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**Equal opportunities and diversity for
staff in higher education**

Statistics for equal opportunities in higher education

Project 1

**Report to HEFCE, SHEFC, HEFCW
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**Statistics for Equal Opportunities in Higher Education:
Final Report to HEFCE, SHEFC, HEFCW**

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Summary and Recommendations

- This report gives the findings and conclusions of a project looking at the availability and use of statistics on discrimination and equality of employment opportunity in the higher education sector, considering both academic and non-academic staff. This represents a small part of a wider programme funded by the three Higher Education Funding Councils exploring how best to monitor the higher education sector in order to avoid discrimination and facilitate the dissemination of good practice.
- The report draws on detailed study of the Higher Education Statistics Agency (HESA) website and documentation, and a range of other statistical sources, plus a survey of institutions asking them about data collection, data use and what data would be useful to them when monitoring their employment practice to help with the setting of targets for equality of opportunity and enable them to demonstrate that they were meeting them. The response rate was 42 per cent overall, but this is brought down by low response from English colleges of further education; 65 per cent of higher education institutions responded.
- Virtually all institutions monitor job applications and success rates, and the composition of their existing workforce, by gender, age, disability and race/ethnicity. (There are grave doubts about the completeness of the disability and ethnicity information, however.) Some also use these categories to monitor staff development and training, promotions, disciplinary cases, grievances and complaints, and exit behaviour. A few monitor just race/ethnicity.
- Very few institutions make any attempt to monitor sexual preference or religion. Most say that a prolonged process of education and building trust would be necessary for this to be attempted – if, indeed, it should be attempted at all.
- The importance of monitoring ‘difficult’ or ‘sensitive’ categories of data is nonetheless reaffirmed in this report, as the only basis for realistic proactive implementation of equal opportunities policies.
- Statistics on gender, age and ethnicity, and limited data on disability, are already collected by HEIs as a matter of routine, being required for the returns made annually to HESA. HESA statistics have been very limited in the past for staff other than academics, but now most of the data collected about academics will also be returned for other grades of staff.
- However, the point must be made that collecting data is not the same as monitoring; monitoring implies taking judgments and initiating action on the basis of the data.
- An anomaly in the recording of ethnicity has been uncovered and pointed out, and a case is made for the need to record information on nationality in anticipation that this will become a more prominent issue with increasing internal labour migration within the European Union.

Subject to the findings of the other elements in this research programme, we have made

the following recommendations:

- Age, gender and ethnicity in the HESA statistics continue to be suitable for the purpose of monitoring equal opportunities practice and compliance with equal opportunities legislation.
- Disability in the statistics should be disaggregated into a wider range of categories, to give more help in planning specific strategies. There are never likely to be sufficient cases within most disaggregated categories to permit robust analysis within single institutions or comparison between small numbers of institutions, but it might be a useful datum for planning purposes, and national analysis of major disaggregated categories would be possible.
- Serious thought is needed across the sector not just about the monitoring of disability discrimination but about what ‘disability’ means and the extent to which new categories of staff should be encouraged to consider themselves included within the term.
- Nationality, currently treated by many as a poor proxy for ethnicity, may assume increasing importance if increased mobility of labour across the European Union makes it a discrimination issue.
- Adding sexual preference/orientation and religion/belief to the database should be a medium-term aim, but in the short term the data should be collected by means of anonymous surveys coupled with a programme of education to emphasise the importance of monitoring in these areas. The surveys should be organised centrally rather than by individual institutions, to improve response rate and as part of the process of ‘normalising’ the collection of these data.
- Help should be offered by the Higher Education Funding Council for England (HEFCE), the Scottish Higher Education Funding Council (SHEFCE) or the Higher Education Funding Council for Wales (HEFCW) as appropriate (or by the Equality Challenge Unit [ECU] or another central agency) to institutions which want to monitor processes whose identification requires more than one year of data and which are unable to do so because of the Data Protection Act.
- It is vital that institutions make sure that correct identification numbers are entered on HESA returns for individuals and that a person’s identification number ‘travels with’ him or her to new employment. (This is a problem of which HESA and the funding councils are already aware.)
- It is recommended that the Learning and Skills Council (LSC) should be encouraged to continue to record whether FE staff are teaching HE; if HE teaching in FE cannot be identified, HEFCE will be unable to fulfil its statutory duty to report on ethnic opportunity and discrimination across the programmes that it funds directly.
- While we accept that a generalised ‘family’ categorisation of HEIs is impractical – institutions do not fall naturally into groups – it should be possible for institutions to use HESA data, to compare themselves with what they consider to be like-with-like institutions, taking into account the mix of subjects taught and the kind and extent of research, consultancy and

knowledge transfer undertaken. Clear guidance on doing this should be provided.

1 Introduction

There is clear evidence that inequality exists within the higher education labour market – clear evidence of discrimination that advantages white, middle-aged men (for example, sources Kingsmill 2002, Wilson 2003, NATFE 2003, AUT 2001a, b). While less is known about equal opportunities for administrative, technical and support staff, the pay differentials reflect forms of labour market segregation and segmentation which favour white male workers.

The current report gives results and conclusions from one element of a wider programme funded by the Higher Education Funding Council for England (HEFCE), the Scottish Higher Education Funding Council (SHEFC) and the Higher Education Funding Council for Wales (HEFCW) to look into the monitoring of discrimination and inequality of employment practice in higher education. Our particular brief was to provide suggestions on the uses of existing data and on how to extend data collection to facilitate monitoring of the effectiveness of equal opportunities actions at sectoral and institutional level.

One purpose of monitoring is to check and demonstrate compliance with an increasingly demanding legal agenda. The Equal Pay Act 1970 (and subsequent amendments) establishes in law the concept of equal pay for work of equal value. A range of Acts and Regulations address and outlaw discriminatory practice in particular areas - the Sex Discrimination Acts 1975 and 1986, the Race Relations Act 1976, the Race Relations (Amendment) Act 2000 (and the Code of Practice issued by the Commission for Racial Equality which effectively has the force of statute), the Disability Discrimination Act 1995, the Employment Equality (Religion or Beliefs) Regulation 2003, the Employment Equality (Sexual Orientation) Regulation 2003 and the Disability Discrimination (Amendment) Regulations 2003. Regulations on age discrimination are expected by 2006, following the responses to a government consultative document (DTI 2003). The Race Relations (Amendment) Act 2000 includes a specific duty to monitor by reference to racial group the recruitment and

career progression of staff. In the Act's *Statutory Guide* it says:

'The institution should monitor all activities that relate to staff recruitment and selection, and to career development and opportunities for promotion. The funding councils have a duty to publish by racial group the number of teaching staff at all the establishments for which they are responsible ... and take reasonable steps to publish this on an annual basis.'

(There is no reference in the statutory or non statutory guides to monitoring for bullying and harassment or for disciplinary cases for staff, although the former is mentioned for students.)

All the Acts and Regulations require higher education institutions to articulate policies and, potentially, to show that they are being successfully applied in institutional procedures and practices, as well as ensuring that staff are trained in equal opportunities. The funding councils in higher education, similarly, expect the institutions to comply with a policy of equal access and equal opportunity and require institutions to make demographic returns on all staff (and the same is true in further education, with the Learning and Skills Council). Outside the Race Relations Act there is no statutory requirement for monitoring, but:

'If an applicant (to an employment tribunal) has established facts from which it may be presumed that there has been direct or indirect discrimination, the burden of proof is on the respondent to prove that no such discrimination took place. It is therefore essential that an HEI is able to provide satisfactory evidence to support or explain the treatment if the tribunal is not to infer that discrimination has occurred. Statistics derived from monitoring are likely to be significant in this regard (HEFCE 2004/14 p 6).'

As the Equality Challenge Unit (ECU) has pointed out:

'Some forms of monitoring will signal to tribunals that the HEI takes seriously its responsibilities under the regulations (undated p 12).'

Beyond monitoring compliance, however, the project is also concerned with what

data would be needed:

1. to facilitate human resource planning and enable the institutions themselves to identify problems of employment discrimination,
2. to set policies and targets to overcome such problems and to work towards equitable employment practice in general, and
3. to establish whether the policies are being applied competently and the targets met.

‘Monitoring is a tool that facilitates policy impact assessments – that is, evidence of the effect of a policy or practice on different groups (HEFCE 2004/14 p 9).’

The Higher Education Statistical Agency (HESA) is the main provider of statistics on higher education staff and as part of this research we have interrogated the HESA website for details of data collected on different grades and branches of staff, both academic and non-academic (and also the website of the Learning and Skills Council).

Beyond this, we are using information from individual institutions to give further insight into diversity in terms of what institutions conceptualise as equal opportunities problems and how they propose to deal with them. We wrote to every higher education institution in the United Kingdom and asked them a simple range of questions about their policies, the data they collect, the problems they experience collecting them, the use they make of them in monitoring and evaluating their own anti-discriminatory policies and practice and what they would like to be made available for this purpose. (Copies of the letters sent may be found in the Appendix.) After two reminders and a letter from the appropriate funding council, about two thirds of HEIs sent replies, roughly equally spread across the higher education sector, and the uniformity of responses from the institutions would suggest that the responses we received are representative of the sector. (The response rate from FE colleges in England which are directly funded to deliver HE programmes was only about 17 per cent, however.) Response rates are shown in Table 1. We also had responses from three representative trade unions and from the ECU.

Table 1: Survey returns from higher education institutions

	No. of Replies	Response Rate (%)
<u>England</u>		
Pre-1992 universities	59	72.8
Post-1992 universities	23	65.5
Colleges of Higher Education	23	62.1
Total HEIs	105	68.5
Colleges of Further Education	27	16.7
Total	132	41.9
<u>Scotland</u>		
Pre-1992 universities	6	75.0
Post-1992 universities	4	80.0
Colleges of Higher Education	1	16.6
Total	11	57.8
<u>Wales</u>		
Pre-1992 universities	3	33.3
Post-1992 universities	0	0.0
Colleges of Higher Education	1	33.3
Total	4	33.3
<u>Total United Kingdom</u>		
Pre-1992 universities	68	69.4
Post-1992 universities	27	65.7
Total Universities	95	68.3
Colleges of Higher Education	25	54.3
Total HEIs	120	64.8
Colleges of Further Education	27	16.7
Total	147	42.4

2 Institutional Responses

Policies and Monitoring

The responses from higher educational institutions, representative trade unions and the ECU all indicated that monitoring of a range of staff characteristics needs to be undertaken. A number of the representative trade unions in England have agreed model policies for further education and the Association of Colleges and hope to negotiate something similar in the higher education negotiating forum soon. The model policies covered all the stages and groups discussed below. A number of points were made by the trade unions responding about the collection of statistical data.

Key points were:

- the inadequacy of disability analysis, especially given the soon-to-be introduced positive duty to promote disability equality;
- the need to monitor in the areas covered by discrimination laws on sexual orientation and religion/belief, with a recognition that these are sensitive areas and that the information would have to be given voluntarily and an explanation given that the reason for collecting the data was to see if any group was being disadvantaged at work. There was also an acknowledgement that only a few institutions were monitoring these groups at present;
- the publication of monitoring data for the HE workforce nationally, to give an overall picture – but with the recognition that there are some important areas where local comparison should be used to set targets;
- the monitoring nationally of the outcome of the reviews of race equality policies, the incidence of the introduction of equal pay reviews and progress nationally towards reducing the gender-based pay gap.

The ECU (like HEFCE) has published advice on monitoring. Its view is that, for HEIs, HESA data are adequate for national monitoring purposes and there are adequate regional and local comparative data available for looking at locally recruited staff. It is concerned about the extent to which the availability of national data for comparison with the institution's own data is known about by the staff that

are responsible for equal opportunity policy development and implementation. There is also concern that not all institutions may understand the high priority they need to give to collecting and publishing monitoring data on race/ethnicity, given the legal requirements. In both areas the Unit points out the need for high levels of response (over 80 per cent), for there to be confidence in the accuracy of the data and so in turn to build the confidence of the staff so that they are prepared to make accurate returns. In the area of disability there is also concern about understanding of the broad legal definitions of disability and the need to collect data that capture all disabilities. In terms of sexual orientation and religion /belief the ECU recognises that there is no legal obligation to monitor and that the funding councils do not require monitoring either. It recognised that a small number of institutions feel confident to collect data but that the majority do not. It recommends anonymous staff surveys as the first step, together with talking to self-defining groups and demonstrating a willingness to bring issues into the open.

The advice of the Equality Challenge Unit is that:

‘It would be best to consult with trade unions and relevant staff groups to decide whether monitoring would provide helpful information to avoid discrimination on these grounds. An HEI that does include sexual orientation on its monitoring forms should tell its staff that there is no legal obligation to respond. It should also explain how the information is to be used and stress that it will be treated as confidential (undated, p 14).’

This echoes the advice given by Stonewall, a national campaigning group for gay and lesbian people who are ‘out’, who advocate the collection of monitoring data on sexual orientation. However, Stonewall Scotland has stressed that confidence has to be built up before comprehensive monitoring is introduced.

Among the institutions that responded to our letter, the vast majority of equal opportunities policies referred to monitoring at the following stages:

- application rates;
- success rates;
- ‘stock’ or ‘population’ – grade/salary scale, type of work, type of contract;

- staff development and training;
- promotions – applications and success rates;
- disciplinary cases;
- grievances and complaints;
- exit behaviour.

The vast majority of the equal opportunities and related policies (especially race equality plans) include a number of categories that should form the basis for monitoring, including those for which there is legislation in place or about to be put in place:

- gender;
- race/ethnicity;
- religion/beliefs;
- sexual orientation;
- age.

Additional categories frequently mentioned were marital status, nationality, caring responsibilities and socio-economic background. Many included a catch-all phrase such as ‘other irrelevant distinctions’. Most policies made a commitment to regular monitoring and review of the policies themselves – generally on an annual basis.

What is monitored?

However, there was much greater variability in what was actually monitored - or perhaps, more accurately, about what statistical data were collected, as it was not always clear that monitoring was actually carried out. Most equal opportunities policies and all race equality plans specified regular (usually annual) monitoring, but it was not always clear that anything was done with the data once it was collected, and monitoring means considering and acting on the figures, not just collecting them – target setting, reviewing policies, practices and procedures on the basis of accurately reported and analysed statistical data. As HEFCE (2003/37) points out:

‘More HEIs are now collecting the internal data they need, and many have

plans to invest in enhanced HR information systems. For the moment, however, weaknesses in the available data and in planning mechanisms make it hard for many HEIs to set quantifiable outcome targets ... (p 15)'

And, it is noticeable that of the three case-studies of good practice in equal opportunities management that the HEFCE good practice guide offers, one does not explicitly give the source of its proposed outcome data and the other two talk about auditing to assess outcome (which suggests that existing figures are not adequate for this purpose). All the institutions which responded to our enquiries have to make returns to either HESA or the LSC on the gender, age, disability and race/ethnic composition of their workforce. Beyond this, however, variability sets in.

Monitoring HEIs

Recruitment and population

A clear majority of institutions monitor job applications and success rates by gender, age, disability and race/ethnicity – or, at least, collect the data. However, a significant minority (21) do not monitor by age, and five HEIs do not monitor by disability. Nine HEIs monitor *only* for race/ ethnicity.

Almost without exception the institutions know the composition of their existing workforce by these four categories, as they are required to make returns on them to HESA. However, not all routinely *monitor* by these categories. A small minority do not include one or more of age, gender and disability in their monitoring; age is the category most frequently not included in monitoring reports. One HEI said that it was still debating what kinds of monitoring report would best suit the purpose of supporting the implementation of the equality and diversity policy.

Only a small minority monitor sexual orientation or religious beliefs in terms of recruitment. Three HEIs (two universities and a college of higher education) monitor both, one HE college collected the data on a voluntary basis, and one university and one college collected data on religion but not sexual orientation. Much the same picture emerges for the monitoring of existing staff composition:

'We are unlikely to monitor sexual orientation or religious belief in the short

term as there is no legislative imperative to do so.’ (Comment from one respondent)

Six of the HEIs responding to our enquiries do not monitor recruitment for equal opportunities at present.

Other aspects of employment practice

Sixty-nine of the HEIs responding to our enquiries (46 per cent) monitored applications for, and the outcomes of, promotion rounds, 38 (26 per cent) monitored disciplinary proceedings and grievances, 22 (14 per cent) monitored access to staff development and 35 (24 per cent) looked at exit behaviour. A few looked at all of these. The majority monitored for gender, race/ethnicity, disability and age, but a small number did not include the last two of these. A couple monitored only for ethnicity. The pattern was that institutions tended to monitor these other aspects of employment for the same variables they used to monitor recruitment and the composition of the population. One institution said it monitored promotions for sexual orientation and faith/belief and one intends to include these variables next year. Two institutions said they intended to monitor promotions for equal opportunity issues when they had the necessary systems in place.

The responses from the English further education colleges are discussed in Appendix 2.

Issues with the data

Three main issues were raised by institutions about the collection and monitoring of equal opportunities data:

1. *The difficulty of collecting accurate data because of non-response/refusal to answer specific questions.* This was raised specifically with respect to disability and race/ethnicity. It was suggested that staff with disabilities were not only reluctant to reveal them but that the very wide definition of disability made it difficult for staff to understand what ought to be included. Most institutions use only a yes/no question for disability, and a few specifically said that ‘yes’ applied only if there was a need for support at work because of the disability. A small number provided a range of

conditions and invited staff to indicate which, if any, applied to them. Those who had what they regarded as a satisfactory proportion of positive replies on race/ethnicity and/or disability (over 90 per cent) indicated that they had achieved this by building up trust among staff about the reason for requesting the information, and that they had requested the information up to three times to improve the response rate:

‘In collecting data in relation to ethnicity it is important to stress that this is for positive reasons, and we would look for this message to be consistently communicated by all institutions and relevant bodies.’

(Comment from one respondent)

2. *The resources needed to carry out effective monitoring.* As one HEI said:

‘It needs considerable Human Resource resources and commitment for thorough monitoring and meaningful analysis.’

3. *The desirability and even the possibility, of collecting data on sexual orientation and religion/belief.* Generally the two areas were seen as identical in the issues they raised, although a couple of institutions were collecting religion/belief data and not sexual orientation, and one of these intended to determine a specific action plan on religious discrimination once the data were collected. The need to build up trust was stressed, and also the need to emphasise the positive reasons for collecting the data. A number of responses questioned the value of collecting data, as there were no comparison data available and so performance would be difficult to benchmark. A number of institutions also pointed out that there is no legal requirement to collect data on sexual orientation or religion/belief.

Four positions emerged from the institutional responses:

- Institutions that had already decided not to collect data, generally because they thought this would intrude into private matters and that data would be difficult to collect, with high non-response rates. A few institutions suggested that including such questions would reduce the response rates for other monitoring questions:

‘Staff Consultative Committee did not agree to collect and this was endorsed by the Corporate Management Group.’

‘We are strongly against collection.’

‘We can see the value in monitoring for discrimination but believe questions in this area are very intrusive and we do not intend to collect.’

- Those still debating whether to ask questions on sexual orientation and religion/belief:

‘We are currently considering how to ask this information.’

Two institutions had asked in their staff opinion survey if they should monitor religion/belief and sexual orientation. The outcome was still awaited.

- A group that thought that it was important to carry out limited monitoring, especially for disciplinary matters, complaints and promotions:

‘Limited, localised monitoring of sexuality and religion could be helpful in relation to disciplinary/grievances.’

Some in this group indicated that they intended to collect data by alternative means:

‘We do not currently monitor and hope to pick up issues by different means.’

‘We believe that collecting this data on an individual basis would not be feasible or desirable (or even possible) either at local level or for publishing at national level. However, it may be important for institutions to try to obtain a sense of the numbers involved, for example through anonymous questionnaires, in order to assist in amending/updating their policies.’

- A small group of institutions are already collecting or are definitely intending to collect data:

‘A working party agreed the University should collect data on sexuality and religion on a voluntary basis.’

One institution suggested that staff would be more comfortable answering questions on sexual orientation and religion/belief if it was agreed national practice.

Levels of monitoring and availability of comparison data

Most institutions thought that currently available data were adequate for monitoring purposes. Frequent mention was made of HESA data for academic staff and Census data for other staff. Some concern was expressed about the 2001 Census data not yet being available and some welcomed the inclusion of all staff on HESA returns. Some of the institutions that thought information on sexual orientation and religion/beliefs should be collected at institutional level thought that these should be available at aggregate national level, so as to provide benchmarks. A small number of institutions would like to have national data on promotions and/or disciplinary cases and complaints.

3 Sources and uses of statistical information

In this section of the report we shall look at the figures that can be used to cast light on the questions we have considered:

- what statistical information is collected centrally about staff,
- with what the performance of a given institution or the sector as a whole might reasonably be compared, and
- how the figures could be used (perhaps after collection of further information) to answer different kinds of questions about discrimination and unequal treatment in the sphere of employment, for target setting and for monitoring progress towards achieving targets.

Data on staff

HESA statistics

Academic staff

Of the six variables which might define areas where opportunities are less than equal - gender, ethnic group, age, disability, religion/sect membership and sexual preference/orientation - data are routinely collected on gender, ethnic group, age and disability. (Disclosure of ethnicity may not be universal, however.)

Disability is recorded as a dichotomous 'yes/no' variable, which is unhelpful given the range of conditions that are covered by the concept. While 'obvious' cases can hardly be missed – gross lack of mobility (e.g. confinement to a wheelchair) and gross sensory impairment (e.g. blindness or deafness), we cannot be sure that all cases are recorded where someone suffers from some degree of sensory impairment or some degree of loss of mobility, or from chronic pain, or from mood impairment (mental illness), or from cognitive dysfunction (e.g. dyslexia), or from 'hidden' physical complaints (e.g. asthma, epilepsy). The people concerned may not realise that they have a given condition or that it could be classed as a disability, or they may not consider it disabling in work terms. Validity is further limited by staff members' right not to disclose disabilities and their (possibly realistic) understanding

that it may not be in their career interests to do so – fear of stigma and/or discrimination – or not *wanting* special consideration.

Religion/sect membership and sexual orientation/preference are not covered at all by HESA statistics.

Various other pieces of demographic/descriptive information are collected by HESA on academic staff which would permit some degree of standardisation or control:

- Date of birth (from which age can be computed);
- Highest academic qualification;
- Discipline base of highest educational qualification and Research Assessment Exercise (RAE) area for which considered – which between them permit analysis in terms of subject area;
- Terms of employment (i.e. permanent, fixed-term or casual/hourly paid) and mode of employment (full-time, part-time or casual/hourly paid), and full-time equivalent (FTE) status, from which a meaningful ‘employment status’ variable can be computed;
- Grade of employment and whether the individual is a senior management post holder, from which overall seniority of employment can be computed;
- Current salary (not collected for 2003-4).

Level of professional qualification was collected until 2002-3 but has been discontinued.

There are some problems of comparability with past data in terms of who counts as an ‘academic’ in the returns. In past years ‘an academic’ was defined as one who spends at least 25 per cent of full-time equivalent working hours on teaching or research. Several institutions said they had begun or were intending to include for their own purposes ‘academic’ staff working less than 25 per cent of full time hours; one institution suggested that they may be the group that faces the most extreme and unacknowledged discrimination. The 25 per cent rule has now been dropped, which makes current returns not strictly comparable with those from earlier years, though differences may be minor in many institutions.

Other occupational groups

From 2003-4, most of the data above has been collected for other grades and groups of staff. (However, the information which allows ‘back-tracking’ of individuals who move between HEIs will not be collected for all.) Before this, data on other staff have been very limited indeed. An ‘aggregate staff record’ collected since 2001-2 permits analysis of age, gender and ethnic group by (as appropriate) gender, age and socio-economic category, and a count of self-reported disabled staff is also available. However, most of the variables available for individual academic staff were not collected for other grades or categories of staff in past years.

Similar data are collected for FE staff by the Learning and Skills Council (see Appendix 2). Until recently it was possible to identify staff in FE who were teaching HE courses, but this is no longer feasible because of changes to the data collected.

Comparative data

HESA data (with the possible addition of data from the Learning and Skills Council, for past years) make it easy to look at the sector as a whole and to compare an individual institution with the centre, in terms of ‘population’ data regarding gender and ethnic group. Disability can also be monitored in total – the proportion of people in the sector population who have recorded themselves as disabled or suffering from limiting illness can be compared with the proportion in a given institution.

As one of the HEFCE guides to good practice points out, while sometimes an absolute standard may be seen as the best point of comparison:

‘Examination of the gender composition of a workforce often raises questions about the proportions of women in senior and managerial posts. Here it is difficult to sustain an argument for achieving other than a 50:50 mix over time (HEFCE 2003/37 p 9).’

In other cases it is desirable to make *appropriate* comparisons with the ‘state of play’ outside the institution:

‘Institutions are sometimes unsure what reference points they should use in

establishing equal opportunities outcome targets. A simple but adequate approach is to distinguish between locally and nationally recruited staff groups, and to compare the composition of the current workforce with the economically active population. This is particularly relevant for the proportions of minority ethnic and disabled staff in the workforce (pp 8-9).

For monitoring the performance of the sector as a whole and individual institutions as employers of academic and academic-related staff, national comparisons may be the most appropriate. (Indeed, it has been pointed out that the labour market may even be international: in some specialisms it is usual to receive applications from abroad as well as the UK, and indeed, in some very specialised areas the few people who can teach or research them are as likely to be found abroad as in the UK.)

The decennial Census and the annual Labour Force Survey and General Household Survey all supply data which might be useful for national comparison, and all three are available via the Office of National Statistics (ONS). The Census covers gender, age, ethnicity, religion and a measure of disability, and the General Household Survey covers age and gender. The Labour Force Survey, probably the best candidate for a comparison base, covers age, gender and ethnicity and also nationality and marital status and offers limited information on disability (in the form of a question on whether illness limits what the informant can do). It is available at a number of levels of aggregation, and the data are postcoded, so that comparison areas could in principle be tailor-made. What would constitute an appropriate comparison in terms of employment category is not obvious – academe is a specialist corner of the labour market as a whole – but something might be managed by comparing categories of employment (see Davies and Ellison 2002 for ‘translations’ of academic and non-academic university positions into the Standard Occupational Classification categories used by the Census and the Labour Force Survey). Alternatively, it might be possible to compare academics with similarly qualified sections of another surveyed population such as social services (see Social and Health Services Workforce Group 2003).

Some institutions may feel that national comparisons are inappropriate in their case, given that their policy is to try to match the composition of their student population or of their surrounding area. Comparisons with the student population are relatively

straightforward using HESA statistics and the figures which most institutions collect routinely themselves. Comparisons with the surrounding area may be more difficult. Regional, county and local authority statistics can be obtained from Census and Labour Force Survey data. More specialist comparison may require use of the ONS neighbourhood statistics or more local resources. For example, the University of Teesside and its partner further education colleges are served by the Tees Valley Joint Strategy Unit, which provides some information about population and labour force by occupational sector, gender and ethnicity online and can be commissioned to produce more complex comparison data.

When looking at universities and colleges as employers of non-academic staff the same sources and strictures apply, but local or regional comparison is likely to be more valid. Many of the occupational categories within universities and colleges – administrative technical and support – are reasonably similar or even identical to their counterparts outside. It will generally be appropriate to compare with regional or local statistics rather than national ones, at least below the level of management and certainly for manual and routine non-manual occupations, because the bulk of recruitment will be within the local area.

Varieties of Discrimination

Population comparisons

The simplest monitoring is to look at the extent to which institutions or the sector as a whole appear to be performing reasonably or falling short of comparison groups. The existing statistics are entirely adequate for looking at the gender of the workforce and its age, and they are also adequate for monitoring the proportion of people from minority ethnic groups in the working population, within the limitations of the data (see below). They are less adequate for disability, except in terms of the total number of persons self-labelled as disabled. (Other data sources which might be used for comparison will suffer from the same drawback.)

Recruitment

One way of monitoring equal opportunities at the recruitment stage, routinely carried out as internal monitoring by many institutions, is to compare the gender, age, and ethnic group etc of those who are recruited with the characteristics of all the applicants for the post. Aggregating these figures would give an annual indication of bias in selection, but it might be necessary (a) to weight the figures so that posts for which there were a large number of applicants did not distort the outcome, and (b) perhaps to restrict the count (or a separate count) to those who were clearly qualified (or at least as qualified as the appointed candidate) in terms of the person specification. This second refinement would prevent inappropriate applications (which might come in differentially from different 'equal opportunities categories') from inflating the apparent degree of bias. There is no reason why such figures should not be collated nationally and form a basis for judging the sector as a whole and/or comparing institutions. The 'Hollis Compare' functions on the HESA website might be amended to provide this kind of information, using the staff database instead of the students.

(However, this approach overlooks the problem of attracting applications in the first place, given reasonable expectations of success or the lack of it on the part of those who might have applied. The fact that women tend not to apply for senior management posts, for example, is often used as an 'excuse' for the high proportion of men that hold them.)

Given that each individual carries a unique identification number on the HESA record, it is possible in principle to track individuals back to last year's record and so identify those *new* to the sector (i.e. those who do not have a record in the previous year in any institution – though this would include a few people who have taken a career break of more than five years). For academic staff the composition of this group might reasonably be compared with that of groups from which the new entrants might be expected to emerge (proportions graduating with good degrees, or proportions achieving higher degrees – the two figures roughly bracket the widest and narrowest groups of those eligible to apply). For non-academic and particularly manual and routine non-manual staff the comparison group for new entrants to

employment is probably the group of school, college and perhaps university leavers (depending on the level of the job) seeking jobs in the local area. This kind of comparison can be made only for *new* entrants to employment, however, and it will show a margin of error at least for academic posts because of the existence of mature entrants.

Such comparisons may be more useful in future years than they are at the moment. Past years of HESA data do carry individualised records for academic staff, but we are advised that institutions' use of identification numbers, to permit individuals to be tracked when they change institution, is not consistent or reliable. This is a problem of which HESA and the funding councils are already aware and to which they are committed to finding a solution, as far as future records are concerned. Back data do not yet exist at all for non-academic staff.

Grievance, discipline and working conditions

In a number of circumstances it has been found that an indicator of poor working relationships, and particularly of harassment and bullying, is rapid staff turnover. In principle the HESA record includes date of entry to current institution, date of leaving/changing employment (for leavers) and destination on leaving (divided into early/'normal' retirements, those moving to another HEI post and those leaving the sector). It would be possible to look at speed of turnover, perhaps comparing it with level or salary achieved, separately by gender or ethnic group – controlling for age by discarding people retiring at the normal time, though extent of early retirement and retirement on health grounds might be of interest here). In commerce or industry it is admitted that departments with high turnover may have poor working practices or working conditions. However, in practice the use of identification numbers may not be sufficiently reliable, between institutions, for such an analysis to be carried out – though it is hoped this problem will soon be solved - nor will existing data permit this kind of analysis for non-academic staff. Further, the 'destination' information itself tends to be of poor quality, with a high proportion of reasons for leaving coded as 'unknown'.

Straightforward records of grievance procedures and disciplinary procedures brought

during a given year are kept by institutions. Some of them monitor these to see if any demographic category of staff is over-represented, and this might be commended to all institutions as an interesting and perhaps enlightening indicator. It would be possible to aggregate the figures centrally, to look for trends over time or between types of institution, but numbers are always likely to be too small for valid judgments to be made about individual institutions.

The problem with formal grievance/discipline procedures, from the point of view of statistical monitoring, is that they come at the end of a long chain of actions and decisions and are therefore rare. We considered whether it would be possible to collaborate with the trade unions to gather information on earlier and numerically more common stages of the process – informal warnings to staff, informal discussions with management about complaints or elements of working conditions which have been brought to the representative's attention, early discussions of situations which might later turn into grievance procedures. We decided, however, that such data would be unreliable in the technical sense that it is difficult to pinpoint the particular aspects of daily working life which would constitute 'an early discussion of a grievance' or 'an informal discussion about a complaint', let alone to offer a definition of them, and so different unions and/or different representatives might well 'count cases' in different ways. Beyond this, counting informal discussions with management might be fundamentally misleading: a working environment in which minor problems are discussed and justified or solved through frequent small exchanges and before they become major issues would surely count as one in which good working relations had been obtained.

Speed of advancement

HESA data, comparing this year with last, would permit identification of academic staff that were promoted or received improved status during the year (i.e. those whose current grade, pay band or management responsibility is higher than the previous year's). It might be illuminating to compare these with the other staff on their grade or with their responsibilities in the earlier year.

Using more than one year of 'back records' would in principle permit the tracking of

speed of promotion by ‘discrimination category’, subject to the limitations of the data which we have already discussed and others outlined below. It would be possible to see how many years a woman has to work, starting at a given age and grade, before the next grade is achieved, or someone of Asian origin, or someone labelled as disabled, compared with men, white people, or people who do not carry the label of disability.

It has been pointed out to us, however, that analyses drawing on past years of data cannot be carried out by the institution itself using HESA data, because its HESA records are anonymous in order to conform to the Data Protection Act. Analyses such as this would have to be done at HEFCE/SHEFC/HEFCW or in some other government department.

Limitations of Analysis

Gender and age

The HESA data on gender and age appear unproblematic; we identify no limitations. They are readily comparable with data from any other source. Both for monitoring purposes and in terms of equal opportunities policies it may be appropriate to use these variables in common with others as well as alone. For example, the nature of popular stereotyping and therefore of discrimination is not the same for minority ethnic women as for minority ethnic men, nor necessarily the same for older as for younger people. (See Mirza (1999) for the interaction of gender and ethnicity, or AUT (2001b) for interactions of sexual orientation and gender.)

Examination of 'static' situations by gender or banded age - recruitment, population composition, success in a given round of promotions, frequency of grievance/disciplinary actions – appear to us to be unproblematic. Gender can also be used as a discriminator for process variables such as speed of promotion, subject to the problems outlined above in computing this speed. Age is more of a problem when looking at speed of promotion, because it changes during the process – if someone waits five years for promotion they are five years older. Probably of more interest when looking at age discrimination against academics would be to compare 'conventional' entrants to the profession – people who took doctorates or research jobs or started university/college teaching in their early twenties – with mature entrants who came to the profession later in life after another career or returned to it after a 'child-care' break. (The 'child-care break' case is particularly likely to raise suggestions of discrimination: people who were too early in their career for promotion before the break may find themselves 'too old' on return.) If we wished to use this as a variable it would be necessary to add it to the data collected specifically, however; trying to compute it from existing data would be too cumbersome and entail too many assumptions.

Ethnic group, religion and nationality

The categories which HESA uses to record ethnic grouping are based on the Census categories recommended by the Commission for Racial Equality. Two ‘country variations’ which follow the variations in Census practice are permitted under ‘White’, however: ‘Scottish’ may be recorded instead of ‘British’ in Scotland, and ‘Irish Traveller’ in Northern Ireland. The existence of these separate categories does not compromise the integrity of the overall classification, however; they may simply be added back into ‘British’ when looking at the UK as a whole. More problematic is the ‘mixed’ category, where universities in England and Wales are required to distinguish three varieties plus an ‘other’ category, while Scotland and Northern Ireland are instructed to record all such cases under ‘other’. This means that for purposes of UK-wide analysis only the overall category of ‘mixed’ can be used. If it is important to present UK-wide analyses (as opposed to separate analyses for the separate countries), we would suggest either that the subcategories be abolished for England and Wales as well or, if they are seen as having value (i.e. for identifying all people who might be regarded as Black Caribbean, whether or not they would see themselves as of mixed origin), that they be applied to the other two countries as well.

We have seen, above, that many institutions suffer from substantial non-response rates when asking this question and have had to supply the data by other means where possible. It is seen by some institutions as one of the areas where trust needs to be built up before reliable data collection can take place. As we noted in our interim report, a survey at one institution experienced a very low response rate from staff in minority ethnic groups, and few of those who did respond reported any kind of harassment or discrimination experienced or observed, but qualitative evidence suggested that informants abstained from reporting such matters even on supposedly anonymous surveys because of a fear of victimisation.

If the variable is difficult to collect and potentially disruptive of staff relations, it might be suggested that it should be omitted from the record. It would still be possible to implement policies of non-discrimination reactively, by acting to deal with racist personal or institutional practices as they were brought to management’s

attention. However, it would not be possible to take proactive action, because its effects would never be known. As the Commission for Racial Equality points out (on its website (<http://www.cre.gov.uk/gdpract/em.html>))

‘Without ethnic monitoring, an organisation will never know whether its equal opportunities policy is working. ... To have an equality policy without ethnic monitoring is like aiming for good financial management without keeping financial records.’

And;

‘Most of the major ethnic minority organisations are in favour of ethnic record-keeping within the context of an organisation’s equal opportunity policy.’

Numbers in some institutions may be too small to allow valid conclusions to be drawn from the figures, but they would be sufficient to indicate trends over a sufficiently long time-span, and national aggregate figures could be used to explore differences between regions or groups of institutions, or between academic subject areas.

Information on religion is not currently collected on the HESA returns. Religious discrimination is not seen as an issue in much of Britain, being subsumed under discrimination on grounds of minority ethnic status – although sectarianism within Christianity is an important political and social issue in some parts of the British Isles and there is increasing evidence that Muslims are the most disadvantaged British Asians. At present there is no legal requirement that it be monitored, although discrimination on grounds of religion or belief is outlawed. We suggest that institutions may wish to take their own decisions about whether this information is useful to them – with some encouragement from the funding councils, perhaps, where other evidence suggests that there may be an issue. The census categories for religion would be suitable for most purposes, if comparison data are needed, but they treat Christianity as a single entity and so cannot cast light on sectarianism.

Nationality is not covered by any of the Acts we have discussed (except, in a general way, by the Human Rights Act). Discrimination on grounds of nationality is not

currently an issue, to the best of our knowledge, except where nationality is treated as a (poor) proxy for ethnicity. However, it could readily become one in future years, as movement of labour in the European Community becomes more common and we may be required to demonstrate that we do not discriminate in favour of our own citizens and against those from other member countries. HEIs are required to report the nationality of staff ('country of legal origin') to HESA as part of the individualised staff record. This area may not need active monitoring at this time, but we recommend that the collection of the data for it should continue. With 'labour movement' cases in mind – especially with the expansion of the EU to 22 (and potentially more) countries – the ability to identify the countries of the EU separately may become important.

Sexual orientation/preference

This category of data was thought to be problematic and the collection of it potentially disruptive by most of the institutions that participated in our survey. Informants had little faith in response rates, saw no way of enforcing response and thought that a great deal of work needed to be done, building trust and convincing people of the importance of monitoring, before any attempt was made to implement statistical monitoring.

However, its collection is important for the same reason that monitoring ethnic discrimination is important. Without monitoring there can be no proactive policy, because there can be no way of telling whether the policy is a success, a rhetoric with no impact on practice or even detrimental to gay and lesbian people's experience of employment. Monitoring is what allows policy to be directed at problems which have been correctly identified, in an area of life where even the participants themselves may not correctly identify the source of any perceived discrimination. A tendency has been reported, for example, for lesbian women to attribute failure to achieve promotion to their gender, while gay men attribute theirs to their status as gay (AUT 2001b). This may be an accurate perception of what goes on, but we have no way of knowing unless the information is collected which will allow controlled analysis of

whether discrimination is occurring and to whom. We shall have to learn from the good practice of those few institutions who say they collect this information.

Again numbers of identified cases may remain small, however successful the institution is in obtaining compliance, and cases of discrimination in this area may need to be handled on a case-by-case basis. Again, however, trends in recruitment or promotion might be apparent over a sufficient span of time even within a single institution, and national figures could be used to consider the profession as a whole.

Disability

Disability information is collected in yes/no form for the HESA returns and also by most of the national surveys with which comparison might be made. This is adequate for gross ‘compliance’ monitoring – for setting and achieving the target that the proportion of identified disabled people in the sector, or an institution’s workforce, shall match that in the general working population – but it is inadequate for any serious implementation of equal opportunity policies.

As is outlined for us in our dealings with students by the Special Educational Needs and Disability Act (2001) and its attendant guides and regulations, a genuine policy of equal opportunities for people with disabilities involves:

- (a) identifying the problems experienced by a disabled person,
- (b) accurately assessing what abilities are needed for a given job, and
- (c) making reasonable adjustments or supplying aids in order to overcome the discrepancy between the required abilities and the experienced problems.

To demonstrate that we are doing so across the range of disabilities, and even to formulate coherent intentions to do so, we need to know the extent of disability in the workforce and the extent to which this appears to be militating against equality in terms of recruitment and subsequent preferment.

Some kinds of disability are very simple to count – mobility problems requiring the use of a wheelchair, for example, or blindness, or deafness. The accuracy of

the gross 'yes/no' figures for disability is nonetheless very much open to doubt, according to our informants, for a number of reasons. Most of these arise from conditions which are 'hidden' (e.g. epilepsy, severe asthma), or extensions beyond the normal range of areas where people would not usually consider themselves to be disabled (e.g. extremely poor sight not amounting to blindness, or back trouble not amounting to an identifiable problem with mobility), or remain unsuspected by the 'sufferers' themselves (e.g. dyslexia):

1. Again there is a question of trust. Those with hidden disabilities may not be inclined to reveal them to an employer or to colleagues, for fear of stigma and even discrimination.
2. People do not realise that they may be entitled to aids or adjustments and therefore see no merit in bringing themselves forward – or they do not think of their own condition as 'serious enough' to justify making any kind of issue of it.
3. Many people who labour against a bodily or cognitive problem are very proud of how well they cope and correspondingly unwilling to bear the 'disabled' label.
4. Some conditions which we now identify as disabilities or akin to disabilities are not well known and would not usually be identified by an informant unaided if they had not already been diagnosed; the range of conditions which go under the label of 'dyslexia' are a good example of this.

Nonetheless we would strongly recommend that the more detailed data should be collected. (The categorisation used by UCAS for students is probably adequate for most purposes.) At a national level this would permit monitoring by specific categories and ensure (and demonstrate!) that equality policies paid more than lip service to disability. At the level of the institution there would be too few cases in most categories for meaningful numerical analysis and some substantial degree of aggregation would be necessary in monitoring reports, but the more detailed figures would be a strong aid to the implementation of local policies. (The more detailed recording of disability would have to be accompanied, however, by an information programme to help people identify some of their shortcomings as disabilities and/or to persuade them to record them. It would also probably entail substantial thought at

local and national level about suddenly ‘creating’ larger numbers of disabled people by identifying conditions such as dyslexia. Institutions would be challenged to make the necessary provision and the people who experience them would have to accept a redefined status.) At the national level numbers should be sufficient in most categories to permit meaningful analysis.

5 Conclusions

This report has been concerned with six aspects of possible discrimination or unequal treatment – gender, age, ethnicity, disability, sexual orientation/preference and religion/belief – and with the statistics needed to monitor institutions’ performance with respect to them in their dealings with both academic and non-academic staff. In the course of the report a seventh variable has emerged – nationality – which is not now an issue in discrimination literature but which could become important with increased mobility of labour across the European Union.

HESA for higher education institutions, and the LSC for English further education colleges directly funded for HE work, collect statistics on gender, age, ethnicity, disability and nationality. The age and gender figures would appear to be entirely adequate for monitoring purposes, and the ethnicity data appear adequate in form though there may be some degree of non-response/under-reporting. The nationality statistics also appear adequate, though it may be necessary to elaborate them at a future date to discriminate origins more finely within the EU.

The disability statistics are currently collected in yes/no form, which may be sufficient for ‘compliance’ monitoring or for the setting and testing of very simple targets, but gives very little insight into what kind of an employer an institution is for disabled people or to what extent they are discriminated against at recruitment. Because disabilities vary so dramatically that they have very little in common except common membership of a legal category, more detailed categorisation would be needed in the statistics if trends and differences were to inform policy. Indeed,

fundamental questions are raised by the monitoring of disability which go far beyond mere categorisation; because it is not at all clear to policy-makers what is to count as a disability, the current legal definitions being very wide indeed. It is equally unclear to staff themselves what should be reported, in cases of hidden illness or disability (ranging from epilepsy or severe allergy through mental illness to dyslexia and dyspraxia) or in cases where it is not clear how much 'disablement' (of sight, of hearing, of mobility etc) adds up to a 'disability'. Thus, even if staff fully trusted promises of confidentiality, they would often not know whether their particular combination of problems is to be included as a disability.

Sexual orientation and religion/belief, both categories where discrimination has been specifically banned by recent legislation, are not currently collected by HESA or the LSC. Some institutions are unwilling, even in principle, to consider collecting them, and they are worrying for virtually all institutions; they are seen as private matters, where questioning would be intrusive, and as questions likely to put staff on the defensive and arouse hostility. Those who say they are considering undertaking monitoring at all talk about a (possibly long) period of building up trust first, and some are worried about the possibility that asking questions such as this would reduce their ability to collect *other* equal opportunities data by destroying trust and so reducing response rate.

It is clear to us that monitoring data will have to be collected, in order to test the effectiveness of anti-discrimination policies, to demonstrate compliance with the law and to accumulate defensive evidence for possible employment tribunals. It might be better in the short and medium term, however, if data were collected through anonymous surveys rather than becoming part of a staff record. This is what is recommended by the Equality Challenge Unit (indeed, they recommend *qualitative* monitoring), and AUT survey research in the area of sexual preference (2001a, b) achieved a reasonable response rate and *did* produce evidence of discrimination. It has been suggested that people would be more likely to respond to surveys if they were a nationally accepted regular event in all institutions, however, so it might be more effective for HESA or the funding agencies rather than the individual institutions to organise the data collection. The survey and qualitative research projects which also form part of the funding councils programme should provide

useful pointers to the feasibility of data collection in these difficult areas.

Beyond the issues of data collection, there are wider issues which this report cannot cover, because monitoring is the collection *and use* of data to identify problems and implement and oversee policies. Many institutions collect data of many kinds, but in many cases it is not clear what use is being made of them. (Indeed, a handful of the further education colleges explicitly said that they just collected and filed data and could produce them if required.) Monitoring involves analysing the data and identifying targets – general principles or more specific numbers to be achieved. It involves looking at performance in the individual institution and in comparison with outside ‘benchmarks’ – the performance of comparable institutions or sectors – which serve to indicate what it might be reasonable to expect. Failing to monitor may mean developing and implementing policies, procedures and practices that may – albeit unintentionally – themselves discriminate rather than promoting equal opportunities. Other projects within this research programme will be able to cast some light on the extent to which practice lives up to data collection.

Some monitoring can be carried out by comparison across time (is our performance improving?) or against the sector as a whole, or by comparison with an abstract standard (e.g. that half of senior management should be women). Often, however, it is appropriate to ‘compare like with like’ and identify a set of statistics which might act as a ‘benchmark’.

- Academics and academic-related staff are part of a national labour market and are naturally compared with other, similar occupational categories nationwide, and Census or Labour Force Survey data would appear to be the most relevant for benchmarking performance.
- Another approach would be to check the performance of a given institution with a ‘family’ of other universities/colleges which it sees as similar, and this could be done using HESA statistics – though perhaps not by the individual institutions themselves, because of issues of access to data and the provisions of the Data Protection Act. Any such comparison should probably take account at least of the mix of subjects taught by an institution, the average standing of the university, e.g. in the RAE, and the proportion of income

derived from applied research, consultancy and 'knowledge transfer'. (The first of these reflects the horizontal gender segmentation of the academic labour market by subject area and the other two affect the level and kind of qualification sought in employees.)

- Some institutions might wish to benchmark themselves against their surrounding area even when considering academic staff and to say that the staff of the institution should match the composition of the local population or the composition of the student body. Either of these can be done: student statistics are available within institutions (and returned to UCAS and HESA), and local population statistics can be obtained from central or local government agencies.
- The basis of comparison preferred for non-academic staff will almost certainly be the local area, however, defined, because recruitment (below the level of management) will be predominantly local.

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ONS for neighbourhood statistics: www.neighbourhood.statistics.gov.uk

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Tees Valley Joint Strategy Unit: www.teesvalley-jsu.gov.uk/statistics

Universities and Colleges Admissions System (UCAS):

www.ucas.com/figures/ucasdata

Appendix 1: Letters sent to institutions

CALEDONIAN CENTRE FOR EQUALITY & DIVERSITY

Glasgow Caledonian University

Glasgow G4 0BA Scotland

TEL: +44(0)141 331 8642

Fax: +44(0)141 331 3008

Professor Pamela Abbott AcSS

Head of Centre

MONDAY, 5 JANUARY 2004

*<Principal's Name>
<Institution>
<Address>
<Postcode>*

Dear *<Principal's First Name>*

We have been commissioned by the English, Scottish and Welsh Higher Education Funding Councils to explore what statistical information is collected about university staff and to make recommendations on how national data collection could be changed to improve monitoring of discrimination and equal opportunities.

By 'staff' we mean not just academic staff but everyone employed by a university. The areas on which we intend to focus are gender, sexual preference, ethnicity, religion / beliefs, disability and age. As part of this project, we should be very grateful for any of the following that you could supply:

- What statistics about staff you collect routinely in any of these areas which are **not** returned to HESES or another national source, but which you find useful for monitoring purposes. (These would indicate what might be readily available if the national collection procedures were to be expanded.)
- What statistics are **not** collected by you or published nationally but which you would find useful for monitoring purposes.
- Which of the above you think should be collected and published nationally, and which you think should or can only be collected at local level.
- Which you consider to be the main equality issues for your institution, given its particular circumstances.
- We should be grateful for copies of your formal Equal Opportunities Policies, so that we can look at the range of approaches adopted by different universities.
- We should also be very grateful for copies of any internal surveys or audits in this area that you have had carried out in the last three years. (These will alert us to the kind of information, not currently collected, which appears to yield insight into equal opportunities problems. They will inform not only this project, but also others which are exploring the same topics by means of questionnaires or less structured interviewing.)
- We would be interested to hear about any concerns you have about equal opportunities monitoring, especially about the collection of sensitive information.

The information you supply will be treated in confidence. Universities, departments and people will not be identified, even in terms of broad geographical location, unless you tell us specifically that you are happy for us to do so, and a similar set of restrictions will be imposed on any other users of the information within the research programme. In the case of reports and audits you may prefer to send us an electronic copy (please email to: **l.molloy@gcal.ac.uk**) from which you have already deleted any identifying references.

You will agree that this is an important topic area, particularly in light of recent and forthcoming legislation. I should be most obliged to you for anything you could provide.

Yours sincerely

Professor Pamela Abbott AcSS
Head of Centre

CALEDONIAN CENTRE FOR EQUALITY & DIVERSITY

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**Professor Pamela Abbott AcSS,
Head of Centre**

MONDAY 15 DECEMBER 2003

<GENERAL SECRETARY'S NAME>

<*Union*>

<*Address*>

<*Postcode*>

Dear <*General Secretary's Name*>

We have been commissioned by the English, Scottish and Welsh Higher Education Funding Councils to explore what statistical information is collected about university staff and to make recommendations on how national data collection could be changed to improve monitoring of discrimination and equal opportunities.

By 'staff' we mean not just academic staff but everyone employed by a university. The areas on which we intend to focus are gender, sexual preference, ethnicity, religion / beliefs, disability and age. As part of this project, we should very much appreciate a contribution from academic and non-academic unions as well as university employers. We should be very grateful, therefore, for any of the following that you could supply:

- What statistics about staff you collect routinely in any of these areas that you find useful for monitoring purposes. (These would indicate what might be readily available if the national collection procedures were to be expanded.) We are particularly interested in statistics of formal grievance procedures and, if they are collected, statistics on informal approaches made to the Union by those who feel they may have experienced harassment or discrimination.
- What statistics are **not** collected by you or by universities and published nationally but which you would find useful for monitoring purposes.
- Which of the above you think should be collected and published nationally, and which you think should or can only be collected at local level.
- Which you consider to be the main equality issues for your Union, given its particular circumstances.
- We should be grateful for copies of your formal Equal Opportunities Policies, to see if there is anything that universities should learn from them.
- We should also be very grateful for copies of any internal surveys or audits in this area that you have had carried out in the last three years. (These will alert us to the kind of information, not currently collected, which appears to yield insight into equal opportunities problems. They will inform not only this project, but also others which are exploring the same topics by means of questionnaires or less structured interviewing.)
- We would be interested to hear about any concerns you have about equal opportunities monitoring, especially about the collection of sensitive information.

The information you supply will be treated in confidence. Where possible, we shall not name the Union that supplied the information, though in some cases it will be difficult to conceal the source. We shall certainly not identify universities, departments and people, even in terms of broad geographical location, and a similar set of restrictions will be imposed on any other users of the information within the research programme. In the case of reports and audits you may prefer to send us an electronic copy (email to: **l.molloy@gcal.ac.uk**) from which you have already deleted any identifying references.

You will agree that this is an important topic area, particularly in light of recent and forthcoming legislation. I should be most obliged to you for anything you could provide.

Yours sincerely

Professor Pamela Abbott AcSS
Head of Centre

Appendix 2: Data collected by The Learning and Skills Council and responses from the English further education colleges

Data on staff teaching higher education programmes in colleges of further education in England are collected by the national Learning and Skills Council, which requires for all categories of staff a similar individualised record to the one HESA has required for academic staff and is introducing for other occupational groups. Useful variables collected include gender, date of birth, ethnicity, disability (coded yes/no/don't know), date of appointment (to current period of continuous employment), date of leaving, pay and, for teaching staff, main subject taught. The recording of ethnicity may not be complete, however:

‘Due to the sensitive nature of this particular field, it is acceptable to provide a summary record of ethnicity data, rather than include it within individual records (LSC 2004 p 22).’

The use of the form is under review, and it appears that several other useful pieces of information will *not* be collected from 2004-5 and were not reliable in 2003-4 - for example, highest qualification obtained and subject area of highest qualification are both being discontinued, and the accounting year for recording pay is being changed. The form used to ask for proportion of teaching devoted to HE work:

‘...to allow the LSC to estimate the amount of staff activity devoted to HE in sector colleges. This estimate will be given to the Higher Education Funding Council for England (HEFCE) and will obviate the need for colleges to supply staff data to the HEFCE (LSC 2004, p 29).’

However, this is among the information which is not reliable for 2003-4 and is not being collected from 2004-5. As far as future analyses are concerned, therefore, it will not be possible to monitor HE teaching in FE alongside the teaching staff of HE institutions from these records.

Monitoring in further education: responses from colleges

The majority of the 27 directly funded English further education colleges that responded to our enquiries monitored job applications and success rates by gender, age, disability and race/ethnicity, but two did not monitor by age and eight did not monitor by disability. Two did not monitor applications or appointments by gender. Six further education colleges do not monitor recruitment for Equal Opportunities at all at present, although five of them signal intent to collect data on this in the future.

All of the colleges collect data on the composition of their existing workforce by age, gender, ethnicity and disability, being required to make returns on them to the Learning and Skills Council. Again, however, not all routinely *monitor* by these categories. A small minority do not include one or more of age, gender and disability in their monitoring, with age again being the category most frequently omitted. Three of the 27 said they intended to add sexual orientation/preference and religion to their monitoring reports in the future, and a further three said they intended to add religion.

Twelve of the 27 (44 per cent) said they monitored promotions actively - 11 by ethnicity, gender and disability, one by ethnicity alone – and another four said they collected such information on the staff file. Nine (33 per cent) monitor training and development (one only for ethnicity) and one collected data; another said they asked questions about training and development in a staff survey. Eleven (41 per cent) monitor grievance procedures – again, one looks only at ethnicity – and one collects the data. Three (11 per cent) say they do an exit survey and monitor departing staff.

Again a main theme was the difficulty of obtaining comprehensive data in sensitive areas:

‘We have an annual equality survey. Last year we collected data, quantitative and qualitative, on a range of disabilities, including hidden disabilities, but the response rate was just under fifty per cent.’