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Equal opportunities and diversity for staff in higher education

Negotiating equity in higher education institutions

Project 3

Report to HEFCE, SHEFC, HEFCW by Rosemary Deem, Louise Morley, Anwar Tlili

Negotiating Equity in HEIs: A case-study analysis of policies and staff experiences

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Executive summary

A. Description of the project

The research involved six case studies of higher education institutions across England, Scotland and Wales. The project aims were:

- to explore staff experiences of equity issues and institutional equity policies. Participants were drawn from different occupational backgrounds and a variety of socio-cultural groups paying attention also to gender, sexual orientation, 'race'/ethnicity, disability, age and religion
- to conduct a critical discourse analysis of equity policies in the six institutions
- to gather the views of senior manager-academics and administrators on their institutional equality policies, and how these relate to national policies
- to identify challenges, inadequacies, examples of good practice, and constraints/incentives in relation to equity policies at institutional and sector level.

B. Research methods used

The project team used qualitative methods, principally focus groups and interviews, to achieve its objectives. A range of staff were interviewed individually or in groups, including manual, clerical, technical, secretarial and administrative support staff as well as senior manager-academics and administrators, in six contrasting institutions. In addition, equality policies (taken from the websites of the six institutions) were analysed using critical discourse techniques.

C. Summary of the report

Section 1: Overview

This section presents the background to the research both in relation to UK higher education institutions' recent involvement in equality initiatives and also the wider policy context, and details the methodology of the study.

Section 2: Discourse Analysis of case-study institutions' Equal Opportunities policies

This section considers the equality policies of the six institutions researched and examines the following themes: the genres of the policy statements, policy statements as promise and commitment, receiving and relaying obligations in policies and finally how equality and diversity are seen to be achieved through meritocracy.

Section 3: The fieldwork data on employee perspectives and experiences

This section examines the fieldwork findings from the staff interviews and focus groups in the six institutions under a number of broad headings: knowledge of equal opportunities policies, resources devoted to equality policies, tensions between equal opportunities policies and quality audit, the 'micropolitics' of equality, policy paradoxes and experiences of grievances and complaints.

Section 4: The senior manager perspective

This section reports the findings from interviews with senior manager-academics and administrators in the six case-study institutions under several broad headings: knowledge about equal opportunities issues, the local context and resources, the availability of training, the extent to which equality issues for staff and students overlap, the strengths of institutional policies and the areas still needing development, attitudes to positive action strategies, day to day experience of equal opportunities matters, mainstreaming of equality policies, future visions of equitable higher education institutions and what internal and external support for equal opportunities work had been found helpful or was desirable.

D. Key findings

Interpretation of our research data suggested the following:

1. Although all six institutions studied had equal opportunities policies in place, not all the policies were comprehensive, completely up to date and easy to understand.   Policies were often communicated to staff via email, which may not reach those with email overload or staff with no computer access at work. Some policies gave the impression of

often having been reactively rather than proactively constructed and with an eye to compliance rather than empowerment of the work force and enhancement of their working conditions. There appeared to be a big gap between the policies themselves and implementation. Furthermore, equal opportunities policies in most of the six institutions were only slowly being mainstreamed into other institutional policies.

2. There appeared to be a considerable gulf between the views of staff in the six institutions and the perceptions of their senior managers. Many of the latter felt that they had already taken many positive steps towards achieving greater equality, not only in connection with work force composition but also in the workplace itself, whereas this was much less often the view held by other staff. Furthermore, there was some evidence from staff that discrimination was often very subtle and thus perhaps not always reported or detected by others.

3. That many staff in the six higher education institutions, particularly those in support roles, appeared frightened of using the formal complaints procedure in relation to equal opportunities issues. They were anxious about possible loss of promotion prospects, being labelled difficult, or possibly being moved to another unit or job whilst the perpetrator remained in post.

4. That training in equal opportunities issues in the six institutions, whilst generally fully accessible to (and often compulsory for) senior managers and other staff in key positions, was not always widely made available to other staff on a routine basis. Even where training was available widely, some support staff reported that being able to attend was dependent on line manager permission being given.

5. That in several institutions, equal opportunities for students had outpaced those for staff, giving some staff we interviewed the perception that equality for students was of a higher priority than staff equality. Though senior managers generally recognised the overlap between student and staff equality issues, combined strategies to tackle both were rare.

The main report

Section 1: Overview

1.1 Introduction

The project has examined equal opportunities policies in six case-study HE institutions, and explored the perceptions and experiences of those policies from the perspectives of a diverse group of staff from different occupational backgrounds. Our research comes at a point, 2004, when a number of new pieces of UK equality legislation affecting employees have just come into force or are about to do so (for example on disability, 'race', sexual orientation and age). The research has used qualitative methods, ranging from critical discourse analysis of equality policies, to focus groups and interviews with staff. The main purpose is to find out how well staff - ranging from professors to porters - think that equality policies in their institutions are working.

In the fieldwork, care has been taken to make sure that both positive and negative experiences and examples are gathered, to avoid the charge that studies of inequality in organisations are often only concerned with collecting 'misery stories' (Alvesson and Due Billing 1997). In this report, after a brief discussion of the national and HE policy context followed by a critical discourse analysis of the equal opportunities policies of the six institutions, we concentrate on the following themes which arose from our research with employees: knowledge of equal opportunities policies, resources devoted to equality policies, tensions between equal opportunities policies and quality audit, the micropolitics of equality, policy paradoxes and experiences of grievances and complaints.

Finally, we examine the views of senior managers in each institution on their current equality policies and implementation, as well as the situation in the sector as a whole. In the appendices we have included some contextual details on each of the six institutions investigated, recommendations for those charged with designing and communicating

equal opportunities policies, a summary of the original project brief and the interview and focus group questions that were used in the research.

1.2 Equal Opportunities Policies and 'New Labour'

Under the UK 'New Labour' Government of post-1997, the policies of the previous Labour governments in the 1960s and 1970s on equal opportunities, which saw landmark legislation like the 1965 Race Relations Act and the 1970s Equal Pay and Sex Discrimination Acts, based not just on legislation and a sense of social justice but also on a solid base of activism by campaigning groups and trade unions, have not been replicated.

There are several reasons for this. One is that by the late 1990s, the focus in relation to equal opportunities had begun to shift from issues of individual discrimination on the basis of such foci as ethnicity, gender and disability, towards a greater recognition of institutional discrimination, particularly following the 1999 Macpherson Report into racial harassment arising from the murder of a black school student, Stephen Lawrence, a crime which was widely alleged to be racially motivated and connected to institutional cultures in schools and elsewhere (Chahal 1999; Macpherson of Cluny 1999).

The trend towards examining institutional discrimination has been reflected most in the UK in Northern Ireland, although this was probably motivated as much by the desire to settle the historical political troubles between religious communities (which traditionally have been reflected in poorer employment opportunities for Catholics as compared with Protestants) as it was by a concern about equal opportunities in general. In 1998, the Northern Ireland Assembly set out legislation that required all public bodies to promote equal opportunities across all aspects of social inequality from religion to gender.   There is no equivalent to this legislation elsewhere in the UK, where it is largely the European Commission framework for equal treatment in the Employment Directive of 2000 that has shaped policy for public bodies, including educational institutions, in areas like ethnicity and disability.

A second factor is that at the same time as a shift towards examining institutional discrimination was occurring, there were also changes in terminology from emphasis on the inequalities experienced by certain social groups to a greater emphasis on diversity and relativism (Breitenbach, Brown et al. 2002) as consistent with Antony Giddens' 'Third Way' politics (Giddens 1998; Giddens 2000), supposedly neither neo-liberal or social democratic.

A third factor is a move to seeing equal opportunities as a more generic concept than was the case previously. For example, the EU favours what has been called the mainstreaming of equality issues and a generic approach to inequality, almost the polar opposite of what happened in the 1960s and 1970s when the emphasis was on a detailed examination of and development of targeted strategies for tackling particular kinds of inequality such as gender.

Fourthly, in the UK, new approaches to the running of public services have brought greater emphasis on 'managerialism' (Pollitt 1993; Ferlie, Ashburner et al. 1996; Exworthy and Halford 1999; Newman 2002) but also seen the development of public/private sector partnerships in capital building programmes and service delivery, more use of sub-contracting and more stress on competition in service provision. These developments have made it harder to track equality of opportunity policies in a single organisation (which may now outsource some of its work), have introduced new approaches such as enhanced autonomy for some employees, and also client empowerment, which emphasise individuation rather than collective action). Shifts in the management and organisation of public services have also increased the extent to which the sectional interests of different groups run counter to the underlying assumption made in the 1960s and 1970s that equal opportunities appealed to universal interests (Forbes 2002).

Whilst the kind of public interest ethos that supported the implementation of Equal Opportunities policies in the 1960s to 1970s relied heavily on universal precepts and uniform application/implementation, with New Labour there has been a shift towards

individualising and 'relativising' the policy and 'delivery' of equality and diversity policies (Forbes 2002), as well as a focus on institutional level cultures (these sit in some tension with each other).

Underpinning New Labour's conception of administering equal opportunities is the precept that the views and claims of one individual about inequality are as important as those of a group. Now that individuation is so heavily emphasised, sectional interests are coming to predominate, and big interest groups are often sidestepped in favour of a supposedly more direct connection with the needs and wants of the public.

Forbes suggests that this new concept of politics under New Labour, though successful at articulating interests, has diverted attention away from systemic sources of inequality (including those outside the control of organizations and individuals). Forbes puts forward that now only a common set of equal opportunities issues is on the agenda, which makes it possible that discrimination and harassment will grow rather than decrease. Actions on equal opportunities *per se* are increasingly supplanted by a combination of debates about implementation strategies, often focused on so-called 'best practice' or 'what works', and a recognitional paradigm of social justice, whereby the celebration of differences seems to have become an end in itself. It is this wider political context that forms the backdrop to our research.

1.3 The Higher Education Policy context
It would be fair to say that UK higher education has not been in the forefront of moves to tackle equal opportunities in the last two or three decades. Compared with developments in other sectors of education such as state-funded schools from the 1970s onwards (Deem 1987; Deem 1995b; Arnot, David et al. 1996), which were not themselves always outstanding examples of good practice, what has happened in higher education has until very recently been much less extensive, largely unmonitored and often fragmented and inconsistent in, as well as between, institutions (Morley 1999a).

There has traditionally been a firm belief that entry and achievement have been based on merit, rather than social identity and that as liberal institutions, universities were intrinsically concerned with justice and fairness. It was left largely to social movements such as the women's movement, to raise questions about exclusion of women both from the HE curriculum, from staffing, and from the student body (Thomson 1995). Activist pressure combined with theoretical explorations of the power/knowledge conjunction led to some curriculum transformation in the form of women's studies and black studies.

Where initiatives on equal opportunities did take place through the 1970s and 1980s, they often arose indirectly from educational developments such as changes to the curriculum (as in women's studies, gay and lesbian studies, black studies). Another, sometimes related route, came about through activist politics via trade unions or local and national pressure groups, which then led to the formation of bodies such as Equal Opportunities Committees and strategies for dealing with particular kinds of inequality such as gender (Morley and Walsh 1995; Deem 1996d; Morley 1999a).

In 1986 an investigation in Britain for the Commission for Racial Equality discovered that 20 out of the 42 universities replied citing their charters as sufficient evidence of their commitment to equal opportunities, and that former polytechnics were more likely to have policies than established universities (Heward and Taylor 1994). Enquiries of the Commission on University Career Opportunity (CUCO) in the late 1980s suggested that while over 90% of universities had formally adopted equal opportunities policies; a little over half had examined their criteria for appointments, promotions and regrading, but only 37% had devised implementation plans (Commission on University Career Opportunity 1994; Davies and Holloway 1995).

In their study of the representation of 'ethnic minority' groups in 53 university prospectuses in the academy, Jewson et al. (1991) concluded that four fifths of universities did not offer any sort of equal opportunities statement, either explicit or implicit, in their prospectus (Jewson, Mason et al. 1991).

The 1990s saw further attempts to tackle equal opportunities in HE, although as research on these showed, though appropriate policies were developed in relation to both staff and students by institutions investigated, the history and cultures of each institution shaped what was done and the policies did not always have much impact on for example, appointments to senior posts which continued in the main to be occupied by white men except in one institution which was regarded as exceptional (Farish, McPake et al. 1995).

In 1997, a Committee set up by the Conservative government to try to find answers to problems of university funding and to examine the future of higher education, among other things recommended a widening of undergraduate degree intakes to include more traditionally under-represented groups (National Committee of Inquiry into Higher Education 1997); it was left to the newly elected Labour government to implement this policy, which was one of the first concerted system-wide attempts to explore equal opportunities in relation to the student body (Woodward and Ross 2000).

Critics, however, suggest that this current policy is being driven by a commitment to human capital in a globalised market economy, rather than by concerns about equality and social inclusion (Thomas 2001). Increasing student numbers in a context of unfunded expansion has long been a concern for trade unions representing staff interests (Association of University Teachers 1993). Cameron questions whether, if current employment conditions for academics continue, there will be anyone left to teach the expanded student numbers in 2010 (Cameron 2003).

In 1999 two different reports drew attention to problems of equality in higher education, one focusing on the employment prospects of black and ethnic minority staff (Carter, Fenton et al. 1999) which were found to be beset by discrimination and the other on pay inequalities between different social groups in higher education (Bett Report 1999) which found that gender and ethnic discrimination in pay and conditions in higher education were widespread. In 1999 a special project to foster the prospects of women science academics, the Athena project, was also established, funded by the higher education funding councils and the government's Office of Science and Technology.

The UK organisation which represents university vice chancellors (presidents) and principals, formerly the Committee of Vice Chancellors and Principals and now called UniversitiesUK, plus the four UK higher education funding bodies and the Standing Conference of {HE College} Principals, established a body called the Commission on University Career Opportunity (CUCO) which housed the Athena project on women and science.

CUCO became the Equality Challenge Unit (ECU) in 2001, and acquired a full-time staffed unit concerned with equality issues relating to academic staff in higher education. The Higher Education Funding Council for England also set up a Race Equality Scheme following the Race Relations Amendment Act 2000, to ensure that ethnicity and race were integrated into the priorities of higher education institutions and similar moves were made by the other funding bodies.

UK universities are now required by their funding bodies to have policies on a wide range of inequalities for both students and staff and students and the latter must also be incorporated in wider human resource and reward strategies. The Research Programme of which we are a part is also an element in the current equal opportunities strategy of the UK higher education funding bodies.

1.4 The case study project and its methodology

The research that we have conducted has involved case studies of six higher education institutions (HEIs). The case that we have investigated has focused on staff perceptions and reported experiences of equal opportunity policies in HEIs. The purpose of using multi-site case studies (Burgess, Pole et al. 1994; Deem and Brehony 1994) was to enable us to achieve considerable depth in our investigations of phenomena that are potentially wide-ranging in their effects but operate within the bounds of a single organisation at a time, both well-known arguments supporting the use of case study strategies in social research (Stake 1995; Merriam Sharan 1998). Though it is not possible to make empirical generalisations from case study except within and across the cases selected, it is

possible to gain a good understanding of process from case study, which is what we hope to achieve, and it is also possible to develop improved theoretical understanding and conceptual analysis of what is being researched.

Three of our sites were in England ('Towngate' HE College, 'Cityscape' University and 'Eastville' University), two in Scotland ('Speyside' University and 'Sandside' University) and one in Wales ('Westside' University). The sites were carefully chosen to reflect a cross-section of HEIs with different missions (e.g. research intensive, research and teaching, teaching only), a variety of settings including different sizes of student intake, split sites and single sites, urban and suburban locales, and different institutional origins. We have included two former polytechnics or technology colleges which became universities only in 1992 (Eastville and Speyside), a college (Towngate) that was once solely focused on teacher education but now has a much wider curriculum and three chartered or pre-1992 universities (Cityscape, Westside and Sandside).

We were obliged by reasons of anonymity not to choose a post-1992 university in Wales, as there is only one such institution, so it would have been easily recognisable. We found the negotiation of access to institutions and research participants a long process but in the event only one HEI refused to take part (or more accurately, wanted us to reveal more of the detail of our eventual findings at that site than we felt appropriate so we were unable to continue working with the institution). We have had to adopt a variety of strategies to reach some of our research participants, including opportunity and snowball sampling, going through a variety of gatekeepers such as heads of units and equal opportunities co-ordinators, identifying potential interviewees from the web and staff handbooks and working through pressure groups and trade unions.

We have examined the equal opportunities policies of each case study HEI in some detail, using critical discourse analysis (Fairclough 1995; Janks 1997) as a tool for understanding the genre of the policies (see section 2) and have also explored the wider institutional context of equal opportunities policies. We have interviewed employees, either individually, concentrating on in-depth discussion using semi-structured interviews

(Weiss 1994; Seidman 1998) or in focus groups (Morgan 1997; Bloor, Frankland et al. 2000) where we explored a more collective view of equal opportunities. These approaches involved staff from a wide range of occupations, including cleaners (where this work was not outsourced), technicians, those working in various manual trades, secretarial and administrative staff, and academics. We have also worked closely with campus trade unions.

In addition, we have tried to include people from different social and cultural groups, including those who might have experience of different forms of inequality such as staff with disabilities, gay, transgender and lesbian staff and those who belonged to ethnic and/or religious minority groups.

We piloted our interview and focus group questions at Bristol before going into the field, which helped to ensure our questions were clearly phrased and identified issues that we had missed out. Once in the field proper, we conducted some 25 focus groups and over 60 individual interviews with staff of all grades and occupations and from a variety of social and cultural backgrounds across the six institutions.

Originally we had planned to use focus groups first before going onto interviews but in the field we found it was often logistically easier and also more fruitful in terms of discussions, to use focus groups throughout the fieldwork, reserving individual interviews for staff who wanted to discuss confidential issues with us in private and senior managers whose personal timetables would have been unlikely to easily accommodate group interviews. We have also had email correspondence with a number of other respondents and spent time getting to know each institution, its context, location, and equality policies. What we have been seeking to find out in interviews and focus groups includes participants' knowledge of their institution's equal opportunities policies and their views on these, their experience of how well these policies seem to be working and whether or not they have ever tried to pursue a complaint under any of their HEI's equal opportunities procedures. At the end of interviews and focus groups we also asked participants if they would keep a note of any critical incident involving equality issues in

their organisation over the next three months and let us have the details. Though this request yielded relatively little response, where there was a response these were very helpful in giving us additional contextual data and a small number of people also used the procedure to tell us in more detail about past incidents or events.

We interviewed 35 staff across the six institutions who occupy senior management positions, in order to explore institutional perspectives on equal opportunities and the internal and external constraining factors affecting their policies on equality. We were not necessarily seeking to triangulate data from employees with that of senior managers but rather to treat each set of accounts as a valid description of perceptions and experiences.

All our interviews and focus groups were taped and transcribed in full before being organised and analysed using Hyper-research qualitative data analysis software and a Filemaker Pro 5 data base, using themes from the interview and focus group prompts and identifying new themes arising from the data themselves. We have also tried to relate our findings where possible to existing research literature on and conceptual debate about equal opportunities. Respondents and institutions are all anonymous in this report.

Section 2: Discourse analysis of case-study institutions' Equal Opportunities policies

2.1 Introduction

As part of the project, we examined the policy documentation posted online by the six case-study institutions, and conducted a discourse analysis of the policy statements. This was initially done prior to setting up interviews and focus groups in the six institutions.

We also subsequently, in October 2004, conducted a discourse analysis of the major linguistic features of the policy statements, making use of each institution's policy as it was presented on its website. The aim of this discourse analysis was two-fold: a) to provide some contextual background to the interviews and focus groups, and b) to identify the policy statements' genres, styles, the types of audiences addressed and anticipated, the representation of social identities, and the inter-textual meanings that are incorporated and presupposed.

The relevance of a critical discourse analysis rests on the idea that the equal opportunities policy statement constitutes the institution's intervention to (re)shape, regulate and codify cultural norms, modes of conduct and the distribution of opportunities within the institution. What calls for a discourse analysis as a complementary research instrument to our study of embodied accounts of experiences and perceptions, is the fact that this intervention is linguistic/discursive in substance, at least in the first instance. It is in and through language as discourse that institutional policies are instituted, commitments made, rights and obligations stipulated, and identities represented. Language as discourse within an institutional context is a mode of action; it is used to act on the life and conduct of the institution through acting on its official regulative representations (although the degree of efficiency of this mode of action is another matter). In the next section we present a descriptive overview of the policies made available online, their general formal features and their scope.

2.2 Overview of online policies

The institutions' openness about the diversity and equality policies varied across the six case-study institutions, as indicated by the range of documents posted online on their respective websites, and indicated as the institutions' equality policies. There does not seem to be a standard conception of what needs to be publicized, and what the policy communication ought to cover in order for the institution to fulfil the legal communication requirement (Krawietz 2001). The online visibility and scope of the policies varied considerably across the six case-study institutions; they ranged from detailed, extensive information on the policies, procedures and codes, to an almost complete absence of any significant online document on equality and diversity (see Appendix 2, Table 1).

Speyside University's website contains no document on any aspect of equality and diversity policies and practices (Appendix 2, Table 2.6). A random trawling search on Speyside University's internal search engine, using key search words such as 'equality and diversity' and 'equal opportunities', yields no webpage or document that *relates to staff*.

In May 2004, however, the University kindly shared with the research team documents that were still being drafted, discussed and in progress, and we were asked to treat them as such. At the time of conducting the discourse analysis in October 2004, no document was yet posted online on staff equality and diversity. Among the drafts that we received from Speyside there was no overarching, general statement that stated the institution's commitment to promote and implement equality and diversity in relation to the 'areas' the institution, as a public body, is under a statutory obligation to address.

Sandside and Cityscape (Tables 2.2 and 2.1 respectively), at the other end of the spectrum, offer a large body of documents on staff equality and diversity policies, procedures and codes. Sandside University's website, in addition to the overarching statement, presents separate documents/webpages on disability ('Access to work' and 'Disability policies and procedures'), race equality policy ('Race Equality Policy', 'Race

Equality Action Plan' as well as an explanatory summary of the Race Relations (Amendment) Act [RRAA]and its implications), part-time work ('Part-time Working Policy'), harassment and bullying ('Harassment Policy and Procedures for Staff'), religion and belief ('Religion and Belief Policy'), sexuality ('Sexual Orientation Policy'), and work/life balance ('New Legislation on Work/Life Balance Issues').

It should be noted, however, that the 'Sexual Orientation Document', while it is placed as a hyperlink among the documents listed above, was still empty in October 2004 ; on the webpage to which a the link takes enquirers, a statement said: 'Currently being developed. Should be available December 2004'.

It is also worth noting that despite all the legal underpinnings invoked, there is no reference to legislation relevant to gender equality, with the exception of the general Employment Act 2002 that regulates parental leave (which is not, strictly speaking gender-specific, or in any case should not be seen as gender-specific, otherwise one would revert to the classical view of child care and parental responsibilities as a female business, or at least primarily so). This is not to say that gender is totally absent. It does feature in a dispersed form across some of the other documents, especially the one on sexual harassment and bullying, but is not treated as an 'area' in its own right. It might be argued that this is a positive feature to the extent that it embodies the mainstreaming of the gender inequality area. This argument, however, would be undermined by two features that we have identified:

a) mainstreaming should involve incorporating the equalities in all aspects of conducting the university, and it is well beyond the scope of this study to examine the place of equality and diversity concern across all the institution's policies and practices;
b) if we were to take the absence of gender as an area in its own right as an indication of its mainstreaming, there would then follow the criticism that the mainstreaming strategy is inconsistent as the policy does include race/ethnicity and disability which are still dealt in separate sections, under separate headings.

Cityscape's website is also very wide-ranging in its scope. It contains a general equality and diversity policy statement, a diversity action plan ('Diversity Plan: University Community 2002 – 2005'), a code of practice on harassment and bullying, work-life balance, 'stress at work', code of practice on race equality, and 'maternity leave policy'. Despite its wide-ranging scope, much like Sandside, Cityscape's policy communication does not include a separate section on gender, nor on sexual orientation.

In the overarching policy statement, unlike in the other institution's statement, the commitment to equality and diversity is pronounced, but without using the usual formula of enumerating the social groups – based on gender, ethnicity, disability, sexual orientation, age, and religion and belief – who are usually cited as beneficiaries of the equality and diversity policies (see example 3 that follows).

But, there exist two distinctively positive aspects to Cityscape's publicised policies: whilst the disability policies and procedures do not feature among the above employment policies and are dealt with under the 'Disability Services' section of the University's website, the latter clearly has a student as well as a staff remit, unlike in the other institutions – Towngate, Speyside, Westside and Eastville (Tables 2.4, 2.6, 2.3, 2.5) – where the disability services (unit) deal with students with disabilities, and indeed seem to inhabit a promotional customer-care genre, as will be shown below.

The other positive thing is that Cityscape's policy statement seems to be underpinned by a reflexivity about the validity of its commitment to equality and diversity. The case for diversity and equality is not accepted and relayed as part of the legal package that places obligations on the university as a public institution, whilst presumably presupposing the ethical validity of equality and diversity as framed by the equal opportunities principle. The 'equality and diversity policy' – which is in Cityscape's different from 'the equality and diversity statement', although there is hardly any difference in terms of their content – opens with a subsection entitled: 'Why the University is committed to equal opportunities', which sets out the rationale for the University's commitment to equality

and diversity policies, unlike all other policy statement where there is no explicit engagement with the rationale beyond the fact that that is the statutory order of the day.

Midway between Cityscape/Sandside and Speyside stand Westside, Towngate and Eastville (Tables 2.3, 2.4 and 2.5). Westside's website features an equal opportunities action plan, a race policy statement and a race equality action plan. Although Westside's publicized policies are not as all-encompassing as those of Sandside and Cityscape, it stands out in one major respect from the other five institutions: posted on the university's website is an annual report on equal opportunities (2002/03) which consists for the most part of demographic statistical data on the university 'population'.

Towngate, on the other hand, presents a general policy statement, a race equality policy statement and a race equality action plan. Disability policy on the policies web-page features as a hyperlink that takes the enquirer to student services, where the statement, policies and procedures relate exclusively to students.

The only reference to staff occurs in relation to guidance given to staff on how to better support students with disabilities. This is worth reiterating because in the fieldwork some accounts suggested that some institutions were perceived to operate, over and above discursive practices, with the idea that disability is an area of inequality mainly relating to students (which is not to say that students with disabilities are therefore necessarily well-supported or even well-represented – a totally different issue). In this sense disability may have been appropriated and re-inscribed as a marketing strategy, targeted at both potential students and external regulatory bodies but seemingly not aimed at recruiting staff.

At Eastville, the unique feature is that the diversity and equality policies are prefaced by a 'Charter for Inclusivity', a short introduction to the body of policy materials posted online, signed by the Vice Chancellor, the Chair of Board of Governors the Convener of Joint Unions and the General Secretary of the Students' Union. However, the inclusivity that the one-page Charter promises and tries to signify through the representative

signatories, is undercut by two aspects of the actual policies and procedures that appear in the other three documents posted online; namely, The Equality and Diversity Action Plan (2001/2003)', the 'Diversity and Equality Policy and Procedures' and the 'Race Equality Policy and Procedures'.

First, the equality and diversity document, and the conception of equality and diversity underlying it, is confined to race equality as stipulated and required by the RRAA, to the neglect of all other attributes and social identities that can be the basis of discrimination and denial of equality of opportunity. It is quite revealing that the document entitled 'Equality and Diversity Policy and Procedure' deals *solely* with policies in relation to 'race' and ethnicity.

Further, two documents flagged up as having distinct, if overlapping, content, vision and policies, turn out to be identical; the documents 'Equality and Diversity Policy and Procedure' and 'Race Equality Policy and Procedure' have *identical* content. In Eastville's publicized policies, as in Westside and at Towngate, the only mention of gender, religion and sexuality occurs in the one-sentence opening paragraph that enumerates the attributes and social groups that the university commits itself to ensure equality of opportunity for (whilst they are totally absent from the Speyside drafts).

But this is not peculiar to Eastville. Considering the entire body of policy documents from the six case-study institutions, and the amount of space accorded to the different 'areas', there is an imbalance between the 'areas', in terms of the amount of space earmarked for each of them, and the legal intertexts cited and explained in connection with the institutional context of the universities.

Overall, legal and normative information on race and disability equality are much more visible on the institutions' websites than the other areas, although disability equality is by and large incorporated into the promotional student section that occupies the customer care discourse type. So in the online documentation for staff proper, the dominant pattern is one in which detailed information is accorded solely to the race and ethnicity 'area'.

Reference to and invocation of the 2003 national legislation on sexuality and religion are found only in Cityscape and Sandside (in a newsletter posted online).

The fact that equal opportunities and anti-discrimination policies on sexuality, gender, religion and belief – in contradistinction to race/ethnicity and disability – remain for the most part unframed, and unacknowledged (yet are statutory obligations) leaves the status of the policies ambivalent, at least for the 'lay' reader. On another level, the lack of reference to the legislation on gender, and its framing as a statutory obligation, as opposed to race and disability, can be construed in two ways which are not mutually exclusive:

a) that the question of gender inequality is no longer a problematic 'area', or far less problematic than it used to be; or
b) that the institutions are caught up in a kind of presentism, i.e. focusing on 'present' issues, as embodied in the most recent legislations, to the neglect of the 'older' issues and their corresponding legislation.

However, this presentist approach, as manifest in the topical importance differentially distributed among the areas, is not consistent given that the most recent legislations on sexuality, religion and belief are clearly short on online visibility and emphasis. The other reading that such differential economy of attention and emphasis can lend itself to is that the institution prioritises its response to the race/ethnicity and disability legislations (although whether or not this response is of any substance is a totally different matter).

In a sceptical reading, this conspicuous prioritization, or parading, of race/ethnicity and disability policies, can be understood as an attempt to foreground the equality areas that receive some supervision and monitoring by external bodies, such as the Commission for Racial Equality and the Disability Rights Commission. An even more sceptical reading could see this conspicuous prioritisation as, to use Van Dijk's term (1999), a 'disclaimer' for what are known to be 'problem areas', either because the institution concerned is not

doing well in these areas, or because there are problems and instances of discrimination that the official policy statement tries to disclaim.

2.3 The genres of the policy statements

The genre of texts is determined by specific, largely conventional, recognisable traits pertaining to the 'theme, composition and style' of texts that belong in a given 'sphere of human activity and communication' (Morson 1986). It is the combination of stylistic features and the communicative purpose – what the text aims to do – that makes a particular text or discourse sample classifiable and recognisable as belonging in a particular genre such as informal email correspondence, a political speech, a novel, a journal article, an advertisement, a lecture etc.

The policy statement's communicative purpose, which is one of the major *recognisable* traits of a given genre, is to declare the university's commitment to the pursuit of equal opportunities as an obligation stipulated by national or supra-national legislation. The 'sphere of human activity and communication' that Bakhtin characterises as a correlative of a given distinct genre (Bakhtin 1986) falls in what can be described as organisational communication (Taylor and Cooren 1997) whereby the enactment of the organisation and relay of its culture takes place.

However, given its virtual online format (Fairclough 2003) and its potential accessibility by people from outside the organisational space of the university as a social and institutional locality, the policy statement goes beyond the bounds of organisational communication, and is indeed meant to do so. It falls within the category of both organisational communication and, given its format, public discourse, and more specifically the question of social justice within public discourse. The policy statement inhabits four orders of discourse (Fairclough 1992) organisational, legal, moral and economic. It selectively weaves together and synthesises several genres. Three major genres can be isolated in the policy statement that can be characterised as the legislative genre, the memorandum genre and the promotional genre.

The legal genre is manifest in what is known in legal expertise as the operative clause, the summary part of the long-winding legal text that serves to 'effect' the legal arrangement, as distinct from the rest of the document which tries to build up a backdrop to the legislation and cover the circumstances in which the legal arrangement is to be effected. Inextricable from the legal genre of the policy statement is what can be characterised as the memorandum genre. The memorandum genre is used by the institution to address people who operate within the remit of its institutional authority – i.e. students and staff. Genre, as manifest in the policy statements, aims to initiate, regulate and institutionalise a legitimate mode of 'interactional' behaviour within the institution, and to reshape cultural norms.

Example 1:

"Towngate College acknowledges its legal obligations to provide equal opportunities for staff and student members of its community."

Example 2:

"The University of Eastville is committed to eliminating racial discrimination in all its manifestations so that students, staff, temporary on-site workers and visitors experience learning, working and living environment, which actively promotes equality of opportunity and celebrates the diversity of our student and staff populations."

Further, the policy statement borrows from the legislative genre the impersonality, even absence, of a voice, or the speaking subject. There is no identifiable author, or representative who speaks for the university. The acts of delegation and 'speaking for' are made invisible. The university features as an impersonal actor distinct from the sum total of its constituent inhabitants – students and staff – and in a way transcends them.

Cityscape's policy statement, however, represents an exception to the patterned mode of enunciating the statement in this respect. There is a constant oscillation between

attributing the statement to the 'university' as an impersonal speech actor and an enunciating 'we':

Example 3:

"The University of Cityscape is proud to be a multi-cultural community. We value diversity, and are determined to ensure:

- that we treat all individuals fairly, with dignity and respect;
- that the opportunities we provide are open to all;
- that we provide a safe, supportive and welcoming environment - for staff, for students and for visitors.

We recognise that we still have work to do to secure a truly inclusive community, and we are committed to a wide-ranging plan of action to tackle discrimination and to promote diversity."

Although the reference of this 'we' is not made empirically specific in terms of a recognisable group of individuals, there is a distance, and a distinction set up between this 'we' and 'staff, students and visitors'.

Another generic feature the policy statement shares with the legislative genre is manifest in the inclusiveness of its reference and its attempt to minimise ambiguity through categorical statements, and the self-conscious use of language – the text's reflexive relation to the language used, through operative definitions of problematic concepts and terms, definitions, qualifications, caveats, etc.

Example 4 (categorical statements):

"The University recognises that its Race Equality Policy embraces all individuals, including students, staff, contractors, and its visitors and that it will continue to impact on the University's core functions, relevant policies, processes and procedures."   Sandside

The reflexive use of language features most prominently in the explicit intertextual appropriations placed in the appendices where the 'official' definitions of such sensitive and contested concepts as race, sexual harassment and discrimination appear as explicitly marked intertexts excerpted from authoritative public texts such as legal texts or the McPherson Report. At times this linguistic reflexivity is embedded in the main text of the statement:

Example 5:

"The University supports the definition of 'race' from the EU Race Directive, which rejects theories that attempt to determine the existence of separate human races. The use of the term 'racial origin or racial group' does not imply an acceptance of such theories."

Sandside

It is also worth noting, incidentally, that this is the only reference we have come across to the EU directives and legal frameworks which regulate institutional equality and diversity policies. However, there exist a few instances where the EU vocabulary has been incorporated, such as in the 'dignity at work' principle.

The policy statement also intersects the promotional genre (Bhatia 2004). It is promotional insofar as it contributes to upholding, and promoting the now normative paradigm of social justice in public discourse in the UK, i.e. social justice as equality of opportunity and as proportional, equitable return on one's abilities, talent, performance and character.

Given the format of this instance of discourse, i.e. an online official document, the statement can be said to be promotional in another sense; for in addition to the more immediate audiences of students and staff, the statement tries to anticipate a broad range of potential audiences. Three ideal-typical audiences could be said to be the main addressees: a) present and potential students who are to some degree customers of HE (at least through the very fact of paying fees); b) the partners, the funding agencies, other

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public sector organisations, private sector organisations; c) the monitors who include (para)governmental agencies (which could be responsible for HE funding), NGOs and, equally important, the media.

The incorporation of the promotional genre follows from the attempt to enhance the good *public* profile of the HE institution, and define it in a positive light. One of the policy statements is quite explicit about the promotional drive:

Example 6:

"(Potential) staff and student applicants may gain their first impressions of the University through its publicity materials. It is recognised that, in order to attract staff and students from a range of backgrounds, all publicity materials should reflect the equal opportunities ethos of the University."   Westside

At times the promotional genre overrides all other generic dimensions. This is most manifest in the disability statement of Eastville where the disability statement addresses itself to students, and particularly to prospective students, whilst the website does not contain any statement addressing disability issues in relation to staff. The introduction of the disability statement runs thus:

Example 7:

"The University welcomes applications from students with disabilities and dyslexia and has been actively working to improve access and support since 1990. If you have a disability, a special need or dyslexia this Statement is intended to help you decide if we offer the support you need to study here successfully."

The statement then goes on to give a very detailed enumeration of the various forms of support offered to students with disabilities. The promotional genre is at its most manifest in the fact that potential applicants with disabilities are addressed in the second person as 'you', which is typical of the advertising genre, whereas elsewhere the ostensible

beneficiaries of equality and diversity policies features in the third person (as students and staff).

Some of our fieldwork respondents pointed out the promotional drive that underpins universities' equality and diversity policies. They argue that much of what has been done to promote equality and diversity issues is, as one academic-related member of staff at Sandside put it, a 'PR exercise'.

Others noted that the universities limit themselves to some superficial action aimed at showing that the 'the university is doing the right thing'. That equality and diversity policies are an exercise in the management of the university's public image can been seen in a passage in the Westside University policy statement:

Example 8:
> "Furthermore the Race Relations (Amendment) Act 2000 places an obligatory duty to collect and publish monitoring data on staffing and services and review policies for potential indirect discrimination … Failure to do so could lead to successful claims against the University for discrimination or even the Commission for Racial Equality (CRE) or the press branding the University as 'institutionally racist'."

The rationalisation given here for responding correctly to the statutory obligations stipulated by the RRAA in a way betrays the promotional drive, and betrays an institutional anxiety, so to speak, about the negative publicity that will result from publicised cases of discrimination, or from public organs such as the CRE and the press.

It is also worth noting that the negative consequences of 'failure', as stated above, are not the negative substantive consequences on the equality and diversity situation, but the negative publicity that the university is not doing the right thing.

Further, the obligation here, the response to the obligation, the responsibility, is represented as consisting of collecting and publicising data, as if data collection and

publicising were an end in themselves; promoting equality and diversity, as distinct from promoting equality and diversity policies, is thereby reduced to a research exercise conducted internally and published for reception by the public eye. This indeed is corroborated by what we learnt through the interviews and focus groups. It was observed that universities often just note the numbers without following through the implications of the figures, and what the disparities shown in the figures require.

The same can be said of establishing administrative units or committees with an equality and diversity capacity that can sometimes come across as an end in itself. This is exemplified by the way the Sandside statement frames 'achievements' in response to the requirements of the RRAA. In a section of the statement 'What has Sandside University achieved?', the only achievement mentioned is:

Example 9:
> "Establish (ing) a Race Equality Co-ordinating Group, which is chaired by Vice Principal X and brings together representatives of staff and students from minority ethnic groups, external advisers and Heads of Services in the University."

2.4 The policy statement as promise and commitment
The policy statement pronounces and performs a commitment, a pledge, and a promise, through the very fact of uttering it, though in a written form – to promote and implement equality of opportunity. The policy statement does not describe anything; it performs a promise and a commitment through the very fact of stating. It falls with the category of what J. L. Austin calls 'performative' speech acts (Austin 1962). In declaring its commitment and promise, the university commits itself and promises to promote and implement equal opportunities.

The University's promise, like all performatives in Austin's theory, is neither true nor false; it is incapable of either verification or refutation. It simply does what it says. Whether or not the promise and the commitment, enunciated in the present, is of any substantive effectivity remains to be seen.

Concomitant with the performative modality of the utterance – a written utterance – is the fact that all the statements of the six case-study institutions are orientated towards the future. The futurity of what will follow the promise and the commitment is either marked by the future tense, or comes across through future-orientated verbs such as 'intend' and 'aim':

Example 1:

"We will make available appropriate policies and procedures which allow staff and students to raise genuine complaints of discrimination, harassment or victimisation."

Speyside

Example 2:

"The College will function in such a way that it does not discriminate directly or indirectly in the admission, progress and assessment of students; the appointment, development and promotion of staff; the treatment of any individual on grounds of gender, race, disability, colour, sexuality, age, nationality, ethnic or national origins, marital status, family or other care responsibility, socio-economic background, trade union activity, political or religious belief … The College will establish procedures which ensure that individuals are treated solely on the basis of their merits and abilities."

Towngate

Example 3:

"The University is committed to promoting race equality, seeking to eliminate racial discrimination and promoting good relations between people of different racial groups. The University will fulfil the required duties … The University will introduce a 'Dignity at Work and Study Policy' which will highlight an effective transparent anti-racist complaints procedure."

Westside

The problem with a statement about the future is that, much like performatives, it remains incapable of verification, assessment and examination; a performative constantly promising its performance. But the future at times literally falls behind the times, and betrays the fact that some of these documents have been written in a future tense that continues to point to the future even well past its empirical 'use-by' date. Eastville's policy statement as at October 2004 read:

Example 4:

"By 31 May 2002 we will meet the specific obligations (stipulated by the RRAA) …
By October 2002 we will have devised …
Approved by the Board of Governors on 14 May 2002 subject to minor editing."

There would be no problem if this document were accompanied and juxtaposed to another updated document that reports on what has been achieved, which then could be read against what was promised, or envisaged in any event. But the problem is that the only document that accompanies the policy statement is an action plan which, too, is outdated. It is entitled: 'Equality and Diversity Action Plan 2001/2003'. As the title indicates, all the actions and targets set are expected to be achieved by the end of 2003.

Westside's statement also contains an equally serious time-lag. Having enumerated the principles the university will abide by in response to the RRAA, it goes on to say:

Example 5:

"The same principles apply to other *forthcoming* (our emphasis) legislation in the areas of disability, sexual orientation, religion and age…

September 1997
Updated November 1999, 2002"

Again, the statement occupies a past future. The 2003 legislation on sexual orientation and religion and belief are still in the future. Whilst the document indicates that the last update was done in 2002, the fact that it still refers to the Special Educational Needs and

Disability Discrimination Act (SENDA, passed in 2001 and still the latest piece of legislation on disability equality) as forthcoming legislation casts some doubt on whether or not it was updated in 2002, or thoroughly updated in any case.

The constant use of the performative future, as opposed to constative statements about the present (what is being done) and/or the past (what has been done) – evades the commitment to a propositional truth-value of the statement, and therefore does not allow evaluation, verification or refutation at *the present*. And the future used, as pointed out above, in many cases remains elusive, and is at times overtaken by the past.

2.5 Receiving and relaying the obligation through policy statements:

Statutory obligations are usually acknowledged, recognized and accepted, and then reframed as the institution's voluntary commitment. Obligation and commitment, however, are neither symmetrical nor coterminous; there is no necessary correspondence between the two. One can be committed to a non-obligatory act, just as one can be under an obligation to act in a way one is not committed to.

Example 1:

"Towngate acknowledges its legal obligations to provide equal opportunities for staff and student members of its community. The following policy statement confirms the College's commitment to implement equality of opportunity and its opposition to all forms of discriminatory practices and attitudes."

Example 2:

"The Race Relations Amendment Act 2000 placed new duties on public bodies, including higher education institutions, to eliminate unlawful discrimination and promote race equality between persons of different ethnic groups. In response to this, the University has welcomed the opportunity to prepare a Race Equality Policy …
The Policy demonstrates our commitment to equality of opportunity and will be used as a framework to guide the work that we do to integrate race equality into our planning and decision making."   Sandside

Another noticeable feature of all the policy statements examined, which may be related to the foregrounding which suggested the commitment was voluntary, is the almost complete absence of the lexicon of rights and entitlements. Equality – of access, treatment, opportunity – are not framed as things that staff (and students) are entitled to as of right. This is matched by the absence of any reference to the embeddedness of their rights as employees within their broader citizenship rights. Embedding the diversity and equality policies within staff's (and students') rights would have given the statements a more powerful edge through the invoking of the universal grounding of citizenship and human rights.

Equally important, the universities' relaying of the statutory obligation to students and staff is often rendered in such a way as to tone down the degree of obligation in the anti-discrimination and equal opportunities legal norms that individuals have to enact.

Example 3:

"It is expected that all members of that community (University Community) will enthusiastically embrace and implement this policy and procedure."   Eastville

Example 4:

"All staff have a responsibility for the achievement of the University's Policy and are expected to behave accordingly. The University will not tolerate acts which breach this policy and all instances of alleged inappropriate behaviour will be taken seriously, fully investigated and may be subject to University disciplinary action."

Sandside Disability Policy Statement

Example 5:

"This policy forms part of the formal contract of employment for staff and part of the formal agreement between students and the University. All members of the University must abide by this policy - albeit that those in senior or managerial positions or with specific responsibilities for recruitment, selection, training,

appraisal and promotion should be especially mindful of the policy - and any failure to comply could result in disciplinary proceedings."   Cityscape

As it goes through the policy statement's relay, the statutory obligation gets qualified and relativised. The initial obligatory force of the legal statements that is being recontextualised (Fairclough 2003) is compromised through the modality employed ('could') as well as the way it is 'lexicalised' ('expected') in relaying the legal provisions, injunctions and proscriptions. The categorical legal obligation is modulated into a tentative, concessionary, contingent mode of enunciation.

In Example 4 and Example 5 (the Sandside and Cityscape statements), however, some of the original categorical 'obligatoriness' is retained, as manifest in 'will not tolerate' and 'All members of the University must', but is later toned down by the modality used – realized through 'may' and 'could' – which qualifies and modulates the institution's commitment to disciplinary procedures.

However, it should be noted that in Example 2 (Sandside) there is an ambiguity as to whether the modalisation through 'may' is referring to 'acts which breach' or 'alleged inappropriate behaviour'.

A frequent form of qualification is realized through the adjective 'unlawful' in reference to discrimination.

Example 6:
    "Any incidents identified as unlawful discrimination will lead to invoking of the staff or student disciplinary procedure."   Westside

'Unlawful discrimination' harks back to the text of the RRAA where the phrase is used. The RRAA institutes the obligation to:
    "…have due regard to the need

(a) to eliminate unlawful racial discrimination; and

(b) to promote equality of opportunity and good relations between persons of
different racial groups." (Race Relations (Amendment) Act 2000, HMSO 71.1)

Unlawful racial discrimination presupposes that there exists a recognized form of lawful
discrimination. Although the RRAA's text is itself qualified through the indeterminate
and potentially problematic 'due regard', the qualifying caveat applied to 'unlawful racial
discrimination' in the Act, i.e. which makes discrimination lawful, is derived from
immigration and nationality laws. The 'exceptions' section of the RRAA stipulates that
the legislation:

"…does not make it unlawful for a relevant person to discriminate against another
person on grounds of nationality or ethnic or national origins in carrying out
immigration and nationality functions."
(RRAA 2000, HMSO, 19D.1)

But unlike the very limited referential remit of the RRAA's caveat that can make
discrimination lawful, the way 'unlawful discrimination' in policy statements is used
suggests that there exists a broader range of cases where discrimination can be deemed
lawful than is stipulated by the RRAA. The problem is not just that it does not qualify the
qualification, so to speak, leaving it open to a wide spectrum of interpretations, but that,
reading it against the text of the RRAA, it is difficult to see how it can be relevant to the
university's 'functions'.

2.6 Policy statements: equality and diversity through meritocracy

A prominent feature of the equality policy statements are their incorporation of the
communitarian discourse: people are recognised to belong in communities outside the
university and simultaneously are represented and addressed as members of the
university community.

The communitarian discourse, however, is interrupted by, and in effect harnessed to, the discourse of meritocracy, both in relation to the university community and the outside communities. It is through the strict application of the meritocratic principle that a new community, synthesised from pre-existing communities, is forged, and that the university aims to achieve the implementation of its equality policies. Meritocracy is thus integrated into the normative framing of equal opportunities, and features as an integrative and equalising strategy. Inequalities, exclusions and different forms of discrimination are portrayed as following primarily from inequality of opportunity.

Example 1:

> "The rationale for the University's commitment to equal opportunities includes … an understanding of the importance of opening the University up to all sections of the community and of identifying, using and developing the skills and talents offered by members and potential members of the University, to their and the University's benefit."   Cityscape

Example 2:

> "In delivering on this statement our aim is to create an environment where students and staff are selected and treated solely on the basis of their abilities and potential."
>   Speyside

Example 3:

> "The University is competing for the best talent and skills and needs to utilise and motivate its work force in the best way possible."   Westside

The University is thus constructed as primarily an open space of fair opportunities, as an economic resource for the community's talents, as provider of opportunities whose ultimate criteria is filling the post with the best person. These statements rest on some presuppositions organised around the spontaneous neutrality and justice of economic rationality (of governance) which answers to none but the efficiency principle.

Competition is represented as a neutral adjudicator. Open and fair competition of people with 'talents' and 'skills' is entrusted with the task of countering discrimination and inequalities. The underlying logic is that communities – a frequent lexicalisation of under-represented social groups – are full of untapped potential that can be explored through equal opportunities, and the happy (side)effect is the implementation of inclusive equality and diversity policies.

The tension between the implementation of equality and diversity policies and the primacy of the meritocratic principle that HE presumably embodies, is therefore smoothed away and worked through. The principle often invoked to legitimise the fact that equality and diversity policies in HE are lagging behind compared to other sectors of education such as state funded schools from the 1970s onwards (Deem 1987; Deem 1992c; Deem 1995b; Arnot, David et al. 1996) now features as a vehicle to the implementation of equality and diversity.

Underlying the policy statement is a rather crude version of meritocracy that promises reward for 'abilities' and talent, rather than the more sophisticated achievement-based version of meritocracy. In all, the policy statement the language of achievement seems to be systematically avoided, and abandoned in favour of talent, abilities and potential. In locating the differentials in talent, it builds on an 'asocial' explanatory schema of talent; it brackets out the precondition for the cultivation of achievements 'misrecognised' as talent, as intrinsic qualities.

The University helps the talented to become what they already are. In its attempt to be inclusive, the statements revert to an older version of meritocracy that is premised on what is ultimately an asocial view of achievement: merit as differential natural abilities and endowments. What is elided, or perhaps overlooked, is the fact that talent is *one* way of describing a (successful) performance, and an achievement that owes its fulfilment to opportunities largely inaccessible to the underrepresented groups in HE.

The problem essentially boils down to a confused picture of causality: achievement is retrospectively attributed to talent pre-existing the opportunities that are necessary for its development. Talent is a perceptual effect of achievement that, in turn, is an effect of one's taking advantage of differentially distributed opportunities.

In arguing the meritocratic case to ground the moral-political commitment to equality and diversity, the policy statement is bound to get caught up in a paradox following from an asocial understanding of talent, and ultimately following from the explanatory framework of meritocracy.

If the policy statement recognises talent as the result of achievement, there would follow the perception that what the University does is simply to help the achievers – i.e. the over-represented – achieve yet more, and therefore reproduce and reinforce structural differential distribution of talent *qua* achievement. That is why the statement has to avoid the conception of talent as achievement through inequitably distributed opportunities, and fall back on the rather crude version of meritocracy as innate, pre-social endowment that needs to be developed and socialised through equal opportunities.

2.7 Conclusion

Our descriptive survey of the policy documents posted on the six institutions' websites reveals a great degree of discrepancy and variability in terms of the scope and areas that the policies cover. There does not seem to be a standard conception of what should be included in the publicised policies for staff.

Clearly, the policy documents on the web are weighted towards 'present' topical equality and diversity areas that have recently been emphasised by HEFCE and receive some monitoring by such public bodies as the Commission for Racial Equality and the Disability Rights Commission.

But equality and diversity in relation to sexual orientation and religion and belief – the latest equal opportunity legislation to date – remain excepted from this concern with recent issues.

Treatment of gender inequality, on the other hand, by and large is limited to a passing mention in the standard generic opening statement. We have found no reference to legislations relating to gender, and references to legislations on sexuality and religion and belief are few and far between. Disability policies seem to respond more to SENDA (2001) than to the Disability Act (1995). Disability policies in relation to staff – in response to the 1995 Disability Act – are in some cases completely absent, which contrasts with the presence of documentation on student disabilities on the student services webpages all across the institutions studied.

Our discourse analysis of the policy documents shows that the policy statement, given its multiple functions and anticipated audiences, tries to selectively draw upon several genres – the legal genre, the memorandum genre and the promotional genre. The mixing up of these genres at times poses some ambiguities and questions as to the status of the policies, and how and to whom they should be related.

Embedding the legal/ethical commitments within the promotional genre can reinforce the perception – which we have pointed out in the report on the fieldwork data which follows – that equality and diversity policies are primarily part of the institution's management of its public self-image.

On another level, the policy documents are by and large orientated to the future, and cast in a promissory mode, enunciating commitments and detailing programmes – usually race policy plans – whilst little mention is made of what is being done or has been done.

The statement of commitments and codes of practice are positive in themselves, but would acquire a more forceful edge if they were juxtaposed to reports on the action the institution has taken and is currently taking to improve its equality and diversity

practices. It would have even more force if it put across its provisions with a higher degree of obligation, and reframed and mainstreamed the policies as citizenship rights and entitlements.

It should be remembered that implementing equality and diversity will always necessarily involve some degree of negating and countering some social groups' privileges that may be, in some cases, taken for granted as inalienable rights, part of what they see as the natural order of things. And that is precisely why the ethical and moral case for equality and diversity needs to be explicitly argued, rather than assumed to be self-evident.

Equality and diversity in the work place, in a HE work place in particular, need to be shown to be good, right and desirable, and, in the long term, in the interest of not only all members of the organisation, but also society at large.

Section 3: The fieldwork on employee perspectives and experiences

3.1 Understanding and perceptions of Equal Opportunities policies, practices and procedures

In the project, we tried to ensure that the actual policies of each higher education institution we were examining provided a substantive backdrop to the case studies, through studying the policies and analysing the discourses present in each set or subset, as analysed in the last section.

In the fieldwork, we explored the extent of respondents' awareness of these policies and also their perception and understanding of what comprises the concept of equal opportunities. Many of our respondents, other than HR professionals and trade union or pressure group activists, did not seem at all familiar with the concept of equal opportunities as conventionally defined in the social sciences literature, that is disadvantage related to oppression and/or discrimination on the basis of cultural and social divisions such as gender, ethnicity and 'race', social class, sexual orientation, disability, religion or age. Some respondents saw equality of opportunity as related to any advantage that others had, regardless of the basis on which this was achieved.

Thus, equal opportunities (or their absence) might be used to refer to barriers experienced by those in particular occupations. For example, technical and secretarial staff complained of barriers to promotion despite undertaking further study and other staff from manual and similarly low-paid occupations were concerned about the extent to which individual line managers controlled access to promotion and even staff development courses.

Some academic staff compared their teaching loads and research opportunities to those of staff in other higher education institutions. A manual staff trade union representative at Sandside contrasted the institution's policies with regard to equal access to staff development opportunities and the difficulties faced by manual staff when they actually wanted to go on courses:

"I don't think there's any encouragement. There're guys there that would do it…, it might be there in the book, the pamphlet, about staff development opportunities, but you try and go on them and it's a big upheaval you know trying to get released to go on courses etc. And that's demotivating."

Some academics, particularly those working at Speyside, Towngate and Eastville, which were more teaching-focused institutions, complained that they had less time and resources to do research than those in some other higher education institutions. Others in more research- focused institutions compared themselves to some of their colleagues within the same institution who were perceived to have more opportunities to do research.

A junior academic at Westside pointed out the perceived unequal training and research opportunities and career prospects amongst staff within an ethos dominated by the Research Assessment Exercise (RAE):

"I suppose another area of inequality is getting access to that (training) … if a researcher will say you are on a reasonably long project, might not only have a PhD attached to it, and clear mentoring and the opportunity to publish. They might get all that, they might have the job insecurity but at the end of it they will get their PhD and publications and should be well set up for another opportunity. But there are other people perhaps on academic related posts or on lecturer co-ordinating posts, where they're still being measured on their output in terms of publications or PhD achievement and so on, but they might have a huge perhaps teaching, or administrative load, in which they don't actually have the same equality of time. And I think that's one of the things with the RAE. It's very unfair in the way it's measuring different people against the same criteria. And that's true also for conditions for promotion. It doesn't take enough account of the other things that people do. It says it does a bit but I still think it doesn't really. So I think the different access to training (and) … mentoring is an important issue as well."

Whilst it is difficult to connect the latter complaint to any officially recognised form of social exclusion, the concerns about occupational discrimination are sometimes based at least partially on social divisions such as gender or ethnicity, as well as social class, particularly where occupational segregation is in operation.

However, we found this was rarely mentioned by complainants. Specific reference to gender, sexual orientation, age, disability, religion and/or ethnicity formed the basis of a few respondents' understanding of equal opportunities but only when these, in their view, had directly affected them, in several cases giving rise to an informal complaint or grievance.

A small number of respondents who gave accounts of events or incidents in which they had been bullied, harassed or badly treated (accounts also given by others) were at pains to say that they did not think such incidents were the result of discrimination on the basis of a particular social or cultural division.

The view of a substantial minority of our staff respondents was that issues of equal opportunities for staff were neither a priority of theirs nor of their institutions. In some HEIs, a considerable number of respondents expressed the view that equal opportunities for students was a far bigger priority than those for staff at their institution, especially given the recent policy emphasis on widening participation and on assisting students with disabilities.

A member of technical staff at Cityscape identified the driving force behind the institution's equality and diversity policies thus:

> "They're organising all these equality policies etc. to cover their backs because they've got people's kids here as students and they need to have all these policies in place. They don't give a toss about the staff. The policies are nothing to do with us, they don't think that we need to be equal, they're doing equalities for the students.

This applied to specific support for particular inequalities, as well as more general perceptions, and was particularly true for disability."

All the institutions studied, as we saw in section 2, had equal opportunities policies in place and all but one had details of these available both on paper and on their websites. Thus it might reasonably be expected that staff would have some knowledge of such policies. However, we did not find this to be the case. Many staff knew almost nothing about their institution's equality policies. When asked how they would find out about such policies, most respondents not in manual jobs (where email access is rare) in institutions where such information was circulated by email, typically said that they took no notice of such information as it was not directly relevant to their day to day work:

"…(sending information by email) doesn't mean that I take any notice of them … there's so many documents and paperwork that comes through, that mostly I'm not interested in."   Academic, Eastville University

"I mean all these documents and policies are all available on the institution's website (and)…the noticeboard, but nobody would ever read it … and nobody will ever read it on the website either."2
                                        Support staff trade union representative, Towngate College

Thus, it appeared that our respondents were not overwhelmingly knowledgeable about their institutional equality policies, even where efforts to communicate such polices had clearly been made. In one sense this is not surprising, since higher education institutions now have so many diverse policies on so many issues that it is unlikely anyone not in a senior management role would have a detailed knowledge of most policies.

Nevertheless, since equality policies are in theory relevant to all employees, the question arises about whether higher education institutions necessarily have organizational cultures that are empathetic to equality matters. A further question raised is about the extent to which the reactions of some of our respondents to notions of equality of

opportunities have been affected by current debates on equality matters and the general UK-wide political climate (which despite recent EU directives, is not necessarily one in which such issues are pervasive).

As noted in section 1, an increased emphasis on institutional cultures of discrimination arose after the MacPherson Report (Chahal 1999; MacPherson of Cluny 1999). At the same time, we have seen in the previous section that in attempting to mainstream equal opportunities and in talking of celebrating diversity, New Labour's policies have to some extent de-politicised and neutralised equal opportunities as a set of strategic approaches to systematic forms of social and cultural exclusion.

In our research, with a few exceptions, only those individuals who felt that they occupied a specific position in which experience of exclusion is likely to be an issue (e.g. women, gays, transgender people, lesbians, people with disabilities, those from minority ethnic groups and those from religious minorities) or those concerned with supporting people in making complaints about discrimination (e.g. trade union officers, equal opportunities officers, personnel officers) seemed at all sensitized to concerns with equal opportunities other than those pertaining to occupational categories, fixed term/permanent jobs and managers/'managed' staff.

3.2 Resources to implement equality

The implementation of equality and diversity policies and the (formal) equalising of opportunities require a financial investment on the part of the institution. The incremental process of reducing public funds allocated to HEIs – inducing institutions to prioritise financial viability, look for alternative sources of funding and income-generation, and focus resources on responding to funding-related audits – has brought about a cultural change in UK higher education (Deem 2004) that has had a knock-on effect on all aspects of the managerial 'code of conduct' within HE institutions, including the way they resource and implement equal opportunities policies.

In addition to the question of where the resources they receive from the funding councils go (e.g. in England for their HR strategies), the financial question can be directly manifested in the resources allocated by the institution for:

a) the administrative unit in charge of the implementation, monitoring and evaluation of the policies,
b) improving the accessibility of buildings and facilities,
c) equality and diversity staff development.
The resource question can also arise in more mediated forms in relation to, for example, the facilitation of paternity/maternity leave, child-care facilities, and the extent to which retirement, recruitment and promotion policies advantage or disadvantage different staff.

Three of the six institutions (Sandside, Cityscape and Eastville) have in place an equality and diversity centre (the appellation varies; henceforth 'equalities unit') intended to 'play a generic equalities role' (Eastville Equalities Unit Officer): viz. to develop and draft policies, play a central part in monitoring and evaluating the policies implemented, disseminate and help cascade the policies, develop and organise equality and diversity staff development, organise 'diversity events', provide support and advice for staff, and regularly report to the equal opportunities committee (or its equivalent) and/or the governing body. The other three institutions deal with equality issues through a named contact in their personnel or human resources division.

Even where a genuine commitment to equality and diversity exists at the highest level of the institution, if it is not coupled with sufficient resources to drive the policies on the ground, actual progress both in developing the relevant policies, implementing them, and monitoring their implementation, will fall short of matching and responding to the strong commitment at the top managerial level.

The equalities unit's coordinator at Sandside University, despite her very positive assessment of the equalities situation at the institution at present, mainly as a result of the commitment and impetus shown by the new Vice Chancellor, still identifies resourcing

and understaffing in the equalities unit as the biggest problem preventing the unit from playing an otherwise more active and effective role:

"I think I'm very fortunate because I think some other people of my equivalent in other universities have a very hard time because people think what's this got to do with me? What's equality and diversity got to do with me? You know it's not, this is the last thing I want to think about in my job so … Before it was very much seen as an add-on and seen as a burden to, to people within the university, I'm talking about management here, I think it still is to some extent but there's now, we genuinely feel there is a commitment from the senior management group, there is a genuine commitment and I think that's because of the change of our Vice Chancellor … More resource … Like in the equality and diversity unit, with a director, a new director and a new person like me and a project assistant and secretarial assistance too, that is my ideal situation!"

Lack of financial resources, combined with its perceived ineffectiveness – relative to superordinate governing bodies and the devolved prerogative to implement the policies devolved to (middle-)managers – fosters the perception among staff that the equalities unit was set up simply as 'PR exercise' (as an academic-related staff at Sandside University described equal opportunities policies), and to give the impression that the institution is doing the right thing. An Eastville senior academic who has been closely involved in some of the unit activities there says:

"And there has been a clear sense in which there's a belief that the establishment of this central unit was purely symbolic and not enough resources were put forward to make it a viable entity. And expectations were placed on this unit that were impossible to meet because of the fact that they were under-resourced … So (there are) significant issues in terms of the kind of bureaucratisation and the paper trail sort of perspective or approach to the implementation of policies, and what actually happens on the ground."

If the unit is not perceived to be making an impact, due to constraints following from under-resourcing or its limited remit, then establishing the unit may be perceived as a bureaucratic exercise that tries to pass off procedural and ceremonial gestures as substantive outcomes. Policy and action on equality and diversity, by association, come to be perceived primarily as part of the university's performative management of its public profile, which will of course translate into an economic return of one form or another.

An ethnic minority academic at Eastville thinks it is time the university moved beyond 'parading a few saris and African drums every now and then' (around one event per month – secular and religious), to move beyond the politics of recognition inscribed in these ceremonial consecrations (often perceived as tokenistic), and to instead focus efforts and resources on substantive issues and outcomes.

Two further issues arise regarding the way equality and diversity policy implementation and initiatives are resourced and prioritised. First, the way the institution allocates resources and 'invests' in the 'areas' of equality and diversity (ethnicity, gender, sexuality, disability, age, and religion) may be uneven. It has been noted, for example, that in some institutions there has been a lot of emphasis on the disability 'area', much to the neglect of the other areas that raise issues that equally need to be addressed and resourced, such as ethnicity and sexual orientation.

But two remarks are worth making here:

a) the disability 'area' is not as well-resourced and well-implemented as it is often made out to be, at least in relation to staff (as opposed to students) with disabilities, or at least according to some of our respondents;
b) this perception can be explained less by ample investment in making the university more accessible, than by the extensive publicity surrounding institutional disability policies. It was not that staff with disabilities felt that they received no help or resources. Rather, they often felt that too much was left to the discretion of other individuals:

"...a lot depends on the willingness of a particular manager to be flexible or particular management to be flexible, and some, I've been through quite a few now, some of them are much more flexible than others and some of them will just as a matter of course give me slightly less of that type of thing because they know the difficulties, whereas others stick to the official equal distribution of workload, which actually is quite difficult in that regard for me to do - in other ways I can do just as much or more than other people but in particular things it's difficult, and it's difficult if there isn't any recognition of that."   Academic, Cityscape

UK HEIs' support for students with disabilities, it should also be noted, has until very recently been, at best, developing slowly (Riddell and Tinklin 2003). However, SENDA requires attention to support for students with disabilities as a statutory obligation on educational institutions.

However, there does exist some funding element that can account for this perception: as the director of one of the equalities units noted, while there is some funding allocated to institutions (and to staff with disabilities) to resource the implementation of the institution's statutory obligations as regards disability, there exists no equivalent funding made available to the institution to implement, for instance, the Race Relations Amendment Act of 2000:

"In my experience as head of Unit students with disabilities have been well supported from HEFCE through funding initiatives for projects … Now that's a very clear message from the Government and from HEFCE, that disability is important, here's the money to support whatever it is you need to do … We then get the Race Relations Amendment Act … No funding … No funding at all. And there is no funding attached to all the extra range of activities and monitoring and policy development and staff development that should be happening in the relation to the RRAA … And I think that gives a very clear message, it gives a clear message. I think that one thing is more important than the other … Because the Race Relations

Amendment Act is requiring us … and European directives are requiring us to do a huge amount more work."   Head of Student Equalities Unit, Towngate

The second problem at Towngate (which also arose elsewhere) was considered to be the institution's prioritisation of developing and resourcing student equality and diversity to attract students and tuition fees, and meet set targets (e.g. for widening access/participation). The problem was identified both in terms of efforts/resources and outcomes obtained (the incomparable 'diversity' figures of students and staff).

Overall, the institutions studied seem to be underpinned by the principle that equal opportunities policies will be pursued so long as their implementation will not in any way be at odds with immediate, short-term saving and cost-effectiveness. Equal opportunities and its demands stand a much better chance of materialising so long as it does not involve direct or indirect expenditure of financial resources:

"Sometimes it's like banging your head against a brick wall, especially when you're actually asking for resources for money. If money's involved then there are a lot of sort of ums and ahs, and if you're not careful you can get nowhere fast. When it's not money but simply, when it's doing things that won't be particularly costly, or that won't cost anything, I think it's fair to say that the university has been much more pliant. It's been much keener to be seen to be bringing in equal opportunities policies … the answer to your question is, that I think the Association of University Teachers [AUT] is fairly effective here (with regard to its input into equality and diversity), especially when it's not asking the university to spend money."

Academic trade unionist, Westside University

It was noted that pursing equality and diversity policies can be perceived by institutional managers to be at variance with the 'managerialist', market-orientated notion of excellence narrowly defined in terms of performance outcomes and short-term cost-effectiveness and financial returns (Johnson 2001; Deem 2004). Only a few of our respondents were prepared to acknowledge, or were in any event aware of, this tension,

as well as the 'performativity' of equal opportunities, both a result of and a support for, the continuing primacy of managerialist economics.

It was noted by one or two respondents that perhaps one way of having diversity and equality mainstreamed and adopted by the institution is to play the economics game and marshal the instrumentalist argument that equality and diversity will in the long run positively feed into the economic well-being of the university:

> "So I think the cultural changes that's required is to show how they (university managers) would benefit if they were to employ equal opportunities policies or if they were to give real effect to the theory of equality of opportunity because at the moment resources are being wasted." Female black academic, Eastville

Reported cases of ageism exemplify some of the possible effects of the normative and regulatory primacy of economics on equality and diversity. Ageism within HE as a workplace is not just, or perhaps even, a discriminatory practice that follows from prejudices, stereotypes, status attributes, representations or a certain deficit in one's politics of recognition in the way sexism, racism and homophobia are, but also a managerial, cost-cutting strategy.

Whilst its effects are discriminatory, its motives are not; they are rather concomitant with the managerial ethos and mode of governance organised around cost-cutting, financial viability and even profitability. Some people are thought to be 'very expensive', as one academic put it, to retain as employees, to recruit, or to promote (when they don't have 'many' years to go before retirement).

On occasions shifts in investment in academic departments were perceived by staff as having been motivated by ageism (in relation to the staff in units to be reduced in size rather than the quality of the teaching or research).

3.3 Equality and quality

Our study suggests there are some major contradictions and collisions between concepts of quality and equality in higher education, a point also evident in other research (Morley 2004). On the one hand, informants reported a lack of overlap or transfer between the two concepts. It was perceived by a good few academic and support staff whom we interviewed, that the quality assurance revolution in higher education seems to focus largely on quality services and environments for students, rather than on also providing the same things for staff as well.

It was reported by some interviewees that most of the content of staff-development training on equality in their institution appeared to be focused on student services. In addition, as academic work becomes more of a service industry particularly in respect of undergraduate students, the notion of customer care has gained increased importance. This may mean that a focus on staff needs and conditions of service is not even seen as a priority by staff, as an Eastville academic notes:

> "My head is very much into the equality issues around students and I find it quite hard to actually engage with the equality issues for staff which is something, because I'm dealing with students so much I suppose, I always tend to be thinking about them and not necessarily thinking about what staff issues are."

Equality can also be constructed as another form of regulation and surveillance in the managed university, alongside quality audit (Morley 2003). Informants particularly noted how equality and legal issues tended to be communicated via email alongside a mass of other information.

As such, there was danger of equality initiatives being perceived as 'noise', and becoming neutralised or associated, not with radical social movements, but with neo-liberal modes of control and governance. Many admitted, in a rather apologetic tone, that they usually delete the institution's emails on equality and diversity, or let them slip out of sight and

get buried in the archives due to the constant influx of emails. An academic at Eastville University says:

> "But we do get notified when there are changes by email, which isn't always the best form of communication. I think we do get quite a lot of emails so it becomes a case of prioritising, which ones do I need to respond to and if that's for information only then I can store it on my system and come back to it at a later date, before you know it, it's bumped to the bottom of the page and off the screen."

The issue is not one of the uses of electronic communication, but rather it illustrates how responses are shaped by the 'just-in-time' culture of the 'now' or 'performative' university (Kenway, Langmead et al. 1998; Blackmore 2003). There is less time for systemic or strategic analysis when the emphasis is on fast responsiveness in a 'quality' culture.

A support staff trade unionist from Towngate observed that the existence of equality documentation was probably for audit purposes anyway:

> "And you know most of these documents are pretty turgid so you have to … they need translating and putting into action. You know. Having a document is completely useless. I mean it's great for their … you know if some inspecting body comes round, they can see you've got the most wonderful policy, but …"

Transparency is frequently positioned as the challenge to the hidden curriculum of decision-making (Morley 2003). It was not something that quite a few of our respondents recognised in their institutions, rather they noted what they perceived as nepotism, cliques, cronyism and exclusions. It was felt by a sizeable minority that appointment panels often had well-formulated ideas about who would be appointed or promoted before the procedures had even been activated, which excluded internal appointees on 'quality' grounds.

For example, a support staff member interested in making an internal application at Speyside University was told that 'we are looking for a new person to bring in fresh ideas' to the job.

Academic staff also expressed discontent and criticism about the lack of transparency surrounding promotion procedures and appointments to managerial positions. A female lecturer at Cityscape suggested decisions are often made informally:

> "Especially in relation to promotion and also just in terms of the loop, is kind of an unofficial process of consultation and involvement in decision making, the sorts of things that happen outside of meetings."

The same lecturer also reported the dynastic model of decision-making that she believed operates in her organisation:

> "We are in the process of appointing a new head of the school and you know it's very difficult, well it has been very difficult, to accept this process of appointing a new head of school that's gone on until now which is basically the head of school decides who the next head of school is going to be, and if they are not promoted enough to be one of the candidates, s/he will promote them so that they are, you know at the level they need to be at to be the next head of school."

Support staff at Cityscape University noted how person specifications could be changed and re-interpreted to fit preferred candidates:

> "We have for the promotion thing which changes this year, you've to look at the (yellow) book. In the (yellow) book it says … in one of the pages it says 'preferred qualifications'. Well someone went and got told that they could climb the ladder, and he says 'Well I can't because I haven't got the qualifications'. And the management turned round and says 'Well what it says there is that it's preferred, it's what we would prefer you to have. But if you

haven't got them and you can do that job, that's okay'. So they can reword
something to suit themselves. That's the nearest one that I've managed to think
of. It's rewording things and making things fit to suit you."

A cause of concern was the quality of who manages equality issues at the grassroots level (rather than at institutional level). It was reported by some respondents that they felt this was often delegated to people who seemed to have little or no understanding of the politics of discrimination. The function was simply appended to someone's already overloaded job description.

Furthermore, some of the 'experts' involved in equality work did not always appear to our respondents to be familiar with recent legislation. Thus, an academic from Eastville relates:

"I mean the policies, we've argued they have very good policies, we've argued with
them until it was good, but there are limits. To the extent that they're put into
practice, I'm very unhappy. They have an occupational health advisor who has
brought two people with disabilities to tears in the last six months. She doesn't
understand disability basically. I tried to get something resolved. Well, they
actually had a draft job description produced to the disability committee and that
hopefully was referred back to the personnel department. If you have these
problems, if you have these individuals who do not understand…"

A member of support staff – and a trade union representative – from Cityscape highlighted how sometimes the most inappropriate people get appointed as equality officers:

"I can give you an example of somebody that was given a post of equal
opportunities officer for a School who was the biggest bully in the school. She
could have people in tears. And yet she was an equal opportunities officer. And
that's the kind of thing … you know there's no monitoring of who it is that's
taking on these roles."

Conversely, a senior black academic from Eastville felt that management was not doing enough to cascade equality issues into the organisation and that responsibility was left to minority status staff:

> "But I would love for more, in inverted commas, majority ethnic colleagues to own equality and diversity issues and to see them as issues that are pertinent to all, as opposed to somehow being seen as special interest groups, special interest group concerns. But that isn't the case, so I frequently find myself in meetings being the designated authority."2

Some support staff from Cityscape suggested that there was an element of *equal opportunism* as some staff members took responsibility for equality issues to enhance their professional profiles and then failed to take any action:

> "I think it's really well illustrated the commitment of management to say equal opportunities or discrimination officers, is if you look through the Schools as to who they've actually appointed to those roles. And then you try and find out what work they've done, because knowing I was coming to this I actually had a little look for the listings, and I couldn't find them for my faculty and I wouldn't mind betting that if you look on your website, they're not there. I mean there was a name there, the bad news was she'd actually left four years ago so um … you know. So I mean that just to me says this is the commitment on the ground in the faculties. It's not happening and I mean the people that I know that they've appointed are people who've needed … academics who've needed that for their workload model and they don't do anything with it."

A member of support staff at Sandside made a similar point, emphasising that in fact often manager-academics at school or department level simply devolve their equality and diversity responsibilities to one of their assistants:

And a lot of them have been academics and have worked in a totally academic field, they've been there since they were researchers and then they've become the head of department … They grow up to be head of department and of course the heads of department have to rotate now … And they've got no people skills. They've never worked with people. They don't know the policies, the procedures. They don't know them. They don't follow the policies, some of them … And quite often they just devolve it to somebody else. They don't actually take the hands-on view themselves. They're devolved to somebody else. I mean I've seen, I've experienced that … That's why I left, that's why I left one of the jobs I had in the university, because of that … So I mean there seems to be a common theme here in this part of your question, that heads of departments need further guidance, advice, training, whatever.

The problem of senior and middle management inactivity was observed by an academic trade union representative from Eastville who felt that for some, it was sufficient simply to note the numbers rather than take any action to rectify under-representation:

"Now on sex equality last year there was a round of promotions to principal lecturer and, it was noted that I think the proportion of women who applied, as compared to the proportion of women employed, and the proportion of women I think, was one out of six appointees. And the personnel office simply in their report noted the numbers. But we tried to push them to think about what might they do about it but they were quite content to just note the disparity between the number of women employed in the academic role and the outcome of this round."

Performance indicators in quality audits can also, on occasions, over-ride equality concerns. For example, the RAE may be a central driver in decision-making about appointments and promotions (AUT 2004). On the one hand, productivity is valued over social identity, which means that research- active female or black members of academic staff have more chance of recognition. On the other hand, the intensified atmosphere of the RAE can mean that anything goes, with headhunting and personal approaches to well-known academics

accepted recruitment practice. This can work against internal promotions, as an academic trade union representative at Westside observed:

"So the people are employing almost exclusively new people anyway there, exclusively in terms of their potential, their current research output, and their potential research output. And I suppose you could say in one sense, as long as they can get people who they think will look good in the RAE, they're certainly not going to discriminate in terms of race or gender or anything. On the other hand if a university has some kind of policy of doing their best to employ staff from ethnic minorities, or across the two genders, then there's going to be a tension there, clearly there's going to be a conflict. Because the main priority is going to be getting people who can, or have, or will publish, and they're going to see things through that lens only rather than think, well okay, maybe we're not absolutely sure whether this male candidate or that female candidate is better, but in the circumstances we'll probably take the female one. They're not necessarily going to do that if there's any chance at all, for example, that the male candidate will publish a bit more over a period of time. So there's got to be a bit of a tension there I think."

Sometimes the drive for quality in equality terms can also lead to tokenist appointments of those who fulfil 'equality' criteria, leading to a sense of overload by those individuals involved:

"I've become very kind of strategic in terms of my resistance to being put forward as the designated authority. Because I'm now, I became a Reader in 2003 and so I'm very young to be at that senior position. I'm a woman, I'm a black woman, so I'm an acceptable and a very impressive kind of public face for the university. So I'm frequently approached by the vice chancellor explicitly to represent the university for media purposes, and I have for the most part said no. I've just been, you know, otherwise engaged, because I know what is at work here. I mean I won't completely shoot myself down by saying that I'm not an articulate person and someone who can get my ideas across in a forceful manner, so I know that's part of it as well, but I think

I'm not so naive to not be aware of, for television, how symbolically forceful it would be to have my face kind of representing."2   Academic, Eastville

The urgency of the audit culture and the drive to demonstrate performance means that some respondents felt that lengthy procedures to ensure fairness were sometimes viewed as over-bureaucratic and wasteful.

A lecturer at Westside noted that the speed of the 'now' university meant that equality procedures were frequently over-ridden:

> "Something that's happening in this place, and I think it's happening all over the place really, is a sort of, I think there are inequality implications here, is that you've got a sort of centralisation of power at the top, a sort of managerialism that's happened in British universities over the past ten or fifteen years is being accelerated at the moment. Because vice-chancellors want to achieve results quickly, get good people in quickly. So rather than go through the correct procedures when it comes to recruiting new people, you know, going through the various committees and getting consensus and agreement on things, they will just sort of, by dictat, they'll say yes we want, yes, let's advertise for six people in business studies because potentially there's a lot of students from the Far East that will come and do business studies. Let's get staff in quickly, put the advert in now, when in fact they're supposed to go through a sort of process whereby the department's consulted, and various committees are consulted, it goes to the university council. That's sort of been circumvented to a large extent."

Hence, it does not appear that the scrutiny of audit is always perceived as being applied to monitoring equality issues for staff in all of our case-study institutions in the same way as audit criteria are applied to other aspects of higher education such as research or teaching. There are also mixed feelings about who should lead the management of equality policies; those with ontological capital or those in positions of authority who

may have the organisational locus, but who lack lived experiences and political analysis? Throughout our study, we noticed how readings of the inequalities themselves were complex and subtle and how these could be wide open to misrecognition and micropolitics.

3.4 Micropolitics and power relations

Micropolitics is a concept which focuses on the ways in which power is relayed in everyday practices. A micropolitical perspective can reveal the subtle and sophisticated ways in which dominance and discrimination are achieved in academic organisations. Several informants reported how power gets relayed informally in academic life via networks, coalitions, gossip, humour, sarcasm and exclusions. Exclusion is often abstract and nebulous, leaving victims uncertain of their readings.

A lesbian professor from Cityscape said:

> "I think many of the stories that I've heard from other people are not about explicit anti, you know anti-gay, homophobic, where someone says, you know, I'm not promoting you because you're a queer or you're not doing this, it's much more subtle than that, and it's about people not being seen to fit in, people not looking like, their face doesn't fit. And that's never quite said to them, but they get, they get marginalised."

Support staff at Cityscape also commented on the face not fitting and favouritism, using the Aryan image of the 'blue-eyed blonde':

> "A couple of departments will only employ blue-eyed blondes…
> we had an example where a post was created for someone and the first thing …
> we're in the same faculty and the first thing we knew about it was they said 'Oh so and so's been made …' And I was one of the first people to go to the head and say 'Well how come?' you know. 'We should have internally advertised this post.'

And it was a post created for this person because he was a blue-eyed boy, and that was it."

One example of the subtle ways of excluding some members of staff and in the long run placing them at a disadvantage regarding the practical competence required for career advancement, is the formation of exclusive semi-formal or informal circles. The result is that staff operating outside the clique of the semi-formal circle are disadvantaged with regard to accumulating a well-rounded academic and managerial experience that would contribute to their career advancement, and also excluded from information that circulates or emanates in informal circles but has an impact on the formal context of the department or school.

A female academic from Sandside noted:

"You know, in hours that you might think were not working hours, and they're not officially working hours, but all sorts of things go on. You know all sorts of contacts are made. And this is one thing that I think that doesn't happen officially that is also a real problem for women who are maybe doing the job perfectly competently but are not going and playing golf with colleagues, are not going and having a drink after work with colleagues, this kind of thing, they're not going on away days, they're not going for staff development exercises out of hours. And you know the way that appointments still are made, not job promotion type appointments, but getting onto various committees and invited to you know join this particular group is still extraordinarily male dominated. And the few senior women … and they are still few in Sandside … work their socks off sitting on committees and this kind of thing and doing these invited bits of business. Sandside is, I think, notoriously 'old boysie'."

Another way in which micropolitical sabotage can occur is via selective communication. While many informants in our study complained of general information overload, others noted how power relations operated to stifle or withhold information.

A female lecturer from Cityscape commented on how male-dominated coalitions excluded her:

> "The banding together of men within the department and the keeping of knowledge and information, some of which is essential to be able to do my job properly, a sort of deliberate withholding of that information when it was needed to execute a particular task, and then that being interpreted as me not knowing the systems or me not being sufficiently savvy or experienced in higher education. So there is definitely a control on the passage of information which has been used in quite a damaging way in my experience."

Control of access to opportunities through control of access to information can also affect support and academic-related staff.

A member of support staff at Sandside said:

> "Well I, I'll tell you an example that's absolutely true. My biggest bug-bear in this university and it absolutely drives me crazy, is that the university will say to the head of department, there's such-and-such a course on, send this round to your staff, and the staff don't get it because somebody else decides what you should know … Or a head of department gets it by email and is away for 3 weeks and looks at it and sees it's from HR or something like that, that can't be important, and they deal with other things first so sometimes the course has passed or it's the next day when an email gets sent round the whole department and by that time it's too late to organise your time."

An Eastville academic informant comments on how racism is conveyed micropolitically via everyday management practices:

> "You don't issue instructions, you don't micro-manage your black staff, criticise them and investigating every little thing they do, looking, fault-finding, or pretending that

well you're just checking up but really what you're doing is you're saying that you're in the post but you're only there because you're black, you're not really able to do the job, I'm going to have to do everything, and of course there's the exasperation and the annoyance that goes with that. When somebody feels that they have to constantly be checking your work, they let you know that they're angry about it because they're thinking I've got to do extra work because I've got this black person sitting here."

A further example of school or department-level old boys' club model of management and its attendant discrimination and exclusion was reported at Eastville, where cases of exclusion and discrimination were believed to be targeted at ethnic minority staff. Four members of staff whom we interviewed reported (either in the interview or on the critical incident forms after the interviews) having been discriminated against in the promotion procedure and in appointments to middle-managerial positions on this basis. Their claim about discriminatory practices and career progression denied to them was made on the grounds that they felt their academic profiles better met the stated promotion criteria than those of the ethnic majority staff who eventually obtained the promotion.

What reinforces the perception of racial discrimination is what was characterised as a recurrent pattern of ethnic minority staff failing to get promotion. Three of our respondents, all lecturers, adduced the example of a recent promotion round where ethnic minority members of staff who, based on the stated promotion criteria, stood a very good chance of getting promoted were not even shortlisted.

One of our respondents from Eastville believes discrimination due to his ethnicity might have been combined with an ageist calculation:

"Ethnic minority members of staff they are not here to expect favours from the university many of them, we just want a fair deal and I have the feeling that fair deal is not being given and offered to us. When I joined here … I was taken two increment below the senior lecturer and after two years I have been, but last 24 years on the top of senior lecturer scale, did all this research and other thing and got

nowhere, so there it is … only got literally 15 months left to retirement then I shall be 65. I don't know whether ageism worked against me because if they had promoted me a few months ago I would have only left two years, whether that was factored into their calculations or their decision making process only the management can tell."

What may reinforce the feeling of racially motivated exclusion is the absence of ethnic minority staff in managerial and middle-managerial staff across the institution, a situation that has been perpetuated by what our respondents saw as dubious and unclear procedures for appointment to managerial positions and allocation of managerial tasks.

This is what one of our Eastville respondents said about the appointment of the deputy head of school:

"Why wasn't it (middle-managerial post) advertised, here was an opportunity now for the university to appoint an ethnic minority person at that level, it was not advertised, it was just given to him … there's not a single ethnic minority staff above the course tutorship here. Above this level there are course directors. Not a single ethnic minority person … None of them, they're all English people. And moreover, none of them have got a PhD. Down here, course tutors … we're all ethnic minority people with PhDs. …. The management, yes, the school, head of school, perhaps endorsed by the pro-VC … so this is institutional racism."

The indignation amongst ethnic minority staff and the repercussions of what is seen as racially motivated denial of promotion opportunities, is seen to have permeated the whole work environment, and spawned tensions, conflicts and hostilities. The accusations may spread well beyond the academic unit where they work, as these respondents claimed that the alleged cases of discrimination had been endorsed or at least condoned by the institution's senior management.

Such an environment, irrespective of whether the claims are 'true' or not, is a potential breeding ground for cynicism and distrust, and the opposite of a harmonious multi-ethnic, multi-cultural work place. It is also a potential base for what could be characterised as a counter-racism which is as alarming as the perceived discrimination that sparked it. In what was understood by the respondent as a cynical, calculating move by the institution to pre-empt any accusation of racial discrimination, it was reported that in a recent promotion round the only ethnic minority member of staff who had been shortlisted were the ones who did not have a realistic chance of getting promoted. The perception was that the institution and the promotion panel had tried to cut the ground from under the racial discrimination claim. What further complicated the situation was the perception that the head of the academic unit was trying to play ethnic minority staff off against each other, and pursue what one of our respondents described as a 'divide and rule strategy'.

In response to perceived discrimination, some staff, we noted, seemed to have developed their own counter-racist vocabulary to lump together and describe the people who presumably stand on the other side of the divide; an example of such vocabulary was the term 'sons and daughters of the soil'. On the other hand, whilst direct racist comments were not reported, oblique references to an 'us' versus 'them' were reported to have come up:

> "At a recent (minuted) formal staff meeting … the diversity of the student population in the school was discussed. At this point so-and-so made the following remark: We want nice English students. Sadly, because many of our students are from ethnic minorities. So, sadly I think that this is a spontaneous remark, true reflection of so-and-so's thinking."

One of our respondents at Eastville identified as the root problem for this situation the absence of a rotating system in relation to managerial positions and especially the head of the academic unit. Our respondent's difficulties with the head of his academic unit apart, a previous study has registered the lack of a rotating system in post-1992 institutions

where heads of department (HoDs) are often appointed rather than elected by peers as is usually the case in the pre-1992 institutions.

Only in the post-1992 universities is it more common to appoint HoDs permanently or via external recruitment (Deem 2004 p 119). Our respondent therefore recommended setting up a rotating system that could tackle the self-perpetuating power base of middle-managers:

> "All of these problems, everything I talked to you about, will disappear overnight if you do just one thing. Here is the key, and this is not my idea, it is not a new idea. It is happening in the whole university. These, the management positions ought to be rotating. Especially the middle management, not the top key, top senior management. Everything else, even right down to the course tutorship, ought to be rotating, every two years or so, so this then would resolve all these problems because now what's happening ... Now therefore you won't get the chance of doing the power politics and setting a power base for themselves, but the thing is this, the senior management would not like this. Senior management wants to keep the middle management under their nose. So here is the problem. If HEFCE can come down on this …all these problems can disappear overnight."

As the above instances show, the micropolitical terrain is perhaps the most challenging, the most sensitive, and the most contingent of all aspects of the conduct and implementation of equality and diversity policies. Institutional macropolicies can be counter-acted and undermined by intense subjective struggles at the micro level of the day-to-day experiences of staff, struggles over stakes and interests specific to the academic game (Bourdieu 1988). This disconcerting backstage micropolitics highlights the 'disjuncture' between cultural/normative engineering, the official normative culture that the institution's policies try to enforce and the actual embodied and enacted norms, tactics, concerns, allegiances and priorities, on the other.

2.5 Policy paradoxes

Policies set up to challenge one group's disadvantages can sometimes paradoxically reinforce discrimination against another group. For example, discrimination against mothers and the recognition of the professional costs of motherhood have led to the introduction by some organisations of family-friendly policies. These are frequently framed in equality terms, such as the rights of mothers, parents and carers to time off or flexi-time in order to attend to domestic responsibilities.

In some ways, these policies and practices appear to embody early feminist principles of acknowledging how responsibilities in the private domain structure women's opportunities in the public sphere. Yet, it could also be argued that these policies have strong normative underpinnings in so far as they promote a particular model of family life and relationships that is heterosexual and based on a gendered division of labour. The family-friendly policies in any case do not work for all categories of staff, even if they fall within its remit.

The theme of work overload permeated our study, with academics (and some administrators) being expected to work evenings and weekends as a matter of course, an issue which affects both academics and manager-academics (Deem and Hillyard 2002). In some cases the work overload is made worse by efficiency. Academic staff at Speyside noted that one can be a victim of one's own competence as far as the workload is concerned.

An academic-related member of staff at Westside pointed out that:

> "If you're reasonably competent, and nobody ever sets themselves up to be an expert in anything, but if you're reasonably competent and people are bound to get to know that, you get work to do where others don't. And that's a management issue for the heads of department, which quite often, they close their eyes to because it's easier not to address it."

The long-hours culture in Britain is detrimental to all staff, yet it may be assumed that child-free heterosexual or lesbian and gay workers do not need to stake out any boundaries as their relationships are less important than those of heterosexuals.

A lesbian professor from Cityscape in our study notes:

"Instead of talking about family friendly policies you talk about creating a working environment that respects all of people's care commitments, whether their care commitments are for children, for husbands, wives or same sex sexual partners or friends, or elderly relatives or, you know, dogs or cats or whatever but that respect for diverse experiences, and I think that can be promoted and that needs to be done by universities, but actually the problem is much wider than universities."

A Westside lecturer who was also a union representative commented on the existence of family-friendly policies, but was uncertain of the terms and conditions, yet again suggesting that communication about entitlements is fairly haphazard:

"Right, the university has recently produced a raft of what it calls family-friendly policies, for example, which allows men to take paternity leave for short periods. Does it pay them? I'm not sure whether they're paid or not. They're certainly allowed to have leave of some kind anyway. It's actually not got very good provision for maternity leave, well it has but the pay isn't very good. I think it only pays full salary for a very short period of maternity leave. But it does look at these things. I'm not sure it's implemented as much as it's promised but it's something that clearly is in the minds of people in personnel, and they don't entirely ignore it."

A female junior academic from Eastville recognises that the problems that mothers in HEIs face could influence her decision whether or not to have children:

"Another young female colleague who recently had a child, and has found it very difficult to arrange when she'll come back after maternity leave, getting more flexible

working, you know, sort of arrangement. So that sort of made me very wary of possibly, over the next few years, of me finding myself in the same situation, it could cause problems.""

Motherhood in academia has both material and symbolic connotations. There are the constraints and oppressions of child care in organisations dedicated to the life of the mind. There is also gender role spill-over, with women academics often responsible for pastoral care of students (Acker and Feuerverger 1996), as an academic at Westside indicates:

> "I think when there are a lot of pressures in terms of research and in terms of going away to conferences and presenting your research, that maybe it's the women staff that have more problems in terms of the time to be able to do that. I do think you tend to find there's an interesting division of labour, where women seem to take on a lot of the pastoral responsibilities in places, a lot of looking after students."

Given the assumptions built into the RAE-dictated intensive work culture, a female academic from Sandside described the RAE as 'an example of institutional sexism':

> "I think the Research Assessment Exercise is … don't know, I think you'd call it an example of institutional sexism actually (laughter) …… from the point of view that there's absolutely no … um, there's just no accounting for the actual number of academic hours that a member of staff works, which actually excludes many women with kids."

A black academic from Eastville discusses how racism adds to mothering responsibilities:

> "Well, to be a parent of a black child in this country is very, very stressful, because every day your child goes out you're wondering who is abusing my child, who is damaging my child's self-esteem, who is injuring my child, you know, so you don't, on top of that, then need to bring home stress from the job."

Heterosexism in general, not just in relation to family friendly policies, was seen by most of our lesbian and gay informants as rife in HE and there were reports of perceived overt abuse, while others told how they felt silenced in informal spaces e.g. in discussions about partners and also marginalised professionally. For lesbians, gays and bisexuals, being 'out' at work can be an important political statement that challenges compulsory heterosexuality and normative framings of relationships and lifestyles. It can also be a vote of confidence in the organisational culture.

A lesbian lecturer from Cityscape relates how she has refused to be forced into the closet:

> "I mean I have always been out, I was out at X, I was out at Y, and I'm out here. My partner comes to socials and things like that, I don't know if that is a problem for other people in the department, certainly my colleagues and friends have no issue at all but I don't know about the managers."

One form that heterosexism can sometimes take is to 'other' lesbians and gays. A second lesbian lecturer notes:

> "They seem to be OK with women in the department if they can regard them in the way they might a daughter or a wife, they can't seem to deal with somebody who doesn't fit either of those two roles. Of course they can then come up with the third role so if I challenge them they put me down as a sort of angry dyke kind of person and they can kind of deal with me in that way. Either way my gender gets in the way, my sexuality gets in the way, they don't listen to what I'm saying as an equal and consider the argument."

Nevertheless, that some of our lesbian and gay informants felt that, in spite of 'othering' and the reinforcement of lifestyle 'norms' in the academy, they could still be open about their sexuality, was a positive finding.

Recent legislation protecting religious minorities at work may also produce some complex value clashes. Whilst its moral-practical value with regard to better forms of distributive and procedural justice is quite salient, the legislation meant to counter discrimination based on religion, when implemented, can throw up some awkward ethical-political dilemmas, and in a way highlight the limits, perhaps even pitfalls, surrounding the 'politics of recognition' (Fraser and Honneth 2003) as currently pursued in HEIs and public policy as a whole. It is in the area of interactional justice (Primeaux, Karri et al. 2003) that dilemmas and clashes between the heterogeneous legal and moral obligations and expectations, as well as the distinct forms of recognition politics underpinning them, can arise.

The problem is that when the moral/legal framework *fully* recognises religion as both an identity attribute and also as a legitimate contributor to public discourse, then it also has to recognise and accommodate the hostility of a number of different religious faiths to homosexuality and everything associated with it.

A female member of support staff from Cityscape University who characterised herself as an 'evangelical Christian' was convinced that the irreconcilable contradictions between the moral normative visions of the minorities that the legal framework aimed to protect make different pieces of legislation not only contradictory, but also unenforceable.

She cited the example of the experience she went through in her previous work place where she felt 'excruciatingly uncomfortable', even offended, by an 'out' lesbian colleague of hers who, having been on paternity leave, was talking about her and her partner's new experience of parenthood. She said:

> "(As) a committed evangelical Christian …(I) have views about the appropriateness of certain forms of sexual behaviour, within exactly the same department as me, we were based in the same room, a very large room, so lots of people within the office, (she) was an openly practising lesbian … When the member of staff in question came back from paternity leave … she was terribly excited and she wanted to do exactly

what any (other) colleague in a heterosexual relationship would want to do, go and talk about it. She did so within the context of our open office and her conversation made me feel excruciatingly uncomfortable because I didn't know how to respond, however if I had in any way represented my concerns and my difficulty she would have then felt excruciatingly uncomfortable because she would have felt that this was something she wanted to share with her colleagues and she couldn't."

Due to what this respondent saw as irreconcilable 'world views' – emanating from irreconcilable politics and embodied in anti-discriminatory legislation on sexuality and religion – she believed the legal framework was incapable of implementation:

"Hearing in our Equality and Diversity Committee about the new legislation regarding race and religion and also regarding sexual orientation because I actually don't think some of the things that are being attempted are actually enforceable … The recent legislation does actually say that if you are subject to conversations between two colleagues that are not even anything to do with you but which nevertheless make you feel intimidated, harassed or awkward you can take issue with that … but if I had taken issue with it and tried to stifle this conversation that would have then put her in a position where she would have felt uncomfortable and harassed, do you see what I mean, so I don't see how current legislation can actually legislate the colleagues that have different world views are not allowed to be talking to other colleagues about those things and that you can take issue with that."

On a broader level, the potential dangers surrounding such a situation are two-fold. There arises, first, the possibility that a form of recognition politics can be mobilised to legitimise, and also obscure, a discriminatory politics of representation targeting status attributes such as gender, ethnicity, sexuality and religion.

The contradictory forms of recognition politics might bring about, as an ironic side-effect, a return-of-the-repressed situation: i.e. explicit, vulgar sexism, racism and

homophobia might be able to return in forms that capitalise on the institutionalised status and legitimacy of recognition politics.

Second, the anti-discrimination legal framework, viewed in its entirety, whilst aiming, perhaps with the best intentions, to reconcile and accommodate, is at root premised on relativism and a principled commitment to inclusiveness and accommodation irrespective of the practical implications and consequences. It reconciles and accommodates, as far as the letter of the law is concerned, precisely by occupying a non-normative position with regard to validity claims – moral and ethical – made by the various forms of identity politics associated with gender, sexuality, ethnicity and religion. The legal framework does not provide for cases where conflicting validity claims require that the law come down, at least in theory, on one or the other side of the fence.

3.6 Grievances and complaints

We tried to find out about staff's experiences of bullying, harassment, discrimination and unfair treatment, as well as their perceptions and evaluations of how effective the complaints procedures operating in their institutions are. We did this not only in interviews but also by asking respondents to fill in critical incident forms in the three months following their interviews if any new event occurred to them or anyone they knew.

Overall, we found that mention of explicit offensive behaviour and comments, or other behaviour directly targeted at personal attributes, were brought to our attention only relatively rarely. More often cases related to perceived injustices that may or may not have been intentional but often occurred as a result of some other action. Perceived discrimination due to ethnicity, gender disability, sexual orientation or age were likely to be perceived as embedded in managerial/professional decisions about recruitment, promotion or workloads.

The autonomy and decision-making managerial power devolved to manager-academics (Deem 2004) who, as one lesbian academic noted, are often male, middle-class, white,

married with children, gives them leeway whereby someone who wished to do so could use the rules, should they wish, to their own advantage, including with regard to challenges and complaints against them and other managers. We did encounter cases of academic staff who related what they saw as denial of career advancement opportunities (mainly promotion), to their gender or ethnicity.

Nevertheless, we found that it was non-academic staff that were more likely to experience cases of harassment, unfair treatment and bullying. Although such cases of interactional injustice are, *prima facie*, causally linked to the spill-over of the hierarchical occupational structure into interpersonal relations, there seems to be a gendered dimension to it, based on the patterned frequency of instances of injustice relayed to us.

Most of the critical cases and incidents reported – based on both first-hand and second-hand accounts – involved female employees in support occupations such as secretarial, clerical and lower level administrative work. There is clearly a power element involved here in that many such workers are relatively poorly paid, may work for several people at the same time and are often subject to direct line management in their day to day work (Pringle 1989).

All the institutions studied have in place complaint and grievance procedural mechanisms accessible online and detailed definitions of what constitutes or might constitute a grievance as ground for lodging a complaint. The codified rules and policies on complaints and grievances and their causes are valued by many members of staff, and are thought by some to constitute a deterrent to staff disposed to engage in harassing, bullying or discriminatory practices.

However, we also found that a good many respondents, support staff in particular, expressed a reluctance to lodge a formal complaint, whilst at the same time one crucial element in institutions' policy construction activities was a desire to avoid formal complaints and litigation.

It is entirely possible that many cases and incidents of perceived interactional injustice go unreported, unchallenged and are therefore for the most part unresolved, due to a number of reasons including personal, institutional and cultural factors affecting those who experience perceived injustices.

A major impediment to making a complaint is what some staff see as a probable backlash of their complaint on their work, ranging from vindictive victimisation and further bullying and harassment, to subtle exclusion from and denial of promotion and career progression opportunities:

> "The problem is that all staff do not feel that they can lodge a grievance without basically threatening their own livelihood."
>
> Support staff trade union representative, Towngate

> "I think there is an attitude that you keep your head down and you won't get into trouble then. That if you do sort of start being stroppy that you … because things like promotion seem to be so random (laughter) and not transparent, that you wouldn't be considered for it if you're thought of as being a trouble maker."
>
> Academic staff trade union representative Towngate

Equally important in any decision about whether to make a complaint is the perception that the institution may well side with the harasser/bully: it was noted by a number of our interviewees that from an HR point of view and with regard to an institution's cost-efficiency considerations, the bully/harasser (if more senior than the person who is the recipient) constitutes a much more valuable asset than a member of support staff in respect of expertise and skills, symbolic capital or income-generation.

A female support staff member at Sandside University noted that the institution's unsatisfactory and unfair handling of her case against her female HoD was explainable by the fact that her 'boss' brought x thousands of pounds in research funding for the University every year.

In parallel, a harasser/bully in a senior position is often perceived to be standing on the management side of the divide and therefore capable of mobilising their power and connections to have the case either undermined or skewed against the alleged victim. Further, the role of Human Resources departments, along with that of the harassment advisors who liaise with them, whilst claiming to be impartial and supportive (and undoubtedly so in many instances), can on occasions be construed as manipulative and pre-emptive, aiming to smother and 'dissipate the case,' as one academic put it, discouraging the potential complainant from pursing their case further into the formal stage.

"Without trying to be overly negative about the people (Personnel and harassment advisors) who've taken it on, I think much of the design of what they've been invited to do is actually to dissipate the case rather than to actually take it forward. And I mean what you can't ever know is how many people have actually ever gone through that process and been discouraged from proceeding … well I have to say personally I know of no cases that come that route, that has then gone on."

Academic staff trade union representative, Towngate

"Human Resources are management. They are not … they've no credibility whatsoever … They're management's stick basically."

Manual staff trade union representative, Sandside

"You are completely powerless in dealing with them if … I know any number of people who've gone to Human Resources and in my last job I went to Human Resources. But you may as well throw yourselves into the wolves' den. They are going to manipulate the situation. They want you to shut up, they want you to stop your complaint and withdraw it, and they want the report for the end of that year to say that everything's wonderful in the University."

Member of academic-related staff, Sandside

The outcome of a complaint case is therefore preconceived as a forgone conclusion by a number of staff. This is a preconception made all the more entrenched in such staff's views by perceptual precedents such as their knowledge and perceptions of unsatisfactory procedures and outcomes of the institution's handling of previous cases.

A manual staff trade union representative from Sandside noted some recent improvements but pointed out that the complaints procedure is still far from effective, and still well out of step with the policies:

> "I'll be truthful, it's changed quite a bit, but not fully. My biggest criticism really is like I say we've got grievance procedures, harassment, all these things come out, they all sound good, but you try and take a grievance or … I'm ready to speak against a head of department - it just doesn't work, the rules are not the same. It's okay going down the way. If you try going up the way to take on your head of department, you'll find the University will guard them. Rules change overnight. It's not plain and simple."

On another level, a number of psychological factors can come into play to discourage the potential complainant from coming forward and lodging a complaint. Besides the fact that going through a serious experience of interactional injustice is likely to take its toll on the victim's morale and psychological well-being, which can then discourage filing a complaint, many would usually try to avoid what they see as a negative status attributed to them as a result of the complaint.

Potential complainants can be discouraged by the prospect of being labelled, and officially registered by the institution as troublemakers. Further, it was pointed out that people can feel reluctant to lodge a complaint and thereby occupy a victim status, out of a sense of self-esteem, and the perception that, as a lesbian academic at Cityscape put it:

> "If you do make a complaint it's because you can't get ahead by any other means … (you are seen) as a troublemaker, somebody who is trying to work the system to their advantage because they can't get ahead on merit."

Gendered cultural representations of complaining as a female status attribute could play a role in disinclining both female and male employees to make a complaint: female employees may want to avoid reinforcing the stereotype of women as constant complainers, while male employees may see complaining as a female attribute and try to avoid what they see as a compromise of their masculinity:

"There's probably a long way to go with our culture to say … it's okay to say 'I think I'm being bullied' … Women will see it but men …Well women might talk themselves … you know one will say … and somebody else probably you know 'You should go and see the steward' or something. I think with men it's very different. I think it's part of their maleness isn't it, to feel that they're being got at. And especially if it's … you know maybe by another man. That's not something you're going to confess to easily."   female trade unionist, Speyside

It was noted by some respondents, especially trade unionists, that a pattern of resolving the cases that have reached a stage where the institution has to take some decision on, can be to move the complainant (usually support staff) to another department within the institution. Because of the unresolved dispute, and the low morale of the aggrieved, the psychological and even physical strain and damage sustained by the aggrieved such as depression, psychosomatic illness, etc (O'Connell and Korabik 2000; Salin 2003), such cases not only send the 'wrong signal' to other staff (i.e. actual or potential harassers/bullies and actual or potential victims) in general and future potential complainants in particular – but are also likely to prompt the aggrieved to abandon their current post at the earliest possible opportunity.

A support staff trade unionist from Towngate College pointed to a recurrent pattern where staff who had engaged in a grievance procedure were moved to a different department, only for them to abandon their posts and leave shortly after:

"But I mean it's happened to three people … you know like within the last 5 years people have actually been moved from a department and all those people have, you know, didn't stay round very long. So you know, they've left."

The likelihood of a given grievance going through to the formal stage, let alone being resolved in a satisfactory way, was perceived to be extremely remote by a good number of our respondents, some of whom thought that institutions are most worried about negative publicity, both internally and externally, rather than the well-being and dignity of its work force, especially those in lower positions in the occupational hierarchy.

Even if this is not the case, the fact that some staff believe it to be so can serve to cancel out some of the more positive aspects of institutional equality policies.

3.7 Conclusion

We have explored staff experiences and perceptions of equal opportunities policies in six higher education institutions. We have examined how staff perceived and engaged with such policies, the resources and organisational interventions being used in each case-study HEI to implement equal opportunities policies, the intersections with other policy activities such as quality assurance, the micropolitics of equality issues in HE, some policy paradoxes, and finally how grievances and complaints procedures are perceived by our respondents.

Whilst the policy framework for challenging inequalities appears to be strengthening via new UK legislation and legitimation from EU directives on employment, responses from HEIs appear to vary considerably.

Our case-study HEIs have allocated resources and have in four cases established staff equality units; all had named personnel responsible for staff equal opportunities.

However, many of the staff that we interviewed believed that the momentum for equality related more to students in the context of the customer care revolution than to the well-

being of staff. They also noted how policies existed at a textual level – often to meet the requirements of audit and funding bodies – rather than working at the grassroots level of day to day work and felt that there was a major implementation gap.

A number of staff reported breaches in equality procedures or a reluctance to pursue grievances but others displayed a disinclination to engage with equality politics and entitlements at all, as these came across as yet more managerial 'noise'.

Some of our most disturbing findings relate to the way in which the pressures of the audit culture and quality issues appear to over-ride concerns about equalities. Equally worrying is what can happen at the micro terrain of interaction and interpersonal relations where tensions, exclusions and conflicts, where what we have termed the micropolitics of the work place can undermine and go against what the macro policies provide for, and what the official politics profess.

Within HE institutions micropolitics can often be lagging behind, and indeed out of sync with the top-down macro policies that aim to engineer a transformation of the institution's organisational cultures. Furthermore, policy activity in relation to one structure of inequality e.g. family-friendly policies, or protection of the rights of religious minorities, can collide with rights for other groups such as gays and lesbians.

In addition, stigmatisation can arise out of staff engagement with equality policies as plaintiffs. We suspect that the ideology and practice of equality can subtly reinforce normative framings and lifestyles. Though equality policies in UK higher education are being redesigned and repositioned, so far as many staff to whom we spoke are concerned, either they distance themselves from it totally or the implementation and impact of such policies leaves much to be desired, particularly in the context of a more general repositioning of what equality means in public life in the four countries of the UK.

Section 4: The senior manager perspective

4.1 Introduction

Thirty-five interviews were conducted with people holding senior management positions in the six case-study institutions. These interviews were deliberately held after all the other fieldwork (interviews, focus groups, critical incident logs, critical discourse analysis) had been completed, so that by then we were fully aware of both the context and the kinds of issues raised by other staff in each institution.

The extent and importance of managers in higher education has increased considerably in recent years as UK higher education has expanded (Shattock 1999; Deem and Johnson 2000; Parry 2001; Deem 2004) and the commitment of senior managers to equality of opportunity is clearly of considerable significance, as earlier research has already shown (Farish, McPake et al. 1995; Farish and Society for Research into Higher Education. 1995; Carter, Fenton et al. 1999; Brooks and Mackinnon 2001; Bagihole 2002).

We interviewed the Vice Chancellor or Principal in each institution and a selection of others as available, taken from the following list: deputy principals or pro-vice chancellors; deans or heads of large schools; Head of Human Resources/Personnel Director; and senior administrators (e.g. registrar, head of student and/or learning services, head of estates and buildings).

We asked about equality issues for the sector and, their own HEI, resources, training in equal opportunities available to staff, the relationship between equal opportunities matters for staff and students, areas of current strength in institutional policies and areas still needing development, the kinds of equal opportunities issues encountered in respondents' day to day work, how equal opportunities concerns were reflected in other institutional policies and practices, visions of the equitable HEI of the future and the kind of support institutions required from inside and outside organisations and groups.

4.2 Knowledge about equal opportunities issues

All the respondents we interviewed were relatively knowledgeable about equal opportunities matters, at least about the general principles underlying such issues, something that was probably not always the case in the past for senior managers working in UK higher education (Farish, McPake et al. 1995; Woodward and Ross 2000).

A good many interviewees were also very well informed about specific aspects of inequality, notably gender and ethnicity. Several Vice Chancellors (VCs) had taken on the role of chairing their equal opportunities committee or group and some of the human resources (HR) directors clearly had a strong personal as well as professional commitment to reducing inequality.

In a few cases, perhaps connected to their area of work responsibility, our senior manager participants proved much more knowledgeable about equal opportunities for students than they were about those for staff. This was especially true of disability and the implications of the Special Educational Needs and Disability Discrimination Act, which may explain why some of our other interviews and focus groups with employees indicated a perception that students with disabilities may receive more help and support than staff with a declared disability.

Interviewees in general were particularly aware of issues concerning the representation of women and ethnic minority group members in the work force and particularly in senior posts (particularly academic posts) and issues around reward strategies and equal pay (these to a lesser extent than the first set of issues, somewhat surprisingly given the current prominence of the reward strategies and the move to a single pay spine for all staff).

Gender and ethnic minority group representation in the work force and especially in senior posts were the most frequently mentioned current equality issues both for the UK higher education sector and for specific institutions.

Yet interestingly, as we saw in section 2, in the analysis of policies published by the six institutions on the web, we found gender had only a minor role.

The Race Relations Amendment Act, sexual orientation, age (not yet a statutory obligation) and religion were also raised as significant issues but only by a handful of respondents other than Human Resource directors. There was little sense in most of the responses that interviewees had given much thought to how different forms of inequality connected to each other, an issue that we noted was also reflected in the policies themselves.

One Vice Chancellor in particular stood out in this regard because of their sharp identification of the lack of joined-up thinking linking together different forms of inequality:

> "I think there is much more attention being given to the diversity and equity issues, but perhaps one of the things that I think needs to be addressed is how we look across the piece and see this in a joined up way. We tend to sort of focus on, y'know, well the focus this year's on disability, and last year, and next year's on race or whatever, and we tend to do this a little bit I think, piecemeal. So I think the big challenge perhaps facing the sector is to see the issue of diversity in the round and think about how that then can be tackled both from an institutional perspective in terms of both compliance issues and also because I think there are some big issues there, and also in terms of cultural, culture change issues."

Given the knowledge of equal opportunities demonstrated by our interviewees, what did they think about particular local circumstances surrounding the implementation of equal opportunities and the resource base that their institutions operated with?

4.3 The local context and resources
The local context was clearly important in shaping particular concerns (e.g. religion in Scotland, bi-lingualism in Wales, being located in predominantly white/middle class

localities in all three countries). In identifying issues for the sector, our attention was drawn by Scottish and Welsh respondents to the much greater political and resource commitment on equal opportunities issues shown by HEFCE as contrasted with SHEFC and HEFCW.

A Scottish university dean expressed it thus when asked about the key equality issues in Scotland:

> "I think lack of leadership in the Funding Council, and lack of commitment in the Funding Council. I think those have been a big difference in the approach taken by SHEFC and HEFCE about HR issues generally. And so I think for the sector I think that has been problematic. I think SHEFC has allowed itself to be led by the principals of the universities, and they have not collectively seen diversity issues as being a key priority. I think what they've seen is teaching and research and keeping the crumbling buildings in order. But they haven't really seen HR issues as being central to the mission of the sector. So I think that's the key problem."

A Dean from Wales saw similar concerns arising there too:

> "There is a noticeable difference between the sector in England and in Wales, where in England resources have been set aside and linked to initiatives, and that hasn't been the case in Wales."

Several respondents from England, whilst acknowledging that more resources would be useful, felt HEFCE had already made a good start:

> "Yeah, I think the Rewarding Developing Staff money for HEFCE has been a major positive change for HR and the equality/diversity agenda, and it's funded a number of posts; we've got two full-time people in the Equity Unit who have been there now for two years and they've gained some very useful experience on both staff and student issues." HR director, England

Yet paradoxically, the number of respondents overall who thought resources for equal opportunities were adequate or not a serious issue was no lower in Scotland than in England, suggesting that expectations may be greater in England. One of the Scottish VCs said:

> "Um, I don't think I've bumped into anything where people have said 'If only we had more investment or more supporters and helpers', in (the EO unit) for instance, or in the faculties, but there's a huge jump that we could make. I mean we've tried to do the right things around access and disability and so on and we've certainly tried to make the place as consistent as you can to sort of old buildings like this … uh, disabled satisfactory, if not actually disabled friendly, for instance. And we've tried to provide for students, the various examination aids in which they would help – scribes and large screen computers and stuff - and discern you know that staff, who need that kind of help, get it too to the best of my knowledge. In terms of training and developmental activity, quite a bit of running people through quite interesting seminars and there's been role playing exercises, so quite a lot of senior managers. And getting modules into the various bits of senior management training that we do. So certainly not a differential constraint, I mean I'm sure you could stand back and say you could do more senior management training, or you could do more middle management training or your induction could be better. But I don't think that I'm picking up a feeling that it's short changing the equality of opportunity agenda."
>
> VC, Sandside

Thus we got the impression that the lack of resources, whilst important, is not necessarily regarded by everyone interviewed as a major constraint. Lack of Funding Council value commitment to equality of opportunity in Wales and Scotland, however, was seen as a bigger stumbling block.

4.3 Training

So far as training in general was concerned, all six HEIS had some training on offer to staff (though only Westside appeared to include it in all new staff induction), particularly aimed at those involved in job interviewing and staff review, and all but one of the six institutions had provided some special training in equal opportunities issues for senior managers. Three institutions had used an externally provided drama exercises using role play to raise equality issues with a variety of staff to good effect.

Eastville's HR director explained the strength of such an approach:

> "Well, one of the things I'm very proud of is that this semester we've had a training programme in Equity and Diversity for all our staff; all 1,400 of them, going through a workshop, which lasted for a day, and we got a team of actors in who, we worked on the scripts and the materials that the participants get … we run now about 20 of those workshops and we're aiming to finish by Christmas … They dramatise situations involving students and staff. And the feedback has been really good … It's better than standing there giving a lecture, you know?"

Sandside had offered a desk-based disability awareness exercise that led to a certificate on successful completion.

> "We did do some very good training for … on disability, which was desk based, and then they had to phone up the Royal Society of Arts and then they got a certificate. Which I think was very good. All the people here did it and they quite enjoyed it. It started discussion going about 'Oh do you know what disability means?' kind of questions. I think that was good training."   Dean, Sandside

Training on equality issues was available to staff in every one of the six institutions, and particularly for senior managers and for those involved in interviewing new staff, or staff review and development, as well as for those in direct contact with students. Indeed,

especially in the field of disability, much of the available training in some institutions was claimed by employee respondents to be concerned with student experience of such inequalities. Overall, imaginative techniques and approaches to training had been used by most of our six HEIs and successes in this regard were reported by senior managers.

However, as we saw in section 2, some non-academic employees expressed the view that in practice, access to training opportunities was often controlled by line managers, so it is possible that not everyone who wants to take up training actually does attend.   For new employees incorporating equality issues into induction is a good strategy but it does not solve the problem of established staff.

There also seemed to be relatively little use of web-based training materials, for example utilising a virtual learning environment, which might overcome constraints of time and commitment constraints during the working day and enable employees in different parts of an organisation to share ideas and discussions.

4.4 Equality for staff and students

The question of how equality issues are treated in relation to staff and students came up a good deal in our initial fieldwork, so we asked our senior manager respondents how they saw this relationship. Many interviewees (24 in all) felt there was some overlap, but a number were at pains to point out the crucial difference, namely that staff are employees whilst students are not. Students do not always receive institutional training in equal opportunities either, though some Student Unions offer this to class representatives and sabbatical officers. However, student and staff equality issues are often in a symbiotic relationship.

Furthermore, similar value principles should underlie the provision for both staff and students:

"The principles are the same, the specifics do differ because the engagement of staff at the institution is different from the engagement of students with the institution, the

expectations of staff from their workplace are different from the expectations of the students, so it's no wonder the specifics do differ, but the objectives and the principles are still the same."   Dean, Speyside

This, however, raises the question already posed earlier in the report in respect of the possible tensions between equality and quality, where staff are encouraged to regard the students as customers whose needs come before those of employees (Morley 2004). Only one respondent overtly recognised this tension. There are also other important issues around the student/staff interface.

The extent to which the social and cultural composition of the work force provides positive or negative role models for students was raised by several respondents:

"I think it's very important to get the staff mix right because the students are seeing that and these are to some extent role models or whatever. And I think if you don't see … I mean just the obvious one is if you don't see many female engineers or scientists you're not going to get them coming through the system. And if we don't have people on senior management group who are from ethnic minorities or different cultures, you know, it tends to mean that the institution doesn't change and doesn't move on."   Administrator, Sandside

A lay member of Westside's governing body pointed out that disability provision for staff might lag behind that of students, an issue that some of our staff interviewees with disabilities also drew to our attention:

"We have a large number … yeah larger than most institutions … of disabled students. And we have excellent resources and a department to support those students and we have a lot of students that also volunteer to assist their disabled colleagues. That is something I think Westside does exceptionally well. We're not so good on disability issues for staff, in that 40+% of our staff we don't know whether they're disabled or not, but we've got this new page on the website that people are telling us

more about themselves. So that will improve. So on students I think we're way

ahead on disability issues, we're behind from the employer's perspective."

<div align="right">Lay governor,</div>

Westside

Equality issues for staff and students are very clearly linked despite the differences related to student and employee status and it is crucial that neither group is seen to be treated less fairly or less favourably than the other. It is not helpful to have an institution that is committed to widening learning participation in respect of students but not for its staff.

Furthermore, as some respondents noted, students pick up subtle messages about the culture and values of institutions by seeing which staff do what and staff may be understandably aggrieved if, say, a disabled student receives support not available to staff.   An understanding of an equality issue in one context is easily transferable to the other but not everyone necessarily does this automatically, so this might be an issue for training, as might some shared student/staff events, which one or two of our HEIs had tried.

4.5 Institutional policies – strengths and weaknesses

We asked our senior manager interviewees to tell us what they particularly liked about their institutional policies. The most popular responses concerned the existence of policies and their comprehensive nature:

"The policy is I think properly owned by staff, even though they don't often … maybe they don't properly understand it and enact it. That you know people do get behind such policies, they can see nothing bad in these policies. I can't see anything exceptional in Speyside's policies, they're a bit like any other institution I've worked in. But I suppose that the good thing about Speyside's policies are we do see that equal opportunities is something that cuts right across everything we do, rather than

it's specifically to do with just staff or to do with students or whatever. So, its broadness perhaps or its applicability."   PVC, Speyside

"I'd come from (another public body) which is really interesting because they were really pushing hard in terms of equality issues, which is great … and when I came here it was taken on board straight away I think, and they employed somebody straight away. You know I was quite impressed for a university, and I know the university sector quite well because I've worked in a number of universities, and I found that I felt that, oh actually, taking this forward quite significantly in terms of its policies and procedures."   Administrator, Westside

Yes, the policies themselves are not always that comprehensive, as we have seen from our analysis of them, and in addition many of our employee interviewees did not feel that much of a move had yet been made from paper policies to actual action.

The other most frequently given responses were about specific successes in areas like gender and disability, or a general sense of the beginnings of implementation of the policies:

"I think it's beginning to work. I think because we've moved from a ghetto kind of situation with (the EO) Unit apparently having no real responsibility, to a more permeated cascaded sense of where the responsibility lies, I think that's working better. I think the message that is getting through is that these are important things and it's down to each one of us, it's not just left down to the Unit." PVC, Cityscape

"Um, I think that the work that's been done on disability is clearly good and gives us a platform for further development. I think that that's the best thing. So I think that you know if I was asked to select something that that would be particularly important."   Principal, Towngate

A few interviewees responded by talking about institution-wide networks of those with equality responsibilities:

"Well, we see it as being very much mainstream and so to achieve that we've got an Equality and Diversity Committee, which is chaired by the Vice Chancellor. And also if you like, in a Deputy role is A, who is the Secretary Registrar. And our equality and diversity staff are on there as well as my Deputy as part of it. And we set up in the past year a network of equality leaders in each school and service. And they meet on a regular basis now to disseminate information about that but also as a sounding board for things that aren't going quite right."   VC, Eastville

When asked for areas of development still required in their policies, only a tiny minority said they were happy with the progress so far and most specified particular areas of inequality where they wanted more action. Thus, an administrator at Westside said:

"Well certainly there are some areas still of weakness. I mean we're still catching up with the religion and belief legislation and the sexual orientation legislation. Part of that is covered with our dignity-at-work policies. I think we've got more to do with the sort of work/life balance issues. There's clearly issues relating to restructuring in the universities which for me … it's a University which is involving very rapid change at the moment. And inevitably rapid change runs up against all sorts of vested interests and becomes very political."

Wanting further cultural change was also quite widely supported, sometimes supplemented by pointing out, as does this dean, that legislation by itself is not necessarily always a good way forward:

"If I can identify one thing that perhaps we need to do is to roll out an awareness down the low management levels, so that people are more sensitised to the needs and sensitivities and sensibilities of people who are you know not from the same background either socially or culturally as they are themselves. And it's probably just

simply about awareness and sensitisation more than anything else. You sometimes don't realise that you inadvertently offend somebody, because you don't think about it … yes, awareness; and that's what it's all about … I'm not convinced that legislation actually at the end of the day does any good. The threat of being prosecuted is not a way to make people behave in an appropriate way."

<div align="right">Dean, Cityscape</div>

The difficulties of undertaking cultural change were not underestimated, which is wise, since literature on organisational change in public services tends to emphasise the relative difficulty of achieving culture change as compared with organisational changes (Alvesson 1993; Itzin and Newman 1995; Ferlie, Ashburner et al. 1996).

There was also a tendency evident amongst a sizeable minority of senior manager respondents to return to emphasising student issues when asked about areas for the development of policies. Most such responses concerned cultures and tolerance of diversity, and one or two encompassed both students and staff:

"I'm thinking that I'd like to meet more and hear more about what's happening… So I think a more regular kind of melting pot forum would be really nice, as a social thing I think rather than something that the universities and institutions are responsible for. It would be nice to do. We used to organise an 'evening of diversity', (laughs) in inverted commas, and we would have people offer to perform in the X Hall."   Administrator, Sandside

Having a good set of comprehensive and clear policies (as demonstrated section 2) is an important foundation but the crucial test is what happens to the policies in the implementation process and the extent to which employees are also made aware of what action plans are in place and how well they are working.

Whilst putting together policies can be done reasonably quickly, culture change and impact assessment can be much slower and implementation often also depends on having

reliable data, which, as will become evident in appendix one on the case-study institutions, can also be very challenging.

4.6 Positive action

What was largely missing from the majority of the responses was any significant mention of, or interest in, undertaking positive action other than staffing targets for gender and ethnicity. As mentioned earlier this is partly because universities tend to see themselves as meritocracies in which the 'best' candidates are appointed or promoted.

However, it is more complex than this since, as Morley has argued, this absence of positive action distinguishes equal opportunities policies in UK higher education from its counterparts elsewhere, including low income countries (Morley 2004). A couple of respondents specifically said they were opposed to positive or 'affirmative action'. Affirmative action is a term not much used in the UK. However, positive *discrimination* (which some regard as a similar term) is illegal in the UK, whereas positive *action* in certain fields (e.g. offering training to under-represented groups) is not:

> "I have a huge objection to affirmative action. I think that affirmative action is something that I think doesn't do anybody any good. It doesn't do the employer any good because it doesn't necessarily mean you employ the best people. And it doesn't do the people who are employed any good because they always have this nagging doubt about whether they got the job because they were the best or simply because they were the only woman who applied, or you know the only Asian who applied, or the only whatever. And it was to do with them qualities. So, I think that you have to understand the fundamental causes and I think that you have to fix those first. That would be my view."
> Dean, Cityscape

Indeed, as we see from the quote above, it may be that in the UK what can and can't be done under the provisions of positive action is poorly understood (since positive discrimination in employment as described above, *is* illegal) by managers and employees or even confused with positive discrimination, which is illegal.

Even if an institution's policy has positive action strategies embedded within it, actually making these work can be very challenging:

"One of the problems that you face is it says in our equal opportunities policy we will have … a minimum of 30% representation by females on all our committees, and for some we just can't do that. Other committees where I have one particular colleague in (a science) department where if I phone her up and say 'Will you please sit on this committee?' she says "Is that because I'm a woman?"… And if you say yes then the answer is "Certainly not". You say "No, I want you because you're helpful and intelligent and useful" then she will come on the committee. So in areas of the University where women traditionally were not well represented it is quite difficult to make sure that in practice we comply with what we have genuinely written on the bit of paper. But equally knowing this is a problem we always write it in such a way that each committee 'would normally have', sort of thing. So yes that's the most difficult area to enforce in practice."
PVC, Sandside

Only a handful of respondents said they were in favour of positive action and then it was mostly around staffing targets:

"I think in terms of that shift of emphasis into being proactive and various measures that go along with that, positive action targeting and so on, that there is a definite change in approach and attitude … some of the things I've already touched on. I think if we look at the statistical evidence then the institution has been successful in raising the percentage of females applying for promotion and being successful in promotion. I think that's reflective of a successful positive action strategy."
Dean, Westside

One HEI had tried to develop a scheme to increase academic work force diversity in terms of ethnicity by working with ethnic minority group members from the PhD stage onwards but had been discouraged from doing so by a national body:

"We did come up with a scheme whereby, if we can't get the kind of academics that we need, to grow our own, so to speak. To have a targeted programme of trying to get PhDs and then making those people become lecturers, in groups that are under-represented. We were however forced off that, by (national equality body), and told it might possibly lead to legal action and it would be better not to do it. So that was a bit of a blow."   VC, Eastville

Ensuring that positive action is better understood is something with which both the Funding Councils and the Equality Challenge Unit could offer some further assistance. For senior managers, the Leadership Foundation could also have a role. Without some definitive positive action strategies it is difficult to see how some more persistent areas of inequality in HEIs can be tackled.

4.7 Day to day experience of equality issues
Clearly the people we interviewed occupied a variety of roles, some largely staff focused (such as HR directors), some student focused (e.g. admissions, student services) and some both staff and student focused (e.g. deans of faculties). So the context in which equality issues arose on a day to day basis varied from monitoring media coverage and publicity for equality issues (from marketing directors) to concerns about building design and disabled access (for directors of estates).

For a sizeable minority, however, recruitment and selection, and committee membership, were the most frequently encountered contexts in which issues of equal treatment arose:

"As Dean, I suppose mostly coming to it in terms of probably, it's probably recruitment and selection is my major thing, where I'll come into contact with the fact that, because I'm continuing to be encouraging (of) applications from people from very diverse backgrounds, and in some cases promotion as well. I'm part of the promotional panel for the internal university wide promotions, so that would come into play as well. And I need to be aware of the potential, it's like, one thing the

legislation has done is constantly made you aware, are you being fair in this particular context, by definition, would this Muslim female have a legitimate case to say I'm being rejected for this senior lectureship because either I'm female or I'm Muslim or I'm whatever it be, in other words it forces you to look at the very objective sense, not from the point of view necessarily, it's almost giving you rigour to your selection process, not that there's any question of it, but it's to do with maybe making you aware of it."   Dean, Speyside

"The other area when I am aware of it is when I'm on the other hundreds of committees I'm on in this place, especially the most senior committees and that really does come home to you as you sit there with a lot of very middle aged grey men and you're the only female and there are no black faces."   PVC, Cityscape

It is important that senior managers share and pool their diverse experiences of dealing with inequality issues on a regular basis. This is only rarely achieved by putting equal opportunities as a standing item on committee agendas (where often no-one knows what to raise) but could also be tackled by top-up informal training sessions, whether face to face or done virtually, and by seeing the exchange of experiences of dealing with inequality issues as a legitimate aspect of everyday sharing and collaboration.

4.8 Mainstreaming of equal opportunities and tensions with other institutional policies

One of the major current issues in the debate about inequality is the concept of mainstreaming, which has been particularly explored in the context of gender (Rees 1998; Stephenson 1998; Bishop-Sambrook 2000; Mackay, Bilton et al. 2000; Squires and Wickham-Jones 2002) and is something to which the EU has a particular commitment. Mainstreaming refers to the embedding of aspects of equal opportunities policies in other policies and areas.

Like positive action, mainstreaming did not seem to be well understood by most of our respondents. Thus asking interviewees about the extent to which equality policies were

reflected in or compatible with other policies revealed only that many participants had not really considered this before, except perhaps in relation to other employment policies such as job evaluation, staff review and promotion:

> "I mean I think that my, certainly my impression of the way we try to deal with this in this Faculty is that equal opportunities is something that feeds into all the other policies. It's there in promotion policies, it's there in you know … Quality Assurance, yeah. I mean on the same grounds, we would not tolerate discrimination in assessment of students. We also would not accept as an excuse that, that students were expecting different treatment because they came from different backgrounds."
>
> Dean, Cityscape

> "…because I'm not really convinced that there is much of a link if you like between those (other) sorts of policies and strategies. I mean our equal opportunities policy would be something that came out of our personnel services division, which have no real formal link to any of the quality type areas. Because that's mostly a kind of academic thrust. So I'm struggling to see a kind of logical tie-in."
>
> Administrator, Speyside

Those that did understand the question tended to be those whose own jobs required a detailed knowledge of equal opportunities (or who had done such jobs in the past) and in the quotes following, as in one or two other cases, impact assessment (which some of our HEIs saw as very difficult to do) and other mechanisms of mainstreaming were raised as an important means of checking how consistently the principles of equality were reflected in a wide range of institutional policies.

> "We're going to be doing an impact assessment exercise. So that'll be a large exercise that we will look at how equality impacts … our equality policies impact on our institutional functions. So looking at teaching and learning, looking at student admissions, staff recruitment. And we're doing a small pilot exercise to start. So

that's something that will help to try and integrate that within our policies and

practices."   Equality administrator, Sandside

"…picking up on the mainstreaming kind of agenda … one of the things that I'm currently in the process of doing is restructuring within the university and one area, it's going to be a very new area. It's going to be a senior management responsibility, it relates to quality and standards and customer care, and so on. And within that, there will be responsibility there for how we actually incorporate our diversity agenda and our equal opportunities agenda."

VC, Speyside

Contrary to our discussion of employee views in the previous section, there was little sense amongst most of our respondents that equality policies were in conflict or tension with policies on quality assurance and treating students as customers. Even on the issue of the Research Assessment Exercise, which has been raised as a source of discrimination (Lucas 2001; Association of University Teachers 2004), particularly for women and those with heavy teaching or administrative responsibilities, few could see any problems and in fact 22 interviewees did not even mention the RAE. Of the 13 who did, there was an even split between those who saw no problems and those who did.

The response below was typical of the first group:

"My personal perception would be that the way we've handled the RAE this time around has been done absolutely on the basis of objectivity in terms of who is doing the best job. And there has been no reference whatever to gender or ethnic background or anything else. So I think, certainly for my territory it would be safe to say I'm not aware of any issues that apply in research terms."   PVC, Sandside

Only seven respondents thought that the effects of the RAE could be discriminatory. Here are two examples of such responses from very differently positioned universities:

"I am concerned that in fact we don't advertise as widely as we should and we often have someone in mind that is at Post Doc level... which may well not be a good thing. Well, there's good aspects about it I'm sure. But we are not able to think through these issues; the wider you go you get the best possible pool of applicants. But 'cos I've got to produce the papers for the RAE…I've got to get somebody on quicker and not take somebody who, somebody who fits equality."

<div align="right">Dean Cityscape, pre-1992</div>

"I think perhaps there are issues about the way the academic … yeah, the way that staff are valued. So what constitutes success … so much emphasis on the research agenda for example, and the professorial route to promotion, and the implicit kind of discrimination sometimes that's in some of those policies … Where do we get most of our academics from? You know particularly things like RAEs… you get a lot of fighting for the best academics who come out of the elitist universities. And predominantly in the way that British society is structured, as we all know, that's heavily biased towards the independent school sector in certain areas. That's got an implicit imbalance in it. So until you start changing those values … how are you going to get kind of a first generation very bright college student who is supported through a university, which caters for their needs, to come out the end and be recognised … you know, doing PhDs and whatever … and being recognised in terms of equity? I mean it doesn't happen. Because it's not equitable when you go into the system, so it's not equitable when you come out of the system."

<div align="right">PVC, Speyside, post-1992</div>

There are some real issues here for Funding Councils and support organisations to address in relation to helping senior managers to understand what mainstreaming is about and how closely intertwined are equal opportunities policies and other institutional and sector policies. Institutions may well need much more assistance in showing how they can examine this intertwining, improve it and monitor it.

4.9 Future visions

Because we wanted respondents to think about future policies rather than just existing ones, we also asked our interviewees to do some creative visioning about the equitable HEI of the future. Responses tended to reflect the particular jobs that people did. A fascinating reply came from a Director of Estates in a university with many old buildings:

> "I think it would be like Sandside but on Warwick's campus or something like that.
> Interviewer: … And that's because of the accessibility?
> Respondent: Absolutely… New buildings and I mean it strikes me … I don't know it that well, but my impression is that it's pretty good. It's just lacking that little bit of character."   Director of Estates, Sandside

Most answers were fairly general and wide-ranging (as we hoped they would be). These examples illustrate fairly typical answers:

> "It's a very difficult question. I think that there are two things probably. One of them is we need to make sure that everybody who works in the entire higher education environment understands not just the necessity for, but the benefits of operating within equal opportunities and a diverse environment. So that it is broadly understood. Secondly… and again that goes with you know rolling it out. Secondly, I think that we need to emphasise the fact that what we do in higher education is a reflection of the… of society at large. I mean it's very clear that things like widening participation and access and those kinds of things are intended to be a reflection of society at large; that we are part… that higher education institutions are part of society at large and therefore it's the connection between the two and that we cease to be the ivory towers that perhaps universities and higher education used to be. And, reflect that, so equal opportunities and diversity are seen as being part of the widening participation and the access policies, which are there anyway, but at the moment they are seen as being something different because they are seen as being part of Government policy, they are seen as if you like postcode exercises; find people from disadvantaged groups and make sure that you discriminate in their favour and so on. And I don't necessarily support that. I think that the future is in seeing the whole

thing as one you know as one common climate that is actually all about equality and diversity."   Dean, Cityscape

"I would also like to see more women on Council. I'd like to hear of more female professors being appointed and ethnic minorities in the academic grades. I like … already I like hearing that U has been singled out for some examples of excellence in terms of policies we've developed and action plans. And action plans that are being delivered, not just sitting gathering dust. That is good. And, the fact that we're still willing and eager to learn. You know, what can I say? Ideally we should mirror the population out there and half the population are female so we ought to see more female faces. And 8% nationally are ethnic minorities and we ought to see that mirrored. But let's be realistic, that's going to take time."

Lay member of council, Westside

"An institution in which there was a more sort of … more normal demographic pattern, I think is quite important. There are too many people … as a proportion of the population who are working in universities, there are probably still slightly too many babyboomers and just a bit afterwards as a proportion. Which doesn't mean we need fewer baby boomers, but that's a problem. Um … I would at least like it to be one in which the dominant culture was of enabling people. And one where people were sort of what I would call normal partnership working - partnership working was the norm and so team working was normal. People thought it was a good thing. That they had a better understanding of the synergies and tensions between individual effort and team work and social contribution and that of the individual. And where that was more properly reflected in people's promotion opportunities, in their career development. Um, it would be very good to have the ethos that the aim of public policy in higher education is to create first class opportunities for people at every institution in the country rather than have the current view, which occasionally government ministers also lapse into, which is that what we're really trying to do is to create a handful of institutions which have all the best staff and all the best students – 'best' not very well defined. And that everybody else goes to what is now called

'access' institutions. I notice that Ivor Crewe in UUK now refers to 'our access universities' (by) which of course he doesn't mean his own university."

<div align="right">Principal, Towngate</div>

The responses, on the whole, showed the capacity of respondents to think through what was, or was not, working at present and how this might develop in future as well as the particular context and specifics of their own organisations.

Furthermore, many replies did consider the interaction between student and staff equality issues and how these could be built upon. However, one or two responses, whilst ostensibly about both students and staff, had considerable implications for future staff equality matters:

> "I think we probably need to be less rigid than we possibly are in terms of how we employ staff and on what basis we employ them. And move away from the kind of 9-till-5, Monday–to-Friday type of issue … we need to turn the institution into a seven day a week institution rather than five day a week, and yes you can do that electronically, you can do that to a degree at the moment electronically, but for all those people who are working elsewhere and are part-time students then basically their interaction with the university is premised on having a free Saturday afternoon or something like that, and if the facilities of the university are not wholly available to them then that's letting them down, so that's an area we need to work up...   to an extent we have our libraries open seven days a week, but how easy is it for a student to contact a member of staff on a Saturday or Sunday, a member of academic staff, is probably well nigh impossible. Is that right? Well, I don't know but I would have thought it could be improved."   Administrator, Speyside

Speyside staff might welcome the flexibility implied here but not perhaps if, for instance, academics were to be required to work seven days a week responding to students' queries. But it does underline the earlier point about the importance of understanding the interdependence of staff and student equality. It will not help the pursuit of an equitable

HE institution if what is achieved facilitates student equality at the expense of staff equality (or vice versa), which is precisely why Morley (2004) has argued that teaching quality and student 'customer care' policies may be in tension with equal opportunities policies. In one sense, future visioning may seem like an abstract or utopian game but it is essential to leave time and space for it, if HEIs are to have a clear idea of where they are heading.

Furthermore, institutional development/strategic plans and operating statements are not the only place where forward visions should be developed. Room for more creative thinking is also important and perhaps an area where, as indicated below, some inter-institutional collaboration and sharing could prove invaluable.

4.10 Support for work on equality

Our final area of questioning to senior managers was about the support that they and their institutions might need in future order to achieve their visions, or sources of support they had already sought. Here, the most frequently given organisations were trade unions (nine responses), the Equality Challenge Unit (seven responses), equality organisations in the form of the Commission for Racial Equality and the Equal Opportunities Commission (seven responses) and other HEIs (five responses).

A number of those who mentioned trade unions felt that the academic trade unions and especially the Association of University Teachers were less helpful than manual and support staff unions, particularly locally, but also nationally:

"I think the AUT has been the worst led organisation in Britain over the last 25 years."   Principal Towngate

"We have some difficulty with the AUT. Other unions are kind of extremely helpful. Uh, and certainly do raise the equal opportunity issues. The unions are heavily represented on our equal opportunities subcommittee and the HR committee."

VC, Westside

Other organisations such as ECU, EOC, CRE were valued for the practical support they provided. The HE funding councils were not much mentioned (four mentioned HEFCE, two SHEFC) and only two respondents included Universities UK in their list (strictly speaking ECU is part of UUK but this was only rarely acknowledged), one of whom was not overwhelmingly positive.

> "Well it has quite a useful role in the sense that it disseminates [information] to us. Sometimes just fractionally shorter than the original document." VC, Sandside

The replies mentioning other HEIs were interesting because outside of various pilot projects, the impression was that not much help does currently come from this direction unless it is first filtered via the Funding Councils.

> "I do think that we probably, just one final thought, I think we could do more as a sector to help each other. It isn't just a sort of, you know, what senior managers can do for the institution. And it isn't just about the equal opportunity of people getting together?… And I think there's something that's actually been really good in some of these areas, and particularly some of the HEFCE publications recently, in sort of encouraging institutions in thinking about how to implement, common approaches. I do think a bit more thought needs to be given to how we can collaborate."
>
> VC, Speyside

There is obviously support available to institutions from a variety of sources, both inside and outside of the higher education sector. But more inter-institutional collaboration would be helpful (as would funding council encouragement of this) and it is also worth emphasising that although HEIs, as evident in our interviewees' responses, rightly want practical help not theory, that support not based on current research may prove to be inadequate. This is a challenge both for researchers and for support organisations. On the whole the national equality bodies seem better at transmitting research findings

accessibly than HE sector organisations. Joined-up thinking between funding councils and research funding bodies which support inequalities research would be useful too.

4.11 Conclusion

In summary then, our senior manager respondents were mostly well-informed in a general way about aspects of equal opportunities policies (though in some cases, often because of their particular responsibilities, they were more aware of EO issues related to students than staff) and tended to see issues concerned with gender and ethnicity in work force representation as key ones for the HE sector and their own institutions.

There was, however, very limited awareness of research on equality. Resources were thought by half the sample to be an issue but the other half thought that it was not a major problem. However, Wales and Scotland were perceived to have received far less resources than England for HR and other staff equality matters.

All six HEIs had some EO training in place and this seemed to be offered to all senior managers, even if not all staff. Equality issues for students and staff were seen to overlap, though employment concerns were confined to staff and there was some recognition of the symbiotic nature of the connection between equality issues for staff and students, an issue which perhaps needs more attention.

Policies on equal opportunities in the case-study HEIs were valued for their comprehensive approach, though most interviewees agreed that the processes of implementation and culture change were still on-going. Positive action was mentioned very infrequently as was the concept of mainstreaming equality policies into all other institutional policies. Most respondents had a general vision of where they would like their institution to be in a few years' time and equality bodies concerned with providing practical help with this were particularly valued, as were manual and support staff trade unions.

5. Overall conclusions arising from the report

The data that we gathered in the project had three distinct foci:

- a critical discourse analysis of the equal opportunities policies of the six institutions, as published on their websites;
- the perceptions and experiences of equal opportunities policies expressed by a wide range of employees in six case-study higher education institutions: Cityscape, Eastville, Towngate, Sandside, Speyside and Westside in three countries of the UK;
- and finally, the perceptions and views about equal opportunities held by senior manager-academics and career administrators in the six HEIs.

The pictures that we have presented of our six case-study institutions based on these data well-illustrate many of the complexities of tackling equal opportunities issues for staff in higher education. These range from constructing and communicating the policies themselves, through staff and student-centred approaches to equality and the possible tensions between them, to the use (or absence of use) of grievance procedure by employees.

The view from the grassroots and the view from the senior management vantage point for our respondents, certainly seems very different. This is not because one perspective is right and another wrong, or attributable solely to some individuals being better-informed than others.

We already know that in higher education organisations a gap between senior managers and their employees exists and is probably widening as institutions become larger and their functions more complicated and wider-ranging (Deem 2003). Each inhabits a different part of the organisation and sees it through a different lens. Thus it is perfectly feasible to find, as we did in all six institutions, that whilst senior managers think their policies are comprehensive, that their action plans are bearing fruit and that their training is good, other employees perceive the policies to be mere window dressing, the training

difficult to attend or irrelevant, complaints hard to make and the 'real' issues ignored. As organisational researchers have often noted, much sense-making is in any case retrospective (Weick 1995).

We have deliberately offered a 'warts and all' analysis, using many illustrations from the data because this is precisely where the value of a qualitative in-depth case study such as this project lies. We are aware that a study of only six institutions and of a relatively small number of employees in each has its limitations as well as its strengths.

Of course we cannot guarantee that all our respondents are typical of others, even who work in the same institution. Indeed, since we wanted to tap into the views of those who have experienced inequalities of various sorts or who might have reason to feel excluded on the basis of not having had such experiences, it would be surprising if all of those we interviewed were typical.

However, by choosing a wide range of institutions and through targeted theoretical sampling (using equality theories to help us identify particular groups or categories of staff to whom it would be helpful to speak) we tried to cover as wide a cross section of HEI employees and senior managers and possible contexts for equal opportunities policies as we could.

It would be unfortunate if those who read the report were to conclude that the situation and prospects for equal opportunities issues for staff in higher education were dire because although many of our employee respondents did dwell on shortcomings and our analysis of equality policies showed up a number of deficiencies and inconsistencies, our senior manager interviews indicated that compared with work done on equal opportunities issues for staff in higher education in the 1980s and 1990s, considerable progress has been achieved, in at least some fields and forms of inequality.

Whilst senior managers almost invariably stressed to us that providing equal opportunities for staff was a key concern, the data from our employee respondents suggested that this was not always perceived as being so.

Furthermore, for some staff in higher education, issues about inequality are perceived as irrelevant, not taken seriously or focused mainly on variations and differences between occupational groups (this is not to deny the importance of such occupational differences, which at least one of our case-study HEIs has worked hard to reduce).

For other staff, how they are treated on the basis of their membership of one or more social division or category that makes them more likely than others to experience exclusion, makes a huge difference to their working lives and their employment prospects.

Equality policies were not, according to some of our respondents, well communicated to all staff despite many senior managers believing otherwise. Web-based policies may be incomplete (as our own analysis demonstrated), not comprehensive and devote more space to some forms of inequality than others.

Also, not every employee can access the web or use email at work, so that face to face and paper-based communication may still be necessary if all staff are to be aware of policies and related practices. The policies themselves may be incomplete, unclear or inconsistent and it may not always be evident how they are to be put into practice or what results have so far been achieved. This may lead, as our employee interviews showed, to policy paradoxes whereby comparatively little thought has been given to how different aspects of equality policies relate to each other (e.g. work/life balance strategies may disadvantage those who are not heterosexual) or how multiple forms of disadvantage are regarded and tackled.

Furthermore, as our senior manager interviews showed, some aspects of equal opportunities are much better understood than others (e.g. gender and ethnic minority

representation in the work force are understood by many but for sexual orientation, for instance, this is much less the case) but this does not mean that all related dimensions of such inequalities are also well understood. So, for example, some of the concerns of secretarial staff about career prospects are gendered but anyone concentrating on representation of women in the work force would not identify this as a problem since women already predominate in the secretarial work force.

Resources to implement equality policies and initiatives are not extensive anywhere (with considerable differences between England, Wales and Northern Ireland) and their use and extent will also reflect varied institutional priorities. Whereas some senior managers felt that sufficient resources had been devoted to equality issues, this was not always something that other employees agreed with. In addition, student initiatives around inequality are often better resourced (e.g. on disability), which may be one reason why some staff whom we interviewed felt that equal opportunities was primarily a student-focused concern. Nevertheless, there are some highly committed and knowledgeable staff working in staff equality units and human resource departments, even if as seems likely, they are often perceived as overworked.

The concept of mainstreaming equal opportunities is not well understood in UK HEIs, as we saw in our senior manager interviews and hence it was not surprising to find interviewees concerned about the tension between providing high quality education for students and a more equitable work environment for staff or the contradictions between policies promising fairness at work and the UK Research Assessment Exercise.

All of the institutions we researched have made some progress in respect of equal opportunities policies and their implementation, so that many of the remaining issues are to do with subtle forms of discrimination and the very slow pace of cultural change. Even those institutions whose senior managers already think they have already achieved an inclusive culture had other staff respondents who felt this was far from the case. Furthermore, as some senior manager respondents pointed out, there are severe limits to how much can be achieved via legislation, 'rules' or policies alone.

Many of the problems experienced by women, members of ethnic minority groups, gay, lesbian, bi-sexual and trans-gender staff, religious minorities, different age groups and those with disabilities are deeply embedded in the micropolitics of institutions and will not be easily shifted however much training is offered or monitoring conducted.

The persistent belief of many in higher education institutions that they work in an atmosphere of meritocracy does not help either, especially in respect of equality issues related to academic staff. Furthermore, the belief in meritocracy may be one reason why positive action has been used so little in UK higher education. Though support organisations both in and outside of HE are clearly briefed on what kinds of positive actions can be used, this may be an area where inter-institutional collaboration between HEIs might be beneficial. It may also be appropriate for trade unions to take up this issue. One senior management interviewee also raised the issue (also at its roots, about merit) of how to make the increased use of headhunters for senior posts consistent with equal opportunities policies and this too might benefit from a collective pooling of institutional ideas.

The other area of UK higher education institutions' equal opportunities policy implementation that stands out in our study as a major difficulty is that of getting staff to feel confident about using formal grievance and complaint procedures. In none of the six institutions did we hear much that was positive about these procedures. However, it is not necessarily the procedures themselves which are at fault.

Rather, it may be the way in which the micropolitics of different units relay tales about what happens to complainants, another illustration of the importance of regular reporting, good communications and the significance of trying to bring about cultural change.

We hope that by identifying some of the commonly shared problems and issues faced by UK higher education institutions in tackling equal opportunities for staff, and by offering some of our respondents aspirations for the future, that our research may help the sector

to continue to strive to achieve more equitable working conditions for staff as well as more diverse work forces. It is also important that those concerned with student equality, staff equality and cross-institutional policies on all aspects of life in contemporary HEIs begin to work together in a more concerted manner if the benefits of mainstreaming of equality policies are to bear fruit.

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Appendix 1: The case-study institutions

1. Cityscape University

1.1 Background

Cityscape is a long established institution and one of the larger pre-1992 universities. It has a large urban campus with some somewhat more dispersed units too. It has a wide range of degree programmes, a high student intake and a large number of employees. It has a very strong research profile and has developed strong links and partnerships with national and multinational industries and businesses.

In 2003-04 Cityscape ran around 700 first-degree programmes comprising over 7,100 modules, and over 300 postgraduate degree programmes, consisting of around 2,500 modules spread across a highly diverse curriculum mix. The high number of disciplinary areas covered by both teaching and research allows flexibility with regard to degree courses and degree course combinations, cutting across the arts and humanities, biological sciences, social sciences, law and economics, the social sciences and the physical sciences. The university also offers medical sciences (medicine, dentistry and nursing) and veterinary medicine.

In 2003-04 the number of students studying both first and postgraduate degrees stood at over 30,000. From 1989 to 2004, student numbers have trebled. Cityscape's mission statement emphasises its commitment to provide a wide range of learning opportunities and teaching programmes with a strong research base. In 2001-02 Cityscape's annual research income amounted to over £70 million, and around the same amount was acquired in research contracts. Despite its attempts to align its student recruitment policies with the national policy framework of widening participation, the majority of its home undergraduate student population remains middle class and white. The data we have examined uses the socio-economic categories developed and used by the National Statistics' Socio-Economic Classification. It shows that around 66 % of home students have parents who belong to group 1 'Higher managerial and professional occupations' (just over 31%) and group 2 'Lower managerial and professional occupations' (around

35%). About 12.4% come from Group 3 'intermediate occupations', 3.5 % from Group 4, 'lower supervisory and technical' occupational background, 8% from 'semi-routine' occupations, and 3.1 % from 'routine occupations'. Eighty per cent of UK undergraduate students are aged under 21 years, and around 92% are aged 24 years or under. In 2003-04 the proportion of female students among undergraduates and taught postgraduates was 56.5% and 57% respectively, but the proportion of female students dropped to 43.8% at the research postgraduate level. Ethnic minority students are evenly distributed across research students (9.2%), taught postgraduates (8.8%) and undergraduates (9.5%). Students with disabilities are underrepresented, especially students with mobility, hearing and visual difficulties. Around 4.8% of all students – both home and international – reported having disabilities, which is well below established estimates of the percentage of people with disabilities in relation to the UK population (Department of Work and Pensions; http://www.dwp.gov.uk/asd/asd5/ih2003-2004/IH128userguide.pdf). Forty-eight per cent of students with disabilities have dyslexia, and around 29% have an unseen disability, while students with mobility, mental, hearing and visual disabilities each represent 4.2% of all students with disabilities.

Cityscape employs around 7,200 staff in all occupations, with some 2,900 academics and around 4,300 support staff. The aggregate staff population is quite evenly split between males and females (50.18% male and 49.82% female), but significant gender differences correspond to traditionally gendered occupations. Women employees represent just over 60% of non-academic staff, but only 34.2% of academic staff (43% of full-time academics are female and over half of part-time academic staff). Women represent just over 43% of staff classified as researchers and 'other' grades, 36% at lecturer level, 22% at senior lecturer/reader level and 10.7% at professor level. On the other hand, women constitute the majority of non-academic staff categories where they represent around 60%, 52% of whom work part-time. A breakdown of the percentages shows that female support staff represent around 48% of the 'managers' category. Ethnic minority staff represent 9.4% of all academics, 12.8% of lecturers, 4.2% of senior lecturers and readers (of whom under 20% are women, representing 0.8% of all senior academics). About 3.8% of professors are from ethnic minority groups.

Among non-academics, ethnic minority staff represent around 9%, but only around 2.4% of managers. They represent around 30% of cleaners and security officers of known ethnicity (it is worth noting that around 35.5% of people in this category refused to identify their ethnic background), and over 95% of ethnic minority staff in this category are employed part-time. It is possible that a proportion of part-time staff in this category were international students working for the university to support themselves or to supplement their income. In the focus group that we conducted at Cityscape with cleaners, four out of the nine participants were international students on full-time courses at Cityscape. Women staff represent around 57.4% of cleaners, catering assistants, security officers, porters and maintenance workers, mostly concentrated in cleaning and catering occupations and most of them are also work part-time. Eighty-two per cent of library assistants, clerks and general administrative assistants are female, with 42.7% of women in this category working part-time. Minority ethnic staff represent around 7.7% of library assistants, clerks and general administrative assistants, of whom around 60% work part-time, and around 77% are women. It is possible that this category contains a significant number of students working part-time in their institution's library services, usually in book-shelving and related unskilled functions. In 2002-03 people with disabilities represented around 4.7% of all staff, of which some 70% work in non-academic occupations, and around 67% work full-time. The age distribution of staff, both academic and non-academic, is fairly even with the exception of staff aged 65 or over who represent around 5.7%, and under 25 years who represent 7.9% of all staff.

1.2 Work on staff equality.

Cityscape has a comprehensive set of policies on the web. It has both an equalities unit and an equality officer. There is a network of diversity officers in departments and units, all of whom do this work in addition to their substantive jobs. Senior managers thought that gender, disability, resources and ethnicity representation in the work force were major issues. The comprehensive nature of the policies and their gradual implementation were seen to be strengths by senior manager respondents and changing cultures and disability issues were felt to be areas for future development. Training is made available

to staff on particular aspects of inequality, including interviewing and disability. Some of the senior managers to whom we spoke felt that they were tired of being criticised for what they had not achieved in the area of equal opportunities and actually needed more support from outside organisations and the sector so that they could think of fresh approaches and strategies.

1.3 Issues arising from fieldwork

The major equality issues that emerged from the fieldwork at Cityscape revolved around unequal access to career opportunities, perceived favouritism and the workload allocated to staff with disabilities, as well as the latter's absence from decision-making processes and bodies that develop and implement disability policies.

Both academic and support staff interviewed expressed concerns about the lack of transparency surrounding promotion procedures and appointments. In some cases, some support staff respondents suggested, posts and person specifications were perceived to be tailored to fit particular candidates. In the case of academics, favouritism was perceived by some of our respondents as embedded in informal social networks where decisions and plans, especially to do with appointments to managerial positions and promotions, were thought to be discussed and agreed upon. Middle-managerial positions at department and school level were particularly thought to be, on occasions, bequeathed to insiders from informal social circles of academics.

Cityscape offers good support for staff with disabilities according to our respondents but there was a view expressed that equitable workload allocation that takes the disability into account was not always part of this. The long-term, cumulative effect of this situation could be to impede career progression and promotion prospects. Another issue raised was the lack of representation of staff with disabilities in the decision-making processes that bear on disability policy development and implementation.

Among our respondents there was a common perception of what could be characterised an equality policy implementation gap. Whilst those respondents who are familiar with the policies recognised that Cityscape had developed good and all-encompassing policies,

they still detected a big gap between the policies and instances where these policies should have a positive impact but have not had one. Somewhere down the line, our respondents thought, something goes wrong, or someone fails to comply with the policies and implement them. We obtained several possible explanations of what the defects might be. The present situation was compared to a few years before the restructuring of academic units into faculties. The argument was that the bigger the unit, the worse for equity and diversity. The implementation and monitoring of equity and diversity policies at the department or smallish unit level was believed to be manageable, feasible and more likely to receive more attention from managers and middle managers with an equity and diversity capacity. Bigger units, it was believed, make it far more likely that equity and diversity issues and policies will take a back seat and fall through the cracks of cumbersome, pressing managerial workloads. Another explanation suggested was that there was an element of *equal opportunism* as some staff members were perceived to have taken responsibility for equality issues to enhance their professional profiles but then failed to take any action.

Another important issue which came up in Cityscape, and which can have broader implications for the ethos of equality and diversity, is the possible contradiction between various policies and the equality areas they are meant to tackle. Family-friendly policies are often premised on traditional models of family organisation, a gendered division of labour and a heterosexual view of the family and personal relations. Those whose lives do not conform to these models may find that their work/life balance is untouched. Another example of policies contradicting each other arose in connection with the enforceability of policies relating to religion and sexual orientation. One of the awkward questions that arise in this respect is: (how) can one tolerate religious beliefs that are intolerant of sexual difference and see this intolerance as essential to their moral foundations? Cityscape's policies attempt to accommodate the various areas of equality but without allowing for possible contradictions or conflicts between some of them. In some cases, when equity and diversity areas encroach on each other, it can be a straightforward matter to resolve the situation. This is the case with the workload implications (also noted in Towngate) of academic staff's support for student with

disabilities; here the resolution of the contradictory effect of equality policies is resolved by recruiting more staff and/or obtaining more support facilities. But things get more complicated and sensitive with the contradiction between intolerant religious beliefs and sexual difference and are not as easy to resolve.

1.4 Summary

Cityscape has good and comprehensive equality policies but some respondents feel that these are not yet effectively implemented. There is a particular issue over the perceived dominance of informal networks from which some staff are excluded, the absence of transparent promotion procedures and the ways in which those for some middle managerial posts are selected. There are also issues about how complex or competing equalities are dealt with.

2. Eastville University

2.1 Background

Eastville University is a post-92 new university housed on multi urban campuses. On the University's website, Eastville's multicultural character is emphasised, as is its regional role as both employer and provider of employable skills and competences. Degree courses are administered within a modular system with a curriculum mix that spans the social sciences, architecture, art and design, law, business studies, computing and engineering, health and biological sciences. The student population in 2004-05 was just under 15,000. Eastville has a high level of representation of students from ethnic minorities, who account for over 60% of all students.

Eastville has around 600 academic staff. In 2002-03, 2.4% of academic staff had disclosed disabilities. The percentage with disabilities drops to 1.3% for non-academic staff. Women constitute around 46.3% of all academics, one third of professors, and 31.5% of senior academics and senior lecturers and researchers. The aggregate number of women in the lecturer category, the academic category with the biggest number of staff, is evenly split between female lecturers, but male full-time lecturers outnumber female

lecturers (57.5% are male), which contrasts with the predominance of female academics in the part-time lecturer category where they represent around 63%.

Eastville University has the highest proportion of minority ethnic staff of our six case-study institutions, in both academic and non-academic staff categories. Of all academic staff whose ethnicity is declared, around 16% identified themselves as from an ethnic minority, and around 23% of non-academic staff are from black, Asian or Chinese ethnic minorities. Amongst professorial staff, those from ethnic minorities account for around 9%. The proportion of ethnic minority staff among principal lecturers, senior lecturers and readers stands at about 5.5%, and the percentage goes up to 23.5% at lecturer level, with 21% of contract researchers. Among non-academics, although ethnic minorities represent 23.6% of non-academic staff, they comprise only 10% of managers. Around 25.5% of library assistants, clerks and general administrative assistants come from ethnic minorities, and ethnic minority representation is at its highest at 37.5% among cleaners, catering assistants, security officers, porters and maintenance workers.

2.2 Work on staff equality

Eastville has a comprehensive set of policies on ethnicity, 'race' and diversity but some other aspects of the policies are thin. It has an equalities unit that is concerned with staff equal opportunities issues and which regularly reports to the equal opportunities committee. The Vice Chancellor chairs the equal opportunities committee and has a strong personal commitment to equality issues. Eastville senior managers are proud of the institution's record on ethnic representation in the work force and the institution's overall diversity and inclusive atmosphere in relation to both staff and students. There was also a feeling that much of the policy in place had been fully implemented. The institution has also made considerable efforts to provide equal working conditions for staff regardless of occupation, in such areas as pensions and parental leave.

2.3 Issues raised by the fieldwork

The most disconcerting issue that came up in Eastville in our interviews and focus groups relates to perceived discrimination linked to staff ethnicity, manifesting itself in alleged

denial of opportunities for promotion and career progression in one particular academic unit. Some staff reported other examples of exclusion and discrimination believed to be targeted at ethnic minority staff. What reinforces the perception of racial discrimination for our informants seems to be what was characterised as a recurrent pattern of ethnic minority staff failing to get promotion, as well as the absence of ethnic minority staff in managerial and middle-managerial positions across the institution, a situation that has been perpetuated by what some respondents saw as a lack of transparent procedures for appointment to managerial positions and allocation of managerial tasks.

The indignation felt by some black and Asian ethnic minority staff whom we interviewed and the repercussions of what is seen by them as racially motivated denial of promotion opportunities is also claimed to have permeated the work environment, and spawned tensions, conflicts and hostilities. We were also told of what appears to be a counter-racism which is also potentially problematic. In response to perceived discrimination, some staff in speaking about it seemed to have developed their own counter-racist vocabulary to describe the people who (to them) have perpetrated discrimination; an example of such vocabulary is the term 'sons and daughters of the soil'.

The atmosphere within this particular unit may, according to some interviewees, be spilling over into the conduct of teaching, and in some cases, it was suggested, students were bearing the brunt of vindictive internal politics between academic staff.

The root of the problem at Eastville was identified by informants as the absence of a rotating system in relation to middle managerial positions and especially the head of the academic unit. Eastville presents a paradoxical case. It is the institution with the highest representation of ethnic minorities among staff (and students) of our six case studies, and the one where there were more perceived instances of discrimination and micropolitics believed to be related to race and ethnicity reported than elsewhere in the study.

Lack of financial resources, combined with its perceived ineffectiveness, due to constraints following from under-resourcing or its limited remit, fosters the perception

among some of the staff we talked to that the equalities unit was set up simply as a tokenistic PR exercise, and to give the impression that the institution is doing the right thing. Some minority ethnic staff feel there are attempts on the part of the university to 'micro-manage' them as part of the symbolism of equality and diversity gestures.

For support staff, the main source of inequalities is perceived to be the divide between academic and support staff. All issues reported by support staff are occupation-specific. This particularly relates to the flexibility academic staff have which is not available to support staff, as well as the holidays, the grading system and promotion, and workload and pay. But these are not issues specific to Eastville**.**

3. Sandside University

3.1 Background

Sandside is a well established pre-1992 Scottish university on an urban campus, defining itself primarily as a 'research-led' university committed to further enhancing its research culture, providing education through the development of learning and teaching in a research environment, and making a significant and positive contribution to Scottish society and economy whilst operating in an international context. The curriculum at Sandside is wide and varied as well as interdisciplinary, making possible such unconventional degree combinations as mathematics and literature, and economics and music. Degree courses and course combinations, at undergraduate as well as postgraduate level, are spread across the humanities, arts and social sciences, engineering, the sciences, medicine and veterinary medicine. It is worth noting that a significant number of arts, humanities and social science courses have a Scottish emphasis in terms of their subject areas.

In 2003-04 Sandside's student population stood at just under 25,000, around 10.6% of whom were international students. There is a clear female majority of around 58% of students. Around 6% of students who disclosed information on disability (87% of all students) identified themselves as having disabilities. Around 75% of students with disabilities have dyslexia, 'unseen disabilities' or 'other disabilities' (broken down as 22%, 38% and 15% respectively), whilst wheelchair users and people with mobility

difficulties represent around 4.5% of students with disclosed disabilities, (around 0.24 % of all students), students with hearing disability or impairment around 7.35%, and students with visual disability or impairment around 3.8% of students with disclosed disabilities.

Ethnic minority students represent around 7.6% of all students (with around 3.8% of students of unknown ethnicity), but it should be noted that the majority of ethnic minority students are international students. Minority ethnic group students from the UK are extremely underrepresented.

Sandside University has a total staff population of about 5,530, around 2,430 of whom are academic staff. Female academics represent 44% of full-time academics, with around 73% of academics working part time. Again the same trend observed in the other institutions, except Speyside, is evident here: the higher up the academic scale we go, the less the percentage of female academics. Among researchers and 'other grades' women constitute 53.5% but 52% of full-time researchers and 'other grade' staff are male, whilst they comprise 75% of part-time staff in this category. Women represent around 40% of lecturers (around 38.5% of full-time lecturers, and just over half of part-time lecturers), but within the senior lecturers/readers category, the proportion of women drops to around 25.65%, and then to just over 14% of professors.

Ethnic minority academics represent 1.8% of professors, and around 4% of senior lecturers/readers, of whom 21% are women. At lecturer level, ethnic minority staff represent around 6.35% of disclosed identities (around 18% of lecturers' ethnic origin is classified as unknown or information refused), which goes up to 7.2% of researchers and 'other grade' staff, although the ethnicity of 39% of staff in this category are unknown or remained undisclosed. Minority ethnic staff represent around 1.7% of non-academic staff whose ethnicity has been declared, but there is a very significant proportion of staff in some non-academic categories whose ethnicity is not known. This is especially the case for cleaners, catering assistants, security officers, porters and maintenance workers, most of whom work part-time, where the ethnicity of around 70% of staff is marked as

'unknown.' In this category of about 200 staff whose ethnicity is known, 11 staff are from minority ethnic backgrounds. Ethnic minority representation in the category of library assistants, clerks and general administrative assistants stands at around 8% of staff whose ethnicity is known (12% of staff in this category are marked as of unknown ethnicity or 'information refused').

At the managerial level, the representation of ethnic minority staff is under 2% of all managers. Among non-academic staff, women represent around 64% of non-academic staff, around 41% of whom work part-time. Women staff represent 82% of library assistants, clerks and general administrative assistants, and around 62% of cleaners, catering assistants, security officers, porters and maintenance workers, of whom over 95% work part time. Staff with disabilities represent just under 0.5% of academic staff, all of whom work full-time, and about the same percentage among non-academic staff. One of the possible reasons could be the traditional style of architecture which houses the university and hence issues of accessibility for some potential applicants with mobility disabilities.

3.2 Work on staff equality

Sandside has a very wide-ranging set of policies on its website, it has associated action plans and there seems to be a strong commitment from the Vice Chancellor to promote and drive the development and implementation of equity and diversity policies. The VC, who is relatively new, personally chairs the equalities committee. There is an equalities unit for staff EO matters and a very active co-ordinator. Gender, ethnicity and religion are seen as particular issues for the institution by senior managers. There have been special initiatives on gender, 'race' and disability, all senior managers have to undergo training on EO and training opportunities are offered to all staff. Drama and role play is one unusual strategy employed. The institution is currently embarking on impact assessment of its EO policies on all aspects of university life.

3.3 Issues raised by fieldwork

At Sandside there was a very strong perception amongst many of our respondents, especially among support and manual staff, of a rigid hierarchy corresponding to different types of treatment of staff, which was invoked to explain several cases of harassment, bullying and unfair treatment whose handling was deemed unsatisfactory. The rigid class system, as some respondents described it, was also thought by some interviewees to be manifest in the differential health and safety provisions available to the various categories of staff.

Manual staff, for example, were not satisfied with their health and safety work conditions, and some of them, acting in a trade union capacity, had lodged a complaint and demanded improvements, but found the university had been rather unresponsive, which confirmed their perception of double standards and a rigid hierarchy. Perceptions of inequity and unequal standing before the rules and regulations can at times be fostered by minor yet significant cases and situations, such as when some academic staff are thought to be allowed to rise above the rules and take the liberty to smoke inside their offices in breach of the university regulations whilst other staff are strictly forbidden to do so. Religious differences are an issue in relation to student recruitment but did not seem to be perceived as particularly significant in connection with staff by most of our respondents.

One of the issues raised in relation to Sandside's disability policy by interviewees was the lack of representation of people with disabilities on committees and institutional units involved in developing and monitoring disability policies. Workload for people with disability was also raised as a problem. It seemed that there was a standard mechanism for allocating workload tasks and setting deadlines which some of our informants perceived as not doing enough to take into account the requirements of people with disabilities. This is certain to have long-term implications for their chances of doing research and career opportunities.

3.4 Summary

Sandside has extensive and comprehensive policies, an equalities unit that is very proactive, good training in EO. and high commitment to equality issues from senior management but staff respondents felt that social and cultural hierarchies relevant to unequal experiences at work still persisted.

4. Speyside University

4.1 Background

Speyside is a post-1992 university with multi urban campuses. It has around 100 first-degree programmes with a particular emphasis on practical employable academic skills. The courses are concentrated in the sciences, engineering and biological and health sciences but social sciences are also catered for. Speyside's student population in 2004-05 stands at about 12,500 students. Over 80% of students are undergraduates, around 17% are on taught postgraduate courses, and just under 2% are research postgraduates. Among undergraduate students, around 82% of students study full-time, and 4.5% study sandwich courses. Postgraduate students, both taught and research, are fairly evenly split between part-time and full-time. Female students represent around 52.5% of all students, 54% of undergraduate students, and around 70% of part-time undergraduates. The percentage of female students goes down to 46.5% among taught postgraduates, 38.5% of full-time taught postgraduates and 30% of research postgraduates.

The data we have examined on students' ethnicities did not break down the numbers in terms of UK and international students, and it is therefore hard to gauge the extent to which ethnic minorities are represented among Speyside students. Around 8.5% of all students whose ethnicity is known are from ethnic minorities, of whom some may be international students. Among both taught and research postgraduates of known ethnicity, ethnic minority students represent around 22.5% in both groups.

Speyside employs around 1,800 staff in all occupational categories, 56% of these in academic roles.

The overall staff population is evenly split between males and females (49% to 51%). Female academics constitute around 39.5% of academic staff, 52% of whom are part-time. The statistical association between grades on the academic scale and the proportion of female academics is apparent at Speyside despite the higher proportion of female professors than in the other institutions researched (17% of professors and 37.5% of senior academics and lecturers), with only 36% of women amongst researchers and 'other grades' level (36%), but 48% of lecturers.

Speyside University has a low representation of ethnic minorities among its staff, especially among non-academics. Among academics the distribution of ethnic minority staff is rather erratic in that it does not follow the pattern – observable elsewhere – whereby ethnic minority representation goes down, the further we go up the academic grade scale. Ethnic minority staff represent around 6.8% of researchers and 'other grades', 7.3% of senior lecturers and academics, and around 5.4% of professors. Amongst lecturers, ethnic minority staff represent only 3.86% of lecturers (under 30 of over 750).

For non-academic staff, the overall percentage of ethnic minority staff stands at 1%. The data we have examined records no ethnic minority member as a 'manager' among around 60 managers whose ethnicity has been stated (which excludes around 15.5% of managers whose ethnicity is marked 'not known' or 'information refused'). This low percentage is reflected in other occupations too. Of around 200 library assistants, clerks and general administrative assistants, only one person is from an ethnic minority (around 2.5% of staff in this category are classified as 'not known' or 'information refused), and only just over 2% of cleaners, catering assistants, security officers, porters and maintenance workers.

4.2 Work on staff equality

There is no staff equality unit at Speyside and equality matters for staff are handled in the personnel division. The Vice Chancellor chairs the equal opportunities committee and has a strong commitment to equality issues. Paradoxically, the equality policies themselves

are patchy and incomplete (in respect of recent EU directives) on the website, although we were sent paper copies of further additions to the policies. The Vice Chancellor chairs the equal opportunities committee. Senior managers in interviews singled out the comprehensive nature of the policies and the general atmosphere of diversity and inclusion as current strengths.   Further implementation and mainstreaming were seen as areas for development. There are women on the senior management team and some equality initiatives and training have been attempted. The institution is also trying to improve the quality of the data it collects on equality.

4.3 Issues raised by fieldwork

Most of the issues raised in staff interviews at Speyside stemmed from three areas:

a) occupation-specific unfair treatment (including harassment and bullying) and allocation of opportunities,
b) the lack of responsiveness from the university with regard to issues raised around equality, and
c) the specifics of Speyside as a post-1992 university and the implications of that for academic staff.

Academic staff at Speyside complained about the lack of opportunities to engage with research. This is perceived to be at odds with the University's emphasis on the balance between teaching and research and its attempt to present itself as a providing teaching with a strong research base. Among academics there are also perceived inequalities in holiday time between those staff on pre-2000 contracts, and staff on post-2000 contracts. Inadequate facilitating of parental leave was raised by some respondents. It was claimed it was still difficult for women to get the support they need after they come back from maternity leave, such as more flexibility in their hours. Some line managers were thought to have a preference for male internal applicants for support positions.

A woman support staff member felt she was discriminated against due to her gender as she met the appointment criteria better her male colleague who was eventually appointed.

She ruled out challenging the decision for fear of victimisation. Some support staff considered a number of line managers were acting in a bullying way, and those raising issues declared themselves unwilling to go down the formal complaints route, but felt that the informal ways of raising issues, usually with the help of a trade union, were thought to have little effect. Most support staff interviewed would not want to make a formal complaint on equality grounds because they do not want to become known and acquire a name for such actions.

4.4 Summary

Speyside, despite its female senior management team, and high proportion of female professors, has rather patchy policies (in its web version) and according to staff interviewed still has a long way to go in tackling aspects of inequality for employees other than gender in senior posts. It is seemingly an institution in transition on equality and the impression given by senior managers was that much was about to happen.

5. Towngate College of HE

5.1 Background

Towngate was founded as a teacher training college under the aegis of a nearby university. In order to have its degrees validated after incorporation, in 1992 Towngate entered a partnership agreement with another university in the region for the validation of its degree courses. A few years later Towngate acquired degree-awarding powers for its taught undergraduate and postgraduate courses. From then on, Towngate has been witnessing a continual expansion in terms of student numbers, new subject areas and, to some degree, its research profile.

In 2003-04 Towngate's student population was just under 8,000 students, almost evenly split between full-time and part-time – 50.35% and 49.65% respectively. Around 9.8% of students are postgraduates. In addition to the high proportion of part-time students, Towngate has a relatively high proportion of mature students; they constitute over 45% of full-time students, and over 95% of part-time students. Female students represent over 65% of full-time students, and over 85% of part-time students. This is especially apparent

in relation to nursing, midwifery and social care subject areas. Ethnic minority students, on the other hand, represent just 6.5% of full-time students, and around 4% of part-time students. Students with disabilities represent 5.8% of all students, most of whom have dyslexia. About 0.2% of students are wheelchair users, 0.3% have hearing disability and 0.35% visual disability.

In 2002-03 Towngate had a staff of just over 500, of whom two thirds were women. Female academics constitute 56.8% of all academic staff, and 75% of all manual, secretarial and administrative staff. Among non-academics, the pattern of gender distribution varies and conforms to the pattern of gender-biased occupations. Whilst managers are evenly split between women and men, women constitute around 86.5% of library assistants, clerks and general administrative assistants and just over 67% of cleaners, catering assistants, security officers, porters and maintenance workers; and all women in these categories work part-time.

The age distribution of the staff population in Towngate, according to the 2002-03 data, is fairly balanced, ranging from 3.6% of those aged 65 or over, to 12.4% for those aged between 45 and 49 years, with the majority concentrated between 25 and 64 years old, and spread fairly evenly across the five-year brackets between 25 and 64 years of age. Towngate's staff population is mainly white, while ethnic minority staff (black, Asian 'mixed' and 'other') represent around 5.4% of the various grades of academic staff, and around 1.4% of the various categories of non-academic staff.

5.2 Work on staff equality
Towngate has no unit designed to tackle staff issues around inequality. The existing equalities unit has an exclusively student remit, whilst the task of addressing practical staff issues falls to a section of the personnel office. There is an equalities committee chaired by the Principal but it is convened only twice a year. The Principal has a strong personal commitment to equalities issues. The policies as represented on the web when we analysed them were rather limited in extent and there was a link for disability

concerned with students rather than staff. Issues for the institution raised in senior manager interviews were ethnicity, disability, promotion and impact assessment.

5.3 Issues raised in the fieldwork

The under-representation of ethnic minority staff is recognised as a problem, and Towngate seems, according to our informants, to be making some efforts to attract minority ethnic staff. Whilst the town itself is predominantly white, there are areas where communities of black and Asian ethnic minorities live. Geographical and cultural factors are evoked to explain the under-representation of ethnic minority staff at support staff level, principally the location of the college and the belief that some local female black and Asian ethnic minority residents speak little English. However, the college is seeking help and advice from external local and national bodies on how to go about enhancing its diversity.

Even less represented among staff are people with disabilities, especially among academic staff where they represent only 0.83% of academic staff, and just over 4% of non-academic staff, both of which fall well below established estimates of the percentage of people with disabilities in the UK population (Department of Work and Pensions; http://www.dwp.gov.uk/asd/asd5/ih2003-2004/IH128userguide.pdf). Interestingly, the very low representation of people with disabilities at staff level does not seem to be readily acknowledged as a problem.

Equally problematic in Towngate, according to several interviewees, are equality and diversity issues related to sexual orientation, age, and religion or belief which are not yet addressed by the policies, nor do they seem to be taken on board in practical policies, even in relation to students. However, gay and lesbian staff interviewed did not perceive an exclusionary culture within the institution with regard to sexual orientation. But there seems to be an absence of gay and lesbian campus groups, awareness-raising and support activities even among students.

With the exception of trade unionists and staff working in major equal opportunities capacity, staff at Towngate do not seem to be familiar with their institution's equality and diversity policies. Equal opportunities policies tend to be perceived as neither a priority for staff nor for their institutions.

Overall, resourcing for the implementation of equality and diversity policies amongst staff and students was perceived as imbalanced across different areas by some interviewees, with for example, disabilities amongst students better resourced than for staff and no resources devoted to issues of 'race' other than in relation to staff recruitment. For some academic staff, the 9am-to-9pm weekday timetable was thought to particularly affect staff located in smaller departments and those with caring responsibilities. Equity issues relating to the workload/pay nexus, have also not yet been addressed by standardised criteria for allocating workload in relation to pay.

Towngate seems to be operating wide-ranging staff development programmes. But there is no uniform institution-wide policy strategy, both within and across occupational categories, to regulate, standardise and therefore equalise access to career opportunities such as training and staff development, promotion and career progression. This is especially a problem for non-academic staff in lower paid occupations. Despite the predominance of female staff, there were strong perceptions of gender inequality amongst some of our respondents, particularly with regard to promotion, career progression, appointments and pay.

There was a general perception among staff interviewed for the study that the current complaints and grievances procedures are inadequate and in a way inefficient, with many factors that discourage potential complainants from pursuing their grievances. Concern about the repercussions of lodging a formal complaint on one's career seemed to be a major consideration that prevented complaints going formal, and in some cases even being raised informally. Trade unionists told us that support staff complainants have sometimes been moved to another department within the institution.

5.4 Summary

Towngate's equal opportunities policies, which are limited in extent insofar as they apply to staff, were perceived by a number of our interviewees to have benefited students much more than its staff. The distribution of career opportunities across different categories of employees and workload allocation were argued by some respondents to have undermined staff's perception of the institution as an equitable work place. Towngate has still a long way to go in terms of diversifying its staff population, although it has made efforts to do this in relation to ethnicity. Trade unions appear to want a more active role in equality and diversity issues, both at the policy development level and in relation to implementation, than they currently have.

6. Westside University

6.1 Background

Westside is a pre-1992 university in Wales based on a single edge of town campus. It offers a broad curriculum and the university currently has five faculties: arts/social sciences, business, science, engineering and education/health. The university has around 12,000 students, of whom ethnic minority students comprise around 20% (but these are mostly international rather than UK-domiciled students). Disabled students represent just over 5% of all students. Women represent 57% of all students.

In 2003-04 there were just under 900 academic staff. Female academics represent a third of all academic staff. Women represent 61% of associate tutors but only 21% of senior lecturers and readers. The overall number of professors is 114 and just under 9% of them are female. Among support staff, 89% of clerical and secretarial staff are women, 3% of professors, 5.7% of academic staff and 3.3% of associate tutors.

Ethnic minority group members comprise 4.9% of all staff, 5.7% of academic staff and 3.3% of associate tutors, 3% of professors, just over 4% of senior lecturers and readers. Lecturer B is the academic staff grade group with the highest number of ethnic minority staff (around 17 members out of 210), representing around 7.7% in this category. The staff category with the highest number of ethnic minority staff is the administrative, library and computing staff category, but they represent only 3% in this category, and the

highest percentage total of ethnic minority staff is in the research analogous category where they represent around 18%.

The percentage total of people with disabilities across all categories of staff stands at around 5.7% and around 5% of academics (including associate tutors), but the data available to us does not disaggregate the number of academics with disabilities according to staff grade groups. The faculty with the highest percentage total of people with a disability is engineering and the percentage of staff with disabilities stands at around 8.7% across all staff categories, whilst business, has the lowest percentage of people with disabilities (2.9%).

6.2 Work on staff equality

Westside does not have an equalities unit for staff, although it has a female academic who acts as equal opportunities officer and chair of the equal opportunities committee which is convened around three times a year and includes senior staff. Westside's web policies are not as comprehensive as some other case study institutions, but it does publish alongside the policies an annual report on equality data in the institution. The HR director has a strong commitment to equality issues and sits on some national bodies concerned with this but female academics are not yet represented on the senior management team, although there are senior female administrators.

The institution is currently participating in a UK-wide equality pilot project and has particularly focused on data and impact assessment. The university's work on EO has been used by HEFCW to encourage other institutions. The absence of an equalities unit with an equality and diversity remit may reflect the absence of a strong HEFCW financial investment in human resources and equality policy. It was the only case-study institution to mention that it included equal opportunities in induction training for all new staff.

6.3 Issues raised in the fieldwork

The university's evident commitment to equality issues for staff especially in respect of gender and ethnicity in the work force was more apparent in senior manager than other

staff interviews. Indeed, some staff respondents suggested to us that the university's current cost-cutting and entrepreneurial policies may work against equality and diversity. They are perceived to be discriminatory in their effects if not in their original objectives. This was argued to be most manifest in the university's move to close or merge academic departments where a high percentage of staff are aged between 50 and 65 years, which makes them eligible for premature retirement compensation whereas younger staff would need to be made compulsorily redundant. What is common to all the departments singled out for closure, it is emphasised by interviewees, is not lack of student intake, teaching quality, nor potential research output for the next RAE; it is the age profile of academic staff in the departments.

The university, according to the perceptions of a number of support and academic staff interviewees, pursues a minimalist approach to equality and diversity policies. It is minimalist in two senses: in the financial and economic sense as has been pointed out, and also in the sense that the university appears not do anything proactive about equality and diversity issues until it becomes illegal not to take action on it. In addition to the alleged cases of ageism (not illegal as the EU directive on age discrimination is not due to take effect until 2006), the minimalist approach, it was argued by some of our respondents, may also be exemplified in the not yet fully adequate facilities that have been built in response to the disability legislation.

Recent restructuring of some departments has created, according to some of our respondents, an atmosphere among many staff of job insecurity and an anxiety about their jobs that overrides all other concerns about inequity. Keeping one's job becomes the one most important concern. Under these circumstances challenging a case of perceived inequity and injustice, through the complaints and grievances procedure or otherwise, is likely to be seen not only as secondary relative to the prospect of redundancy, but something that is perceived by some to possibly indirectly precipitate one's redundancy. Other aspects of inequity relate to the marginalisation and precarious employment status of people who are recruited as teaching-only staff and who have no time for research even if the motivation and intention existed. In some departments, it was reported, there

is a big divide between academics on standard research/teaching contracts, teaching-only staff and contract researchers, a divide which corresponds to a different range of rights and opportunities, and treatment. This was explained as relating partly at least to the RAE, which was perceived by some of our academic respondents as premised on a narrow understanding of scholarly activity, thus creating a sub-division of labour within academic activities, and academic staff who are expected to focus their efforts one or the other category of activities. This of course is not an issue specific to Westside.

6.4 Summary

Westside has some commitment to equality issues as shown by its HR director's personal EO commitment, an equality officer, an action plan on gender in senior roles, staff induction training and its participation in a national equality project, but its work on equality is not well-resourced and the treatment afforded to different aspects of equality is not necessarily evenly spread. Recent restructuring, whilst not itself an equality issue, has had equality repercussions and for some of our respondents, appeared to have resulted in feelings of job insecurity which were felt to push other equality concerns into a back seat.

Appendix 2: Equality policy analysis: tables and recommendations

Table 1: Online equality and diversity policy documents relevant to staff

(examined on 1 October 2004)

Policy Area	Overarching statement	Disability Statement	Ethnicity/race statement	Race Equality Action Plan	Sexual Orientation	Gender	Age	Part-time work	Parental Leave Policy	Harassment and Bullying	Religion and Belief	Work/Life	Equal Opps. Report
Eastville	1	0	1	1	0	0	0	0	0	0	0	0	0
Towngate	1	0	1	1	0	0	0	0	0	0	0	0	0
Westside	1	0	1	0	0	0	0	0	0	0	0	0	1
Speyside	0	0	0	0	0	0	0	0	0	0	0	0	0
Cityscape	1	1	1	1	0	0	0	0	1	1	0	1	0
Sandside	1	1	1	1	1*	0	0	1	1	1	1	1	0

* The sexual orientation page is still empty; it is noted that it will be posted by Dec. 2004.

Table 2: Details of documents by institution

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Table 2.1: Cityscape

Generic	'The University of Cityscape Equality and Diversity Policy' 'Diversity Plan: University Community 2002 – 2005' 'Equality and Diversity Statement' 'The quality case for equality' 'Diversity Action Plan' 'Summary of Diversity Plan'
Disability	'Disability statement' 'Access to Work' ('Information for Disabled Staff')
Race/ethnicity	'Code of Practice Race Equality'
Other	'Code of Practice Harassment and Bullying' 'Maternity Leave Policy' 'Work/Life Balance' 'Stress at Work Policy'

Table 2.2: Sandside

Generic	• 'Equal Opportunities in Employment Policy'
Disability	• 'Access to work' • 'Disability policies and procedures'
Race/ethnicity	• 'The Race Relations Amendment Act' • 'Race Equality Policy' • 'Race Equality Policy Plan'
Other	• 'Harassment Policy and Procedures for Staff' • 'New Legislation on Work Life Balance Issues' • 'Part Time Working Policy' • 'Religion or Belief Policy' • 'Sexual Orientation Policy' *(still blank and exists only as a heading)* • Maternity Leave • Maternity Leave Health and Safety Considerations • Maternity Support Leave Scheme • Parental Leave • The Right to Time Off to Care for Dependants

Table 2.3: Westside

Generic	'Equal Opportunities Action Plan' 'Equal Opportunities Committee Annual Report 2002-2003'
Race/ethnicity	'Race Equality Action Plan' 'Race Equality Policy Statement'

Table 2.4: Towngate

Generic	'Policy for Equal Opportunities'
Race/ethnicity	'Promoting Race Equality: Policy and Action Plan' 'Race Policy'

Table 2.5: Eastville

Generic	'Our Charter for Inclusivity'
Race/ethnicity	'The Equality and Diversity Action Plan (2001/2003)' 'Diversity and Equality Policy and Procedures' 'Race Equality Policy and Procedures' *(content identical to the above)*

Table 2.6: Speyside *(Drafts not yet online/public)*

Race/ethnicity	'Updating the Race Equality Policy' 'Strategy to take the Diversity agenda at Napier forward' - Review of the Race Equality Policy - Race Equality Policy

Recommendations for institutional equal opportunities policies

1) The policy statements studied state the institutions' commitment to equality and diversity, and how they propose to implement their equality and diversity policies, but in most statements there is no engagement with the question of *why* it is that equality and diversity matter, and *why* it is worth working towards equality and diversity. The opening overarching statement might usefully include an explicit engagement with the rationale for the commitment to equality and diversity among staff. The ethical and moral value of equality and diversity should not be either presupposed or overlooked. The case for equality and diversity needs to be explicitly argued on all possible grounds – cultural, ethical, moral, social, political and even economic.

2) An institution's commitment to equality and diversity could be complemented and reinforced by framing the provisions of the policies as rights and entitlements, thereby mainstreaming them and emphasising them as integral to employment, citizenship and human rights.

3) Very little mention is made of the European legal frameworks in the online policy documentation. Including references to the EU legislations on equality and diversity would help contextualise and ground the institution's equality and diversity policies; further, it would raise staff awareness of their rights as employees and citizens under EU employment directives.

4) Given that there are some who see a tension between equality and quality, it would be very helpful to include some clarification about the ways in which the principle of equal opportunities is not necessarily at odds with efficiency and excellence, and how these can complement each other.

5) The online space allocated to each 'area' of inequality could be more balanced in size, to reflect the university's equal commitment to all areas.

6) Universities could be more careful about making all their statements future-orientated, in a promissory mode of enunciation. There should be posted alongside the pronouncement of commitments and promises, some reporting of what is being done, and what has been done.

7) It is important that the language of the policy statement is accurate, rigorous and unambiguous. Some concepts, terms and phrases need to be tightened up, and possible loopholes removed. For example, ambiguities may well arise from the lack of a clear enough categorical distinction between allegations of discrimination and harassment and cases of discrimination and harassment, and how the institution will deal with each category of events; another case in point is the problematic use of 'unlawful discrimination' which seems to be used in a much looser sense than is the case for example in the Race Relations Amendment Act. Our recommendation would be to do more to model the policy statements on the rigour of legal documents without, however, falling into the largely incomprehensible code of legal documents (which remain by and large inaccessible to lay readers without a certain legal competence). Institutions' policy statements would then serve both to simplify the legal documents operating at the UK and EU level, contributing thereby to the promulgation of these operative legal frameworks that staff have to comply with as citizens in wider society, and, simultaneously, reframe them as the institution's own code, highlighting the implications of these laws for the way staff ought to conduct themselves, and go about their daily activities.

8) Issues, questions and visions about equality and diversity are raised and debated more than ever before in the UK public sphere as well as the broader European public sphere. Assumptions, social practices, and phenomena long taken for granted are now being constructively questioned and contested from the point of view of social justice, e.g. the exclusionary 'normativity' built into the architectural construction of the public space, cultural assumptions about the

family, marriage, beliefs, relations, etc. Higher education institutions, especially the social sciences and humanities units within them, have been a major driving force of these debates and the changes that have often followed from them. They should continue to play this role in the public sphere by, for example, keeping their equality and diversity webpage constantly updated and in keeping with current debates and issues. In parallel, equal attention should be given to issues and inequalities that are not currently discussed as much as they used to be, or assumed to have been at least partially resolved, such as gender inequality. Higher education institutions' leading roles in shaping equality and diversity debates could also be enhanced if the institutions were more proactive by incorporating equality areas such as age which are not yet covered by legislation, rather than just acting in response to legislation.

9) A clearer distinction could be made between promoting equality and diversity *policies*, and promoting equality and diversity *practices*, i.e. between setting up and publicising the policies themselves, and the implementation of the policies.

10) It would be helpful for many people who want to find out about equal opportunities policies to have more user-friendly, well-signposted online documentation. Our suggestion would be to place 'equality and diversity', or a similar rubric, as a section/link on the homepage of the institution's website. That would also, incidentally, communicate something highly positive about the priority the institution accords to equality and diversity, to new and current website users, including prospective employees and students**.**

Appendix 3: The project proposal

HEFCE Equity Case Study Project (February - December 2004)

Project Director: Professor Rosemary Deem, Graduate School of Education, University of Bristol

Project Co-Director: Professor Louise Morley, Centre for Higher Education Studies, London University Institute of Education

Research Associate: Dr Anwar Tlili, Graduate School of Education, University of Bristol

Background

The research involves conducting six case studies of higher education institutions across England, Scotland and Wales and examining the perceptions and experiences of a diverse group of staff from different occupational backgrounds, from porters to professors. The research is funded by the Higher Education Funding Council for England, the Scottish Higher Education Funding Council and the Higher Education Funding Council for Wales. The case-study project is one of several forming part of a Research Programme on Equal Opportunities in British Higher Education, at a time when a number of new pieces of equality legislation affecting employees have come into force, or are about to do so. The Programme Steering Group is chaired by Professor Robert Burgess, Vice Chancellor of Leicester University.

Aims and objectives of the project

- To generate and analyse accounts of experiences of inequalities from a variety of staff in a range of jobs in six higher education institutions, using interviews, focus groups and critical incident logs.
- To explore what continuing challenges to equality higher education staff in six case-study institutions think remain in their units, institutions and the HE sector as a whole.
- To examine the equity policies of six case-study institutions via an analysis of those policies.

- To explore staff awareness and perceptions of these policies in the six case-study institutions, gather staff attitudes to the way in which the policies are implemented, resourced and evaluated, and examine what staff think is omitted from their institution's equity policies.

- To gather the views of key informants (e.g. Human Resource Directors, Pro-Vice Chancellors, Deans, Chairs of Council/governing bodies, Chairs of Equal Opportunities Committees) from the case-study institutions on their institutional equity policies, and the extent to which national policies on inequality support, undermine, or are neutral, towards their institutional policies. Also, to discover from these key informants what policy changes and incentives might be needed to encourage higher education institutions to give higher priority to equity issues in the future.

Research methodology

The six case-study institutions to be studied have been selected on the basis of size, geographical position, location (urban, greenfield etc), type of institution, curriculum mix, the social composition of the student intake, and institutional mission.

The research strategy will involve the following:

- Analysis of institutional documentation on equal opportunities at each of the six institutions selected. This will provide vital contextual information for the rest of the research. A more detailed critical discourse analysis of each HEI's policies will also be conducted.

- Focus group interviews with staff at each case-study site, using the following groupings as a basis for selecting participants: official institutional equal opportunities committees or group(s); equity/diversity pressure or support groups; trade unions; promotion/job evaluation committees; sexual/racial harassment officers/advisers; access/widening participation office/section; chaplaincies or equivalent; other groups as appropriate. The focus groups will be used to explore views on equity and inequality issues and their treatment in the institution and nationally. Focus group participants will be asked if they

are willing to keep an anonymous log of future critical incidents relevant to equity issues, for up to three months after the focus group itself. Participants will also be asked to help to identify staff who might be willing to be interviewed individually.

- Interviews with university staff in each case-study institution. These will explore individual experiences of inequality, instances of good practice and positive institutional initiatives on equity issues and views on institutional and national equity policies. Participants will also be asked if they are willing to keep an anonymous record of future critical incidents relevant to equity issues, for up to three months after their interview. An attempt will be made to identify staff in the target groups related to gender, ethnicity, disability, sexual orientation, religion, nationality, age and seniority/job level, through recommendations from focus group participants and other forms of snowball and purposive sampling, as well as asking for volunteers. Telephone or email interviews will be offered to any potential participant who does not wish to meet the research team face-to-face.

- Semi-structured interviews with a small number of institutional senior managers at each case study institution, chosen from amongst: human resource director, a relevant Pro-Vice Chancellor or similar senior academic appointment, staff development officer; head or deputy head of information services; head of public relations. These interviews will focus on views about the effectiveness and scope of institutional equity policies (including current Human Resource and Reward strategies, and to what extent Funding Council monies for these have been spent on equity-related concerns) and what respondents think about how national and HE sector policies, both on equity and more generally, support, undermine, or are neutral towards their own institutional policies.

- At the end of the project a feedback seminar or event will be offered to each case-study institution.

Appendix 4: Interview and focus group schedules

NB: Questions in sections 1, 2 and 3 were used for both focus groups and individual interviews. Questions in group 4 were used for individual interviews only.

1. Questions for academic and administrative staff

Emphasise **confidentiality** of the interviews and anonymity of participants in anything that will follow from this research; and the anonymity of the institution as a whole; encourage them to feel free to voice their views, however controversial they might be.

Ask for **permission** to tape the interview; please feel free to ask me to switch off the taping machine at any point if you wish. Could I also remind you that you have the right to have a look at the transcripts of the interviews. Just let me know that you wish to do so either today or at any point within the next eight months.

Brief introduction: This research is funded by the Higher Education Funding Councils for England, Scotland and Wales. It is trying to look at equity policies from the point of view of various occupational categories of staff based on their actual experiences at six case-study universities. The study also involves an examination of institutional policies on equity issues. The research project aims to generate and analyse staff accounts of equity policies and equity issues, identify challenges, inadequacies, examples of good practice and how equity policies can be energised by fresh incentives. We are really interested in knowing how equal opportunities policies work out on the ground in staff's actual experiences inside the university as a work place and as an employer; and we're keen to learn more about the implementation side of these policies. We are keen to seek a range of views and experiences of what is working well and could be done differently and better in relation to policies for equality in your organisation. We're also very keen to hear specific recommendations.

1) Could I begin by asking you to introduce yourself/yourselves? Let me start by introducing myself.

2) In your understanding what aspects of your own work experience in this university raise equality issues?

3) What do you know about equality policies in this university and the rights and processes that these policies provide for?

4) How does the University inform staff about its equality policies? How about if there were new policies, how do you get informed about them?

5) In your experiences, how do support/academic/academic-related staff fare in relation to the opportunities and rights provided by the University's equality policies?

Followed by prompts:
In terms of:
    career development/training
    promotion
    equal fair treatment
    welfare
    pay and rewards

6) Are there any areas or things in your experience in this university that have been left out from equality policies, or haven't been given enough attention by the University? What are they? (Is there anything that you haven't yet mentioned?)

7) What in your view are the most positive aspects of the university's equality policies?

8) Do you know of any incidents where academic staff in this university were treated unfairly or discriminated against?

9) Have you ever considered using the complaints and redress procedures?

10) Based on your experiences here, what kind of academic does well in this university? What kind of characteristics do they need?

11) In your view, what impact, if any, has the audit culture had on equality issues for academics/support staff/academic-related staff?

12) Can you see any conflict or contradiction between staff's and students' equality rights? Ask examples.

13) What do you regard as positive about the university's equality and diversity policies? Can you give me examples of policies that you value and that you think have worked well?

14) How could the university improve in terms of equality policies and practices? Do you have any recommendations?

15) We're finishing very shortly. Is there anything else that you would like to say? Anything that I haven't covered? Or any further comments or thoughts?

2. Questions for manual workers

Emphasise **confidentiality** of the interviews and anonymity of participants in anything that will follow from this research; and the anonymity of the institution as a whole; encourage them to feel free to voice their views, however controversial they might be.

Ask for **permission** to tape the interview; please feel free to ask me to switch off the taping machine at any point if you wish. Could I also remind you that you have the right

to have a look at the transcripts of the interviews. Just let me know that you wish to do so either today or at any point within the next eight months.

Brief introduction: This research is funded by the Higher Education Funding Council; it is trying to look at equal opportunities policies from the point of view of staff and their actual experiences. The aim is to find out about the weaknesses and strengths of these policies based on your experiences and views; and to make these policies work; and work better. We are really interested in knowing how equal opportunities policies work out on the ground in staff's actual experiences inside the university as a work place and as an employer. We are keen to seek a range of views and experiences of what is working well and could be done differently and better in relation to policies for equality in your organisation.

1) Could I begin by asking you to introduce yourself/yourselves? Let me start by introducing myself.

2) In your understanding and from your experience, what aspects of your own work experience in this university raise equality issues?

3) What do you know about the university's policies on equality?

4) How do people usually get to know about these equality policies? How do they get informed about them?

5) How much do you think people who work here know about these policies and the rights that these policies give to them?

6) Overall, how do you feel the university offers its employees opportunities in terms of, for example, career development and promotion, welfare, support, staff training, pay and rewards and so on?

7) What is good about this university's equality policies? Can you give an example of this in practice? Is there anything that's worked well for you?

8) Do you feel there are some areas or things in your experience in this university that have been left out from equality policies? What are they?

9) Do you know of any incidents where academic staff in this university were treated unfairly or discriminated against? (Discrimination can relate not just to gender, ethnicity, sexual orientation or disability, it can also relate to things that may not be getting enough attention by these policies, such as one's religion or age or the fact that you're an outspoken trade-unionist who is seen as a troublemaker; it can relate to University-employee relation, just as it can be about relations between colleagues among themselves.)

10) Have you ever considered making a complaint?

11) Are you aware of any office or person you could go and talk to when you feel that you or a colleague have been treated unfairly in one way or another?

12) How effective do you think the complaints procedures in place are in dealing with cases of unfair treatment or discrimination of one sort or another? Ask examples.

13) Based on your experiences here, what kind of person in your field does well in this university? What kind of characteristics do they need?

14) What do you see as positive about the university's equality and diversity policies? Can you give me examples of policies that you value and that you think have worked well?

15) Do you have any specific recommendations to improve the university's equality policies?

16) We're finishing very shortly. I wonder if there is anything you would like to say that I haven't covered, or if you have any further comments or thoughts?

3. Additions to main questions for specific groups

3.i For participants with a disclosed disability

1) Overall, how do you think people with disabilities fare in your institution?

2) Have you ever experienced any forms of inequality or discrimination at work which you believe was related to your disability?

3) Can you describe an incident when you felt discriminated against or unfairly treated or disadvantaged as someone with a disability working here? If so, who was this from? Peers/ line manager/ students/ colleagues etc.?

4) (if applicable) Have you ever considered making a complaint about the above incident? If not, what stopped you?

5) (if applicable) How far did the complaint go and how did people in charge (e.g. your head of department, your line manager, the equal opportunities unit or its equivalent, trade unions, etc.) deal with your complaint or grievance? Were you happy with the outcome?

6) Is there anything that you regard as particularly positive about your institution's equality policies and practices, particularly in relation to disability?

7) Any recommendations to improve your institution's equality policies and practices, particularly in relation to disability?

3.ii for staff who declared themselves as gay, lesbian, bisexual or transgender

1) Overall, how do you think lesbians, gays, bisexuals and those who are transgender are treated in your institution?

2) To what extent does the culture of your institution allow you to be 'out' at work?

3) Have you ever experienced discrimination, harassment or unfair treatment at work which you believe was related to your sexual orientation?

4) If so, what form did this take? Bullying/ abuse/ comments/ assumed heterosexuality/ structural obstacles etc. Can you describe an incident when you felt oppressed/ discriminated against? Who was this from? Peers/ line manager/ students/ colleagues etc?

5) (if applicable) Have you ever considered making a complaint about the above incident? If not, what stopped you?

6) (if applicable) If yes, how far did the complaint go and how did people in charge (e.g. your head of department, your line manager, the equal opportunities unit or its equivalent, trade unions, etc.) deal with your complaint or grievance? Were you happy with the outcome?

7) Is there anything that you regard as particularly positive about your institution's equality policies and practices, particularly in relation to sexual orientation?

8) Any recommendations to improve your institution's equality policies and practices, particularly in relation to sexual orientation?

1) What role does your union play in the University's equality and diversity policies?

2) How does the union connect with the university's governance structures that deal with equality, diversity policies and practices?

3) Does the union play any role in finding out about and monitoring the actual impact of equality policies?

4) Are there any constraints on what the trade unionists can do in this regard?

5) What role does the union play in the grievances and complaints? Do you have a network of advisors to help you with this work?

Overall, what's your sense of how willing or reluctant people are to make a complaint? Why?

4. Questions for senior managers
Start by explaining the project and mention what field work we have already carried out in the institution. Ask the interviewee about their job if this is not already clear to you.

1. What do you see as the major equity and diversity issues in UK (or Scotland, England, Wales) higher education as a whole? (e.g. RRAA, SENDA, EU directives)?

2. What do you see as the major equity and diversity issues in your organisation? And in your unit (for heads of units)?

3. What resources are allocated to Equal Opportunities (EO hereafter) in your organisation/unit? Do you feel resourcing is a constraint on what you can do?

4. Are staff in this organisation (or in your unit) offered any training on EO issues? If so, in what kinds of areas? Have you yourself been offered such training?

5. In your experience do equity and diversity issues for students and staff differ or overlap? If so, in what way?

6. What do you particularly like about and what would you seek to change about your organisation's EO policy?

7. In your day-to-day work here, in relation to what kinds of issues or contexts are you most aware of the organisation's EO policy?

8. How does the staff EO policy here relate to other organisational policies - e.g. quality assurance of teaching and audit; resource allocation; promotion; performance; appraisal; RAE; research/teaching balance; workloads?

9. What is your vision of the equitable/diverse HEI of the future? What steps do you think are needed for your institution and the sector to get there?

10. What support do you need to achieve a more equitable organisation e.g. locally and nationally from other organisations?

11. Do you have any further comments on EO issues?