

In May 2004, OPM was commissioned to carry out a third round of assessment of the policies and plans of these institutions, again using the same template. This report summarises key findings from this third round of assessment. As before, separate reports have been prepared for each of institution.

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[1] The summary report of the second round of assessment (July 2003) can be found on the HEFCE website

Section 2: Findings from the reassessment

2.1 Overview

Two institutions did not submit a new policy and plan. One institution had not made any changes to these documents, so they could not be reassessed. The policies and plans of 13 of the remaining 14 institutions were judged to have improved by at least one grade. Five of the institutions under review are now considered to have policies and plans that are 'Good or good with certain areas needing attention'. Only one institution that submitted a new policy and plan was judged to have made no significant progress.

Summary scores from third round assessment

An exemplar of good practice at this stage in the implementation process (E)   0
Good/good with certain areas needing attention (G)   4
Developing appropriately but with significant areas needing attention (D1)   7
Developing appropriately but with major work to be done (D2)   1
Not yet aligned with the requirements of the RRAA: needing urgent revision (N)   0
Policies and plans not revised/not submitted   3
Total   **15**

2.2 Analysis of the third round of assessment

The general and specific duties
Systematic acknowledgement of responsibilities under the general duty
The majority of policies adequately acknowledge responsibilities under the general duty set out in the RRAA. Most contain an introductory section in which the three strands of the duty are clearly stated. In general, these important opening sections appear to have improved following guidance in the previous round of assessment. However, institutions could strengthen their policies still further by clarifying what each strand of the general duty means in their particular context. In addition, policies could be improved by strengthening the link between the three strands of the general duty and the commitments and actions set out in the rest of the policy document and in the action plan.

As highlighted in the previous reassessment, there is a tendency for some institutions to focus on the first two strands of the general duty – to combat discrimination and promote equal opportunity. There is less explicit discussion of, and fewer planned actions to address, the promotion of good relations between people of different racial groups.

Recognition that specific duties are a means to fulfil the HEI's statutory requirements
Most institutions recognised, at least implicitly, that the specific duties were a means of fulfilling statutory requirements. In some cases, this was very clearly set out. However, in several of the policies, this link could be strengthened further.

Definition and prioritisation of relevant functions
The majority of institutions were successful in identifying and prioritising relevant functions. Some policies and plans set out this information very clearly. In general, this appears to be an area of improvement since the last assessment. Nevertheless, as was highlighted during the previous assessment, the rationale for these choices and decisions is still not always made explicit, or linked systematically to a discussion of the context, key challenges, and aims and objectives of the institution.

Definition of actions to be taken in cases of discrimination
This was a clear area of weakness highlighted in the previous assessment. The majority of resubmitted policies and plans now feature adequate information about actions to be taken in cases of discrimination, and some include detailed and thorough information. In three cases, further work is required is this area. Institutions need to ensure that discrimination and unacceptable behaviour are clearly and unambiguously defined, and that actions, procedures and responsibilities are clearly spelled out. As was highlighted in the previous assessment, it is not sufficient to refer to procedures that are set out elsewhere.

Procedures for fulfilling race equality responsibilities within collaborations and partnerships
The previous assessment identified that few policies clearly articulated procedures for fulfilling race equality responsibilities within collaborations and partnerships. Institutions appear to have made good progress in addressing this issue, with 10 of the 14 institutions that submitted policies and plans including adequate information in their revised documents.   Some institutions now have particularly commendable sections on this topic. Three of the institutions that submitted revised policies and plans still have not included information on this issue, however. As highlighted during the previous assessment, many institutions could strengthen these sections of their policies further by including more information about how commitments and statements of intent will be realised in practice.

Procedures for fulfilling race equality responsibilities within contracted relationships
This was another area of weakness highlighted during the previous assessment. Although approximately half of the institutions have now included adequate provision for this issue in their policies and plan, the remaining half have either no information or an inadequate level of detail about how commitments will be achieved in practice.

Integration and mainstreaming of racial equality through the relevant functions
Commitment to mainstreaming within the relevant functions, including integration with all other relevant policies
Almost all the policies now make a strong and explicit commitment to mainstreaming race equality within and across all relevant functions, and to ensuring adequate integration with all

other relevant policies. Several of the policies include some information about how this will be implemented, for example through a dedicated committee that will review new and existing policies. However, as highlighted in the previous assessment, it is difficult to judge from policies and plans alone whether mainstreaming is likely to be successful in practice. Ensuring that race equality is mainstreamed and is an integral part of planned action and decision making at every level of institutional life is absolutely vital to success in this area. Institutions need to ensure that they have adequate structures, processes, commitment and resources in place to mainstream race equality, and that success factors are identified so that this aspiration can become a reality.

Relationships to strategic aims, vision, and mission of the HEI
This was an area of weakness identified during the previous assessment. Nearly half the institutions who resubmitted their policies and plans now appear to have articulated strong and explicit links between the race equality agenda and their broader corporate goals and aspirations. The remaining institutions have yet to strengthen the opening sections of their policies and ensure that they articulate these links powerfully and clearly. Policies should aim to illustrate how compliance with the RRAA offers opportunities to further the HEI's mission and vision.

Leadership in carrying forward the aims of the RRAA
Leadership roles are identified and explained in almost all the revised policies and plans. In two cases, there remains a need for more information about how roles and responsibilities would be discharged in practice.

Location of management responsibility and definition of responsibilities
The location of management responsibility and definition of responsibilities is clear in all of the revised policies and plans. However, there needs to be clarification of how different elements of the organisational infrastructure relate to one another, and appropriate procedures to hold named individuals to account for fulfilling their designated responsibilities.

Plans for a communication strategy and continuing consultation
In general, institutions that submitted revised policies and plans now have adequate procedures for communicating these documents to staff, students, and in some cases, visitors, suppliers and partners. Many policies commit institutions to making policies and plans available on their website and including them in student and staff handbooks, etc.

Although there are positive commitments to consultation in many of the revised policies and plans, most documents still have insufficient detail about how this will happen in practice. In many cases it is not clear whom the institution plans to consult, how and on what issue. The method and timing of consultation is generally not spelled out in any great detail. In several cases, documents indicate that consultation activities are planned, but there is little evidence that these are under way as yet.

Procedures for analytical target setting

The development of outcome-based targets was a clear area of weakness during the previous assessment. The majority of resubmitted policies and plans include a commitment to setting targets, and there is some evidence of progress in meeting this commitment. Around half of the institutions appear to have some targets in place for staff. Some institutions appear to be making good progress, but in many progress is being hampered by the absence of good baseline data. There is little evidence that robust targets have been set in relation to students. In the majority of cases, procedures for analysing data and setting targets in line with priorities need to be spelled out in more detail.

Procedures for monitoring

The majority of policies and plans feature a commitment to monitoring across relevant functions and activities. In some cases, procedures for monitoring are comprehensive and there is evidence that data is being collected. However, in many instances it remains unclear from policies and plans exactly what institutions are planning to monitor and how far they have progressed in developing appropriate systems and processes. In many cases, baseline data still appears to be incomplete.

In two cases, delays with the implementation of new HR or IT systems are reported to be delaying progress, though these new systems should assist with data gathering and analysis in the future.

There is some evidence of reluctance on the part of small, specialised, colleges to monitor all relevant functions, due to the small number of staff and students from ethnic minority groups.

Procedures for impact assessment, and regular review and definition of responsibilities for further action

The majority of resubmitted policies and plans commit institutions to reviewing relevant policies and undertaking impact assessments. In a few cases, institutions have helpfully prioritised impact assessments to be undertaken, set out procedures, and provided guidance for staff involved in the process. However, impact assessments appear to be under way in only a small number of institutions.

Policy review

Almost all the resubmitted policies and plans now have commitments and adequate procedures in place for policy review and revision.

Procedures for publication

Almost all the resubmitted policies and plans now have commitments and adequate procedures in place for publishing the results of reviews, impact assessments and monitoring data. Generally, this area is much improved since the previous round of assessment.

Plans for support and training, including needs analysis where necessary

Most resubmitted policies and plans feature a commitment to providing relevant and appropriate training, 'awareness-raising', and support in this area. A number of institutions have reasonably thorough plans in place and, in a few cases, it is apparent that training is already under way. In one or two cases, institutions are making use of external advisers and suppliers to supplement internal expertise. Many of the policies and plan still lack sufficient detail in this regard, however. In several cases, plans focus on the needs of staff, rather than the requirements of the whole college/university community. In moving forward, HEIs need to ensure that they have comprehensive plans for training in place, and that these are clearly articulated in the policy and action plan.

Action plans

In general, action plans are now more clear and comprehensive. Institutions still need to ensure that there is a clear and logical link between commitments set out in the policy and actions listed in the plan. In some instances, HEIs are including important commitments in the action plan that would be better placed in the policy document.

Comprehensiveness

Overall, action plans are fairly comprehensive and attempt to address the major issues outlined in the policy document. In a few instances, planned actions are still overly focused on staff at the expense of students. It is important that planned activities relate to the college/university community as a whole.

Prioritisation of actions to reflect the relevance of functions

Although some of the action plans relate activities to prioritised functions, several are still failing to do this. In many instances, prioritisation remains implicit in the timescales highlighted for action. Action plans should be clearly linked to an assessment of what is most important and urgent.

Identification of specific tasks

In general, resubmitted action plans identify specific tasks to be undertaken. In one or two cases, activities or tasks need to more tightly defined to ensure that they can be monitored successfully.

Definition of responsibilities for specific tasks

Almost all of the resubmitted plans include names and/or positions of individuals or groups responsible for carrying out activities. In moving forward and strengthening plans still further, institutions could usefully include information about who individuals should report to on progress, and how they will be held to account.

Specifying how progress and outcomes will be measured: success indicators

Some institutions now have appropriate measures in place to track progress against their plans. However, progress in developing numerical outcome targets to track, for example, increases in

ethnic minority staff and students, has been slow. The majority of action plans are still being used to track activities and rely on process rather than outcome indicators.

Realistic timescales

Generally, timescales are realistic. However in a few cases, tasks are still not sufficiently well defined to allow judgements to be made. Institutions need to ensure that tasks are clearly specified and that timescales for action are set out. Stating that tasks will occur sometime 'in 2004' is insufficiently precise.

2.3 Key findings

With one exception, policies and plans have improved since the second assessment published in July 2003, and are now all judged to be at D1 grade or above. In several instances, HEIs have made considerable improvements to their documents and show significant progress.

However, it is also clear that many institutions continue to struggle with some of the same issues that were raised during the initial assessment and the reassessment in 2003. Key areas where further support is required are outlined below.

Presentation of issues

The opening sections of policies are vital in conveying the significance of race equality and in setting the tone and context for the rest of the document, and require close attention. Opening sections need to spell out clearly the relevant legislation, the context in which the institution operates, the particular race equality challenges it faces and the institution's aims and aspirations. They should also show how the race equality agenda is linked to broader corporate objectives.

Although there is some evidence to suggest that institutions have responded to comments and suggestions around language and tone, some problems remain in this area. Terms such as 'non-white' are still used by some institutions. In other cases, particularly in policies and plans produced by small, specialised colleges, opening pages can read rather negatively, with too much focus on problems and difficulties associated with fulfilling obligations.

Further work is needed to ensure that policy documents and action plans relate sensibly to one another. In some cases, the link between policy statements and commitments and planned actions is not as clear as it should be. Some action plans feature important policy commitments that need to be included in the policy itself.

Many of the policies and action plans could be strengthened and made more accessible by reworking the format of these documents to ensure that information is featured under the most logical heading. Race equality policies and plans are public documents and it is essential that relevant information is clearly presented and easy to find.

Accountability and responsibility for action

Although most revised policies and plans include information on the roles and responsibilities of individuals and key groups, further information is required about how those with particular responsibilities will be held to account.

Sections on discrimination and unacceptable behaviour have been improved in many of the revised policies and plans. In several cases, however, further detail is required about procedures to be followed and responsibilities for action.

Targets

Target setting is still an area of weakness for many institutions. HEIs need to include clear outcome targets in their policies and plans, and to stipulate how these will be set, reviewed and adjusted. In several cases, target setting has been delayed by lack of adequate data. It appears that progress in establishing adequate procedures for monitoring key functions and activities has been slow. Ensuring that appropriate procedures are put in place is a matter of urgency.

Awareness and skills

Although the majority of policies and plans do feature commitments to consult and provide training, many lack sufficient detail about how this will happen in practice. HEIs need to ensure that they have robust and thorough processes in place to raise awareness, develop skills and competency, and gather feedback.

Section 3: Conclusions

With one exception, policies and plans have improved since the second round of assessment, and are now all judged to be at D1 grade or above. In several instances, HEIs have made considerable improvements to their documents and are to be commended for significant progress. It appears that the process of reassessment, the guidance provided by HEFCE and the ECU, and the efforts of individual institutions are beginning to bear fruit.

However, it is also clear that many institutions continue to struggle with some of the same issues that were raised during the initial assessment and the reassessment. In moving forward, we suggest that HEFCE and the ECU consider how they might further strengthen and support practice in these particular areas with targeted interventions. They might consider establishing some action learning sets that bring HEIs together to discuss particular issues that are proving challenging, for example defining appropriate aims and target setting.

Previous assessments highlighted the challenges experienced by small, specialised colleges in promoting the race equality agenda. This third round assessment has demonstrated that such colleges can make impressive progress – often with external support and guidance. Nevertheless, we suggest that there remains a need for HEFCE and the ECU to provide targeted support to help these institutions develop appropriate strategies for their contexts.

Three HEIs either did not submit policies or plans this time, or have not amended these documents in any way since the last assessment process. HEFCE and the ECU will clearly need to monitor the progress of these institutions in particular.

Finally, whilst progress in developing these documents is essential, it is important to reiterate that the existence of a strong policy document does not necessarily mean that progress is being made on the ground. Indeed, in some instances, revised policy documents have been produced by external consultants, and it is not clear to what extent commitments are owned by the university/college community itself. HEFCE and the ECU will need to continue to explore progress on the ground – through desk based, and importantly, through interactive processes that engage with staff, students and communities.