Equality and
Human Rights
Commission

Research Report No.130

Racial harassment inquiry: survey of universities

October 2019

IFF Research

Contents

Acknowledgements

Executive summary

This report presents the findings from a survey of racial harassment of students and staff in publicly funded Higher Education Institutions (HEIs) in England, Scotland and Wales. IFF Research administered the survey on our behalf. The purpose of the survey was to explore how effectively HEIs are responding to the issue of racial harassment.

The survey formed part of our inquiry into racial harassment in British universities, which included a call for evidence from staff and students. The inquiry looked at the effectiveness of HEIs' methods of dealing with racial harassment. We launched the inquiry in response to mounting evidence of harassment of ethnic minority staff and students in the higher education sector.

In total, 141 of the 159 HEIs that received public funding in the academic year 2018/19 completed the survey – a response rate of 89%.

Overall, HEIs had received tiny numbers of formal complaints of racial harassment from staff and students. Despite this, many were confident that all incidents were being reported. Surprisingly, those that had received no complaints at all tended to be more confident about this. HEIs felt that they had robust systems, policies and practice in relation to racial harassment. They generally felt that they had dealt with racial harassment complaints in an appropriate manner.

However, many other HEIs were not confident that all racial harassment incidents were reported to them. Most did not monitor informal complaints. Respondents felt that the main barriers to reporting were the fear of negative repercussions for the complainant and a lack of confidence that the HEI would take any action. HEIs also acknowledged that it often took a long time to resolve complaints.

The following sections explore the key findings in more detail.

How prevalent is reported racial harassment against HEIs' staff and students?

— Institutions received an average of 2.3 complaints of racial harassment of staff and 3.6 complaints of racial harassment of students between the start of the 2015/16 academic year and January 2019. This equates to around 360 complaints from staff and 560 from students. British universities employ 670,000 staff and teach 2.3 million students. Across GB, based on 2017/18 population figures, there was roughly one complaint for every 1,850 university employees and one complaint for every 4,100 students since the start of the 2015/16 academic year.

— Of reported complaints, the most common type of racial harassment of both staff and students was 'experiencing derogatory comments and/or behaviours'.

— As highlighted above, the views of HEIs were mixed as to how confident they felt that all incidents of racial harassment were reported to them. Overall, they were less confident that all incidents affecting students were reported (43% felt confident) than all incidents affecting staff (56%).

How do HEIs deal with complaints of racial harassment?

— HEIs offered a number of different 'routes to redress' for students and staff. Almost all stated that it was possible to make a formal complaint at an institutional, corporate level. Most, also, provided complaints processes at a sub-institution level such as within a faculty or via a third party such as a student union or trade union.

— It was less common for HEIs to offer a conciliation/mediation service, although most still did so. Institutions were less likely to provide this to students (60% of HEIs offered it) compared with staff (86%). HEIs also tended not to offer specific ways to report less overt forms of harassment[1] or opportunities to make complaints anonymously. They tended to offer either a formal route or informal support networks that did not enable incidents to be formally reported or recorded. An intermediary channel for recording incidents of racial harassment without invoking the full force of the formal process was often lacking.

— Institutions said that they had a number of different policies in place to provide guidance on racial harassment, most commonly a code of conduct that specifically covered race. They also offered support for victims of racial harassment.

— In open-ended survey responses, institutions said that they were confident in the robustness of their policies. However, awareness of the policies among staff and students was limited.

— Universities often took a long time to resolve cases – in some cases over a year. Resolving complaints made by students was generally a quicker process than resolving complaints made by staff.

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[1] Less overt forms of harassment include subtle derogatory comments / behaviours, such as excluding people from activities. These are sometimes referred to as 'microaggressions'.

How can HEIs' racial harassment policies and procedures be improved?

_ The most common priority areas for addressing racial harassment were raising awareness of acceptable conduct, building trust with ethnic minority staff/students and ensuring that those subjected to harassment felt empowered to report it.

_ Around four-fifths of HEIs collected data on the 'culture of inclusion' (or lack thereof) of students and staff – that is, the extent to which people from ethnic minorities felt included and engaged in university life. For example, many HEIs conducted research, such as staff surveys, to better understand race issues at their institution. The purpose of this was to inform and improve policies. A similar proportion said that they used data gathered from recorded complaints to improve practice. In open-text responses, HEIs frequently mentioned that their application to, or accordance with, the Race Equality Charter[2] was central to ensuring that their policies were in line with best practice.

_ HEIs saw awareness raising and staff training as important ways to prevent racial harassment. They saw less need to change their existing policies. Some HEIs were looking into developing processes for anonymous reporting of racial harassment.

In summary, some HEIs recognised that there was likely to be a large gap between the number of reported cases of racial harassment and actual incidents. Many were confident in their approaches to handling complaints but felt that they needed to do more to raise awareness of, and build trust in, the various forms of redress available.

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[2] The Race Equality Charter (REC) is run by Advance HE and aims to improve the representation, progression and success of minority ethnic staff and students within higher education.

1. Introduction

1.1 Background to the inquiry

This research has been undertaken as part of our wider inquiry into racial harassment of staff and students at British universities.

The overall inquiry focuses on five areas:

1. To understand the types of racial harassment experienced by staff and students at publicly funded higher education institutions (HEIs) and where these incidents take place.
2. To understand the extent to which publicly funded HEIs provide routes to redress through which staff and students can report incidents of racial harassment and the extent to which these are available and accessible.
3. To understand what constitutes effective action in response to a report of racial harassment and the extent to which the routes to redress which are available to students and staff in publicly funded HEIs result in effective action.
4. Where the routes to redress through which staff and students in publicly funded HEIs can report racial harassment are not available or accessible, or do not result in effective action, to recommend improvements to better enable staff and students to obtain redress.
5. To assess whether the statutory and other legal responsibilities of publicly funded HEIs to staff and students at those institutions that experience racial harassment are adequate to ensure the provision of available, accessible and effective routes to redress.

For the purposes of this inquiry 'racial harassment' has been taken to mean when someone engages in unwanted behaviour which is related to a person's perceived or actual race, and which has the purpose or effect of:

— violating that person's dignity, or

— creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Racial harassment includes harassment which relates to race and another protected characteristic set out at section 4 of the Equality Act 2010, i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, and sexual orientation.

For the purposes of the inquiry, 'race' has the same meaning as set out at section 9 of the Equality Act 2010. Race includes: colour; nationality; and ethnic and national origins.

The inquiry is looking at racial harassment occurring in all the following ways:

— university staff on student harassment
— university staff on staff harassment
— student on student harassment
— student on staff harassment, and
— third party on student or staff harassment.

It focuses on a time period from the start of the 2015/16 academic year to the date of survey completion in 2019.

Organisations within the scope of the inquiry are those that received public funding through the Office for Students, the Scottish Funding Council and the Higher Education Funding Council for Wales in the academic year 2018/2019. However, we expect the findings to be applicable to the HE sector more widely.

1.2 About this survey

This report details findings from a quantitative survey of higher education institutions (HEIs) in scope of the inquiry (that is, those that received public funding in the 2018/19 academic year).

It provides evidence across all the areas of focus for the inquiry but particularly:

— the routes of redress available for students and staff to make complaints of racial harassment that they experience at university and the extent to which these routes are available, accessible and effective.

— what action is effective in handling complaints of racial harassment.

More specifically the report responds to the research questions set out in table 1.1:

Table 1.1: Research questions

Main research question	Sub questions
What are universities doing to understand and tackle racial harassment against staff and students in each of the three nations?	How prevalent is reported racial harassment against HEIs' staff and students? What types of complaints of racial harassment have recently been reported? How confident are HEIs that racial harassment is reported at all?
	What systems, procedures and policies do HEIs have in place to: — Ensure staff and students are aware of how to report racial harassment? — Respond to specific complaints of racial harassment? — Ensure the data they hold on racial harassment is robust, as well as analyse it properly in order to understand racial harassment? — Prevent racial harassment occurring in the future?
	Where can examples of good and bad practice in the HE sector be found, in relation to the above? How can policies and procedures be improved further?

1.3 Methodology

The survey of universities was conducted online using a questionnaire jointly designed by IFF Research and the Equality and Human Rights Commission.

The approach to administering the survey is outlined below. We made sure HEIs were aware of the survey and regularly contacted them to remind them of the deadline. We also responded to HEIs' queries. The steps were as follows.

— Initial email contact and advance letter sent to the vice chancellor's office to provide information regarding the inquiry and forthcoming institutional survey in the new year (December 2018).
— Unique survey links emailed to the vice chancellor's office email address (January 2019)
— Telephone contact to confirm receipt of survey link (January 2019)
— Two reminder emails to remind universities of the deadline for submission (January-February 2019)
— Second round of telephone calling to confirm that the survey had been passed to the appropriate member of the institution and to confirm the institution expected to respond prior to the deadline of 22 February (January-February 2019).
— Final email reminder (February 2019).

The survey was sent to all publicly funded HEIs across England, Scotland and Wales (159 institutions). All 159 institutions acknowledged receipt of the survey. The total number of completed responses for the survey was 141, representing an 89% response rate. The full list of institutions that responded and did not respond to the survey is shown in the Appendix of this report.

The broad areas of responsibility of the individuals who submitted survey responses is shown in figure 1.1. From discussions with a number of HEIs during the fieldwork, it was apparent that several individuals were involved in compiling the institutional response. Therefore, figure 1.1 may not be a completely accurate reflection of all who contributed to the survey. In particular, it appeared to be relatively common for completion of the survey to be divided between staff who were responsible for racial harassment complaints from staff, and those who were responsible for racial harassment complaints from students.

Figure 1.1: Respondents' general area of employment at their HEI
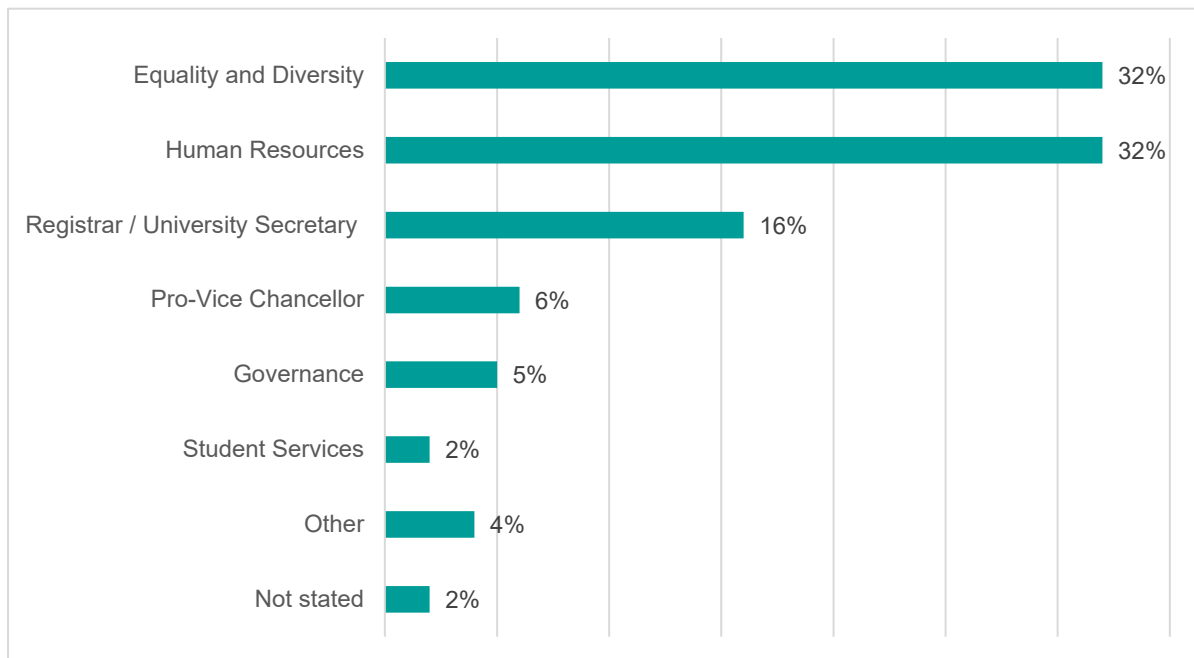
Base: all institutions (141)

Statistical significance

Studies often survey a relatively small number of people randomly selected from a large population. Standard formulas for calculations of measurement error and accuracy assume that a sample is drawn from an infinite population. Where a study surveys a large proportion of a population, effectively a census, this has a very positive effect on increasing the precision of the results achieved. The finite population correction (FPC) is a number between 0 and 1, which quantifies the degree to which the standard measurement of survey error can be reduced when surveying a large proportion of the total population based on a random sample. In this study all institutions were invited to take part and the survey achieved an overall response rate of 88.7%. FPC is calculated using the formula:

$$\text{FPC} = \sqrt{1.0 - 0.887} = 0.34$$

The standard error of any estimate would be multiplied by this figure. This means that the level of standard errors would be reduced by 65% compared with a survey sampled from a very large population, if this were a random sample. This means that although some of the bases reported on are relatively small, we can still be reasonably confident that they are unlikely to have occurred by chance. An important caveat is that the FPC is based on the assumption that the missing responses occurred at random. Since respondents were those institutions which decided to respond, it is not possible to know whether this is the case. However, the high response rate suggests that any bias in the results is likely to be small.

Despite the increased precision, however, we still need to ensure that we are confident in what we report, particularly when it comes to analysing differences between country and institutional tariff.3 Where such differences are reported these have been tested to ensure they are statistically significant. Where differences between these groups are not discussed it is because we cannot be sure that the differences are statistically significant, i.e. that there are genuine differences. Where base sizes become very small, we have reported numbers rather than percentages, particularly where there are findings of note, but based on small numbers.

Use of HESA data in analysis

In this report we have included analysis of 2017/18 data from the Higher Education Statistics Agency (HESA). HESA data was used to designate HEIs in our sample a 'high', 'medium' or 'low' categorisation based on the percentage of ethnic minority staff and students at the institution. Categories were assigned as follows:

Proportion of staff from ethnic minorities[4]
— low levels: <7% (45 institutions)
— medium levels: 7%–13% (49 institutions)
— high levels: >13% (46 institutions)

The proportion of ethnic minority staff at HEIs ranged from none to 38%. The mean proportion was 12% and the median was 10%.

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[3] In some sections of the report, reference is made to the tariff of a HEI as being high, medium or low. Where HEIs have been assigned a tariff, the categories are defined as follows: 'high tariff institutions' are defined as those in the top third of average UCAS tariff rankings, 'medium tariff institutions' are those in the middle third, and 'low tariff universities' are defined as those in the bottom third.

[4] Please note that HESA data could not be supplied for one HEI that completed the survey. Hence the number of institutions noted as high, medium or low in relation to the proportion of ethnic minority staff or students they have is 140, rather than 141 (total number that completed the survey).

Proportion of students from ethnic minorities

— low levels: <9% (41 institutions)

— medium levels: 9%-16% (48 institutions)

— high levels: >16% (51 institutions)

The proportion of ethnic minority students at HEIs ranged from 1.5% to 58%. The mean proportion was 17% and the median was 12%.

1.4 Report structure

The remainder of this report presents findings from the survey of institutions in the following structure:

— **Section 2** presents an overview of the total number of complaints of racial harassment of staff and students received from 2015/16 to the date of survey completion in early 2019. It also analyses how far complaints were progressed and the most common channels used to report complaints.

— **Section 3** analyses the most recent complaint received by institutions. It addresses the type of complaint made, other protected characteristics associated with the complaint, and the most common employment/studying status of the alleged victim and alleged perpetrator.

— **Section 4** discusses the range of outcomes of the most recent complaints received by institutions, the time it has taken to resolve the complaint and any remedial action that was taken. It also looks at institutions' perception of their success in dealing with racial harassment complaints from staff and students, and the reasons behind that perception.

— **Section 5** examines the routes to redress offered to victims of racial harassment. It explores the systems, safeguards and processes that HEIs currently have in place, and any plans for addressing racial harassment better in future.

— **Section 6** looks at how, if at all, HEIs collect information on the 'general culture' of inclusion of ethnic minorities, and how they use that information to inform policies and process. It also addresses how institutions use information gathered through their complaints process to improve practice.

— **Section 7** investigates whether institutions have systems available to capture informal complaints.

— **Section 8** looks at institutions' level of confidence that all incidences of racial harassment of staff and students are reported and opinions on what they consider to be the main barriers that staff and students face in reporting incidences of racial harassment.

— **Section 9** discusses the plans that institutions may have to prevent and improve their methods of responding to racial harassment of staff and students in the near future.

— **Section 10** examines where institutions look to for support on delivering robust policy around racial harassment, and if there are any gaps in the support currently available.

— **Section 11** considers what plans, if any, institutions have to better prevent and address racial harassment.

— **Section 12** presents some conclusions from this research.

2. Overview of complaints of racial harassment of staff and students

This section looks at the overall numbers of complaints reported, the nature of the complaints and the channels used for reporting complaints. It also considers the status of ongoing complaints and how closed ones were concluded.

2.1 Number of reported complaints

We asked HEIs how many formal complaints of racial harassment of staff and students they had received since the start of the 2015/16 academic year (a period of around three and a half years). Formal complaints were those that had been brought to the attention of the institution's authorities and an outcome recorded. This typically included the decision on whether or not to investigate, depending on the substance and nature of the allegations.

The definition of racial harassment given to institutions in the survey was as follows:

an incident or a series of incidents having the effect of intimidating, offending or harming an individual or group because of their perceived ethnic origin, race or nationality. This includes verbal and/or physical abuse, insults and name-calling, bullying, threatening behaviour, damage to property, displaying and/or sharing racially offensive material and encouraging others to commit racist acts. Many of these incidents may take place online.

Table 2.1 shows details of the number of complaints reported. Based on the survey responses, across all British HEIs around 360 complaints of racial harassment have been reported by staff and around 560 by students over a period of around three and a half years. These figures have been calculated by applying the mean score to 19 HEIs that did not take part in the survey and adding this to the total number of complaints reported by institutions that completed the survey (318 staff complaints and 491 student complaints: see table 2.1).

The average number of complaints of harassment of staff, as defined by the mean, was 2.3. This is lower than the mean number of 3.6 complaints from students. The median number of complaints was 1 for staff and 2 for students, reflecting the skew towards zero for both groups. The mean number of complaints for HEIs with low levels of ethnic minority students and staff was lower: 1.1 complaints of harassment of staff and 2.1 complaints of harassment of students. HEIs with a high proportion of ethnic minority students had a higher mean number of student complaints (4.6). The range was slightly larger for complaints of racial harassment of students than of staff (0–22 compared with 0–20).

Table 2.1: Aggregate number of racial harassment complaints of staff and students (from start of 2015/16)

	Total number reported in survey (n=141)	Estimate of number for total population (n=159)	Mean (based on total number reported in survey)	Median (based on total number reported in survey)	Range (based on total number reported in survey)
Staff	318	362	2.3	1	0–20
Students	491	559	3.6	2	0–22

Table 2.2: Aggregate number of racial harassment complaints of staff and students (estimate per year)

	Total number reported in survey (n=141)	Estimate of number for total population (n=159)	Mean
Staff	91	103	0.6
Students	140	160	1.0

Around four in ten institutions (38%) reported having received no complaints of racial harassment of staff. The figure was lower for students, with around three in ten (29%) saying no students had reported being the subject of racial harassment. Of the 141 HEIs in our sample, 88 had received complaints from staff and 102 had received complaints from students. Almost one in five institutions (18%) reported receiving no complaints of racial harassments from either staff or students.

Perhaps unsurprisingly, HEIs with low numbers of ethnic minority staff were more likely to have received zero complaints. Over four in ten (44%) of these HEIs reported no racial harassment complaints of students, with 60% reporting no racial harassment complaints of staff. A similar trend was found for HEIs with low numbers of ethnic minority students. Almost two-thirds of these HEIs (63%) received no complaints of racial harassment of staff, with 44% receiving no complaints of racial harassment of students. Ninety-one per cent of HEIs with a low level of ethnic minority staff also had a low level of ethnic minority students.

2.2 How complaints were resolved

Institutions that received complaints of racial harassment over the last three and a half years were asked how cases were dealt with. The most common form of resolution was via the formal complaints/grievance procedure, with almost six in ten cases for both staff and students (58% and 57% respectively) resolved in this way. A further one in six cases (17%) were resolved by informal means, for example via a verbal apology; this was true for both staff and student cases.

One in eight cases (13%) reported by staff went to an appeals process compared with just one in twenty student cases (5%).

Figure 2.1: Processes used to handle complaints of racial harassment[5]
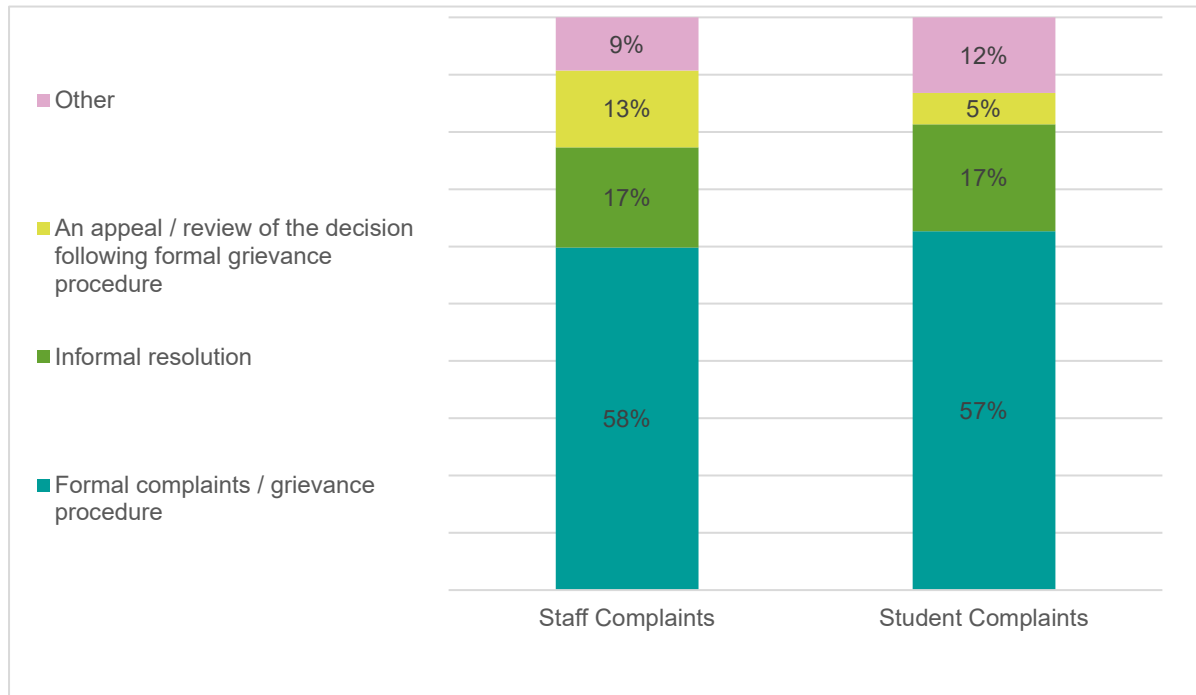
Base: of all complaints staff (318), all who have had some complaints from students (491), any other status less than 5% grouped with 'other'

2.3 Channels of complaints

Institutions were asked to state which channel they felt that individuals were most likely to use to report a racial harassment complaint.

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[5] The high proportion of 'other' responses here is due to institutions reporting numerous other resolution processes, that were different in the cases of student and staff complaints. No single process was reported by more than 7% of all institutions.

Informal channels of communication via other staff or, in the case of students, a tutor, was reported by institutions as the most common channel for reporting cases of racial harassment (33% for staff and 35% for students). Around three in ten institutions (28%) suggested racial harassment of staff was most likely to be reported through a formal complaint channel. This fell to one in five (20%) for students.

Figure 2.2: Most commonly used channels for making complaints

Channel	For students	For staff
Informally, to other staff and/or line manager/ tutor	35%	33%
Via a formal complaint channel at an institutional level	20%	28%
Via a formal complaint channel at department / faculty level	8%	16%
Anonymously, using a policy or system created by the organisation for this…	7%	4%
Via a third party complaint channel, such as a trade union/ students union	10%	3%
No complaints reported	1%	2%
Other	4%	1%
Don't know	14%	13%

Base: all institutions (141)

2.4 Informal reporting of racial harassment of staff

Institutions that stated that informal channels were the most likely method for reporting complaints from staff were asked to elaborate on the type of informal channels used, and if they had evidence as to whether these channels were effective. Analysis of open-ended comments found that a common thread running through the responses was speaking to a line manager and/or a member of HR.

> Raised with line manager in the first instance then brought into formal procedure if serious and/or unable to resolve.
> **(England)**
>
> Regular one to ones with line managers – considered effective where established practice; peer disclosure – considered effective as we have a culture of good informal networking.
> **(England)**
>
> Informal issues are able to be raised via HR Managers, Line Managers and/or the Equality Policy Unit. We understand these to be effective approaches as the evidence reported in section A [earlier in the survey] suggests that informal and quick investigations can be carried out, appropriate action taken, quick dialogue can be established between the parties and matters are often quickly resolved. If this is not felt satisfactory, the victim can escalate their complaint through the formal route.
> **(England)**

A number of institutions said they had equality champions or advocates to oversee these issues and provide complainants with a source of support. Other third party representatives, such as trade unions, were also cited:

Through department Equality, Diversity and Inclusivity representatives, who are generally seen as neutral and not part of management, so are a 'safe' route for discussing issues and seeking advice.
(England)

Staff are able to speak to a Trade Union Representative, a member of HR, their line manager or a more senior manager or colleague. We also have a Race and Faith Staff Network Group.
(England)

The University has trained and appointed a number of staff to discuss dignity at work issues (which includes racial harassment) on a confidential and impartial basis. The Dignity at Work Advisors provide support and advice and escalate serious matters when necessary. The numbers of racial harassment cases are low which could indicate this method is effective. However, there is insufficient information available to provide a true measure of the effectiveness.
(England)

In a handful of cases, institutions referenced formal and informal support networks as a forum for people from ethnic minorities to raise issues such as racial harassment.

Probably the most common informal channel is by ethnic minority staff to other ethnic minority staff. Whilst this informal channel can provide a level of support to individuals, such complaints would not be captured in any reporting nor managed formally through any process.
(England)

We recently established a BAME [Black, Asian and Minority Ethnic] staff network, which is a safe space for staff to meet, share experiences and seek support. The network leads are members of our Race Equality Charter Self Assessment Team and provide anonymous reports on such experiences. We are currently unable to take action to address specific individual complaints due to the anonymous reporting, and therefore our priority is to build the confidence of staff to report complaints to the University to take appropriate action.
(England)

One institution felt that ethnic minority staff might discuss issues with other ethnic minority colleagues but based on feedback from a staff survey found that they do not have enough confidence in official channels (among other reasons) to report cases of racial harassment.

We are aware that informal complaints are shared and discussed within small groups of BAME staff and are frequently not shared with White colleagues and are not reported to line managers and HR. Results of our staff surveys indicate that BAME staff do not report racism and racist incidences because:

- they lack confidence in current reporting systems

- are uncertain about how to report; and how procedures work

- concerns exist over the transparency of reporting incidences such as microaggressions[6] and incidences of cordial racism and whether these will be taken seriously, and

- the fact that the current system does not bypass those in more senior positions (such as line managers) sometimes deters staff from making complaints.
(England)

2.5 Informal reporting of racial harassment by students

Institutions that said that racial harassment of students was most likely to be reported via informal channels were asked to elaborate on what these channels were, and their perceived efficacy. The most common theme in open-ended comments was student support services, either formal, such as the student union, or informal, such as Nightline (an overnight support/listening service):

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[6] Microaggressions are statements, actions or incidents regarded as an instance of indirect, subtle, or unintentional discrimination against members of a marginalized group such as a racial or ethnic minority.

Informal channels for students to report complaints of racial harassment include: talking to the university's Student Experience and Equalities Manager, based in Student Operations and Support, who advises students about their options for reporting and resolving incidents of bullying and harassment; or talking to their Academic School's Student Support and Guidance Tutor who provides a first point of contact and support for students on a range of issues, including bullying and harassment.
(England)

The following are informal channels that the student could use – student advice centre, student association, academic members of staff or other members of staff. We cannot comment on effectiveness as we are unaware of any such complaints.
(England)

Nightline, residence assistants (students who live in student accommodation who have responsibility for community building), student support services, personal tutors, peer support.
(England)

Many respondents explained the purpose of these support services but felt unable to comment on their effectiveness. This was because the support was generally provided on a confidential and/or informal basis, and would not be documented. One institution did, however, draw a link between the number of formal complaints and the effectiveness of informal mechanisms:

> The low number of formal complaints would suggest that the informal mechanisms work.
> **(England)**

Tutors were also mentioned regularly as a source of support and informal guidance for students.

> Students would be most likely to speak to their personal tutor in the event of any concerns about racial harassment.
> **(England)**
>
> Verbally to a tutor, member of student support, student union or chaplaincy.
> **(England)**
>
> Students are most likely to speak with a member of academic staff or their personal tutor to raise their concerns. The personal tutor scheme is used widely across the institution.
> **(England)**

2.6 Status of complaints

Institutions were asked to provide the current status or outcome of all the complaints that they had received since the start of the 2015/16 academic year. More than two in five (42%) cases of racial harassment reported by staff were investigated but not upheld. This compares to one in four (27%) cases reported by students.

One in six (17%) staff who reported being the victim of racial harassment had their complaint upheld and were offered some kind of redress. The same is true for almost four in ten (37%) complaints of racial harassment by students.

Around one in ten (11%) of complaints reported by staff were still being investigated at the time of the survey and were yet to be resolved; this compares with just one in twenty (5%) cases reported by students.

Reasons given for the current status 'other' included cases having been dealt with informally, cases having been passed to an external agency, the complainant having resigned or the alleged perpetrator having resigned.

Figure 2.3: Current status of complaints
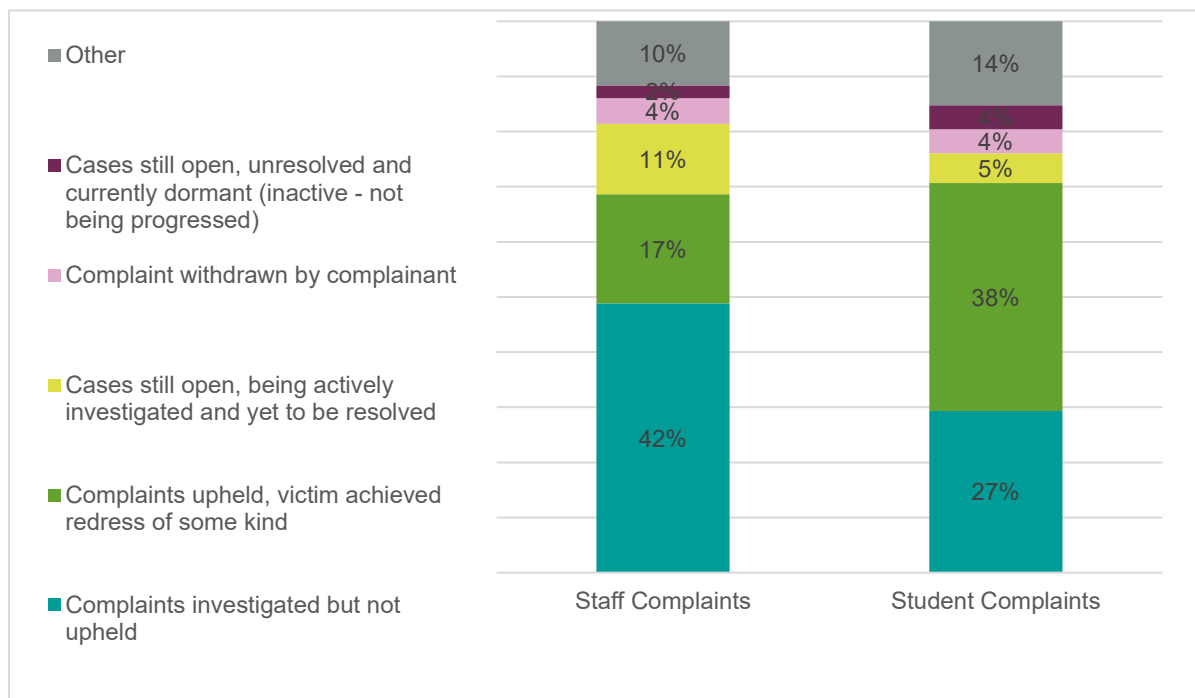
Base: All complaints from staff (318), all complaints from students (491), any other status less than 5% grouped with 'other'

2.7 Additional complaints featuring race as an alleged factor

In addition to the volumes of complaints of racial harassment, institutions were asked about other, separate complaints that they had received which had featured race as an alleged factor even if the complaint itself was not specifically about racial harassment. A quarter of institutions (28%) had received such cases in relation to staff and a similar proportion (30%) had received them in relation to students. For complaints from students, institutions were asked whether any of these cases related to academic appeals. These cases were in the minority, accounting for only about a fifth of all cases where race was an alleged factor.

3. Type and context of racial harassment complaints

This section explores the details of HEIs' most recently closed case of racial harassment, firstly against staff and secondly against a student or students. It also considers whether these complaints concerned other protected characteristics, such as sex or disability. This is followed by information on the employment and education status of complainants and the status of alleged perpetrators.

The focus is on the most recently closed formal complaint as it would have created too great an administrative burden on institutions to ask them to provide full details on all cases that they had handled since 2015/16.

3.1 Type of racial harassment complaints

Figure 3.1 shows the type of harassment reported in the most recently closed complaints received by institutions.

Figure 3.1: Nature of complaints
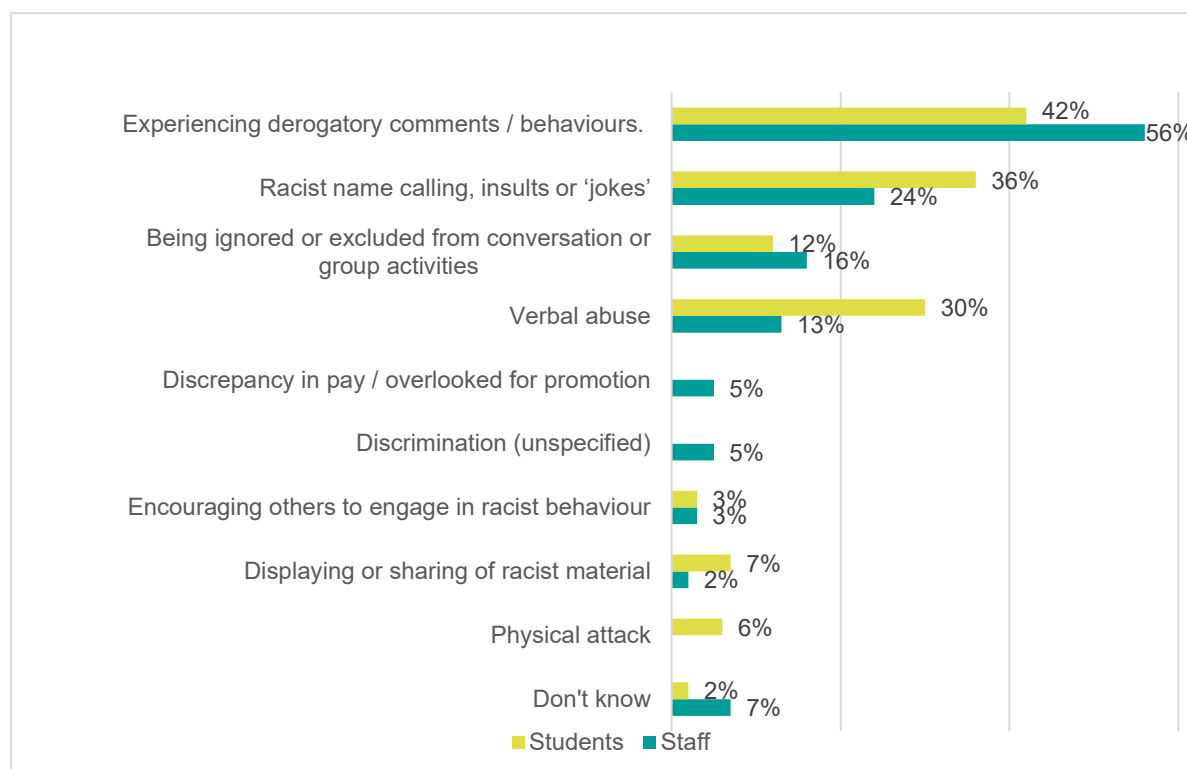
Base: all who have had some complaints from staff (88) and students (102) answering for the most recently closed complaint

Most recently closed complaints by staff were about derogatory comments and/or behaviours (56%). This was also cited by a large proportion of institutions in relation to complaints by students (42%).

There were some differences in the types of racial harassment complaints received from staff and students. Institutions were more likely to report that racial harassment complaints from students involved racist name calling, insults or 'jokes' (36%) and verbal abuse (30%), than those from staff (24% and 13% respectively).

Being ignored or excluded from conversation or group activities accounted for 16% of complaints from staff and 12% of complaints from students. Smaller proportions of student complaints concerned the display or sharing of racist material (7%) and physical attacks (6%). Only a small proportion of institutions had received racial harassment complaints from staff about discrepancies in pay or having been overlooked for promotion (5%).

3.2 Discrimination and other protected characteristics

One in three institutions (32%) stated that their most recent case of racial harassment of staff also involved discrimination in relation to one or more of the other protected characteristics (as they related to the alleged victim). The protected characteristics involved are shown in table 3.1. One in five institutions (21%) reported this to be the case for their most recent complaint of racial harassment by students. The most common related characteristic for both groups was sex. This was followed by religion/belief and disability, with students also likely to mention sexual orientation.

Table 3.1: Number of cases involving alleged victims' other protected characteristics[7]

Staff	Numbers	Students	Numbers
Sex	12	Sex	7
Religion/ belief	8	Disability	6
Disability	5	Religion/ belief	6
Sexual orientation	2	Sexual orientation	6
Age	1	Age	1

[7] Institutions were asked to report whether their most recent case of racial harassment involved *any* other protected characteristics. In some instances, a case involved multiple protected characteristics, and therefore the sum of the figures in table 4.1 is greater than the base size for this question.

Staff	Numbers	Students	Numbers
Pregnancy/ maternity	1	Pregnancy/ maternity	1
Nationality	1	Transgender status	1
Other	1	Other	1

Base: all those who stated that most recently closed racial harassment case involved other protected characteristics, staff (28), students (21)

3.3 Employment/studying status of alleged victim

Figure 3.2 shows the employment status of alleged staff victims. More than half (52%) of the most recent alleged staff victims were classed as middle ranking employees of the institution. Around one in three (31%) were junior members of staff; and less than one in ten (7%), senior staff. HEIs with high levels of ethnic minority staff and students were more likely to report that the most recent alleged victims were junior members of staff (46%).

Institutions reported that around two in five (39%) alleged victims of racial harassment were teaching/academic staff, one in three (34%) were professional services staff and one in six (17%) were in other categories of support staff. Alleged victims in most recent cases at HEIs with high levels of ethnic minority staff and students were more likely to be in professional services roles (46%). Based on 2017/18 HESA data, across the entire sector, two-thirds of university staff are in non-academic roles while the remaining third occupy academic positions.

Figure 3.2: Employment status and role of alleged staff victims

Employment Status		Employment Role	
An employee of the university (middle ranking)	52%	Teaching/ academic staff	39%
An employee of the university (junior)	31%	Professional services/ support staff, e.g. admin, HR, IT, communications	34%
An employee of the university (senior)	7%	Other support staff - e.g. cleaning, catering, security, maintenance	17%
Other	3%	Other	2%
Don't know	6%	Don't know	7%
Refused	1%	Refused	1%

Base: all who have had some complaints from staff (88)

Figure 3.3 shows the status of alleged student victims for the most recently closed cases. In half of all cases (50%), the alleged victim was reported to be a UK national undergraduate. This figure was higher among HEIs with high levels of ethnic minority students (63%). One in five alleged victims (21%) were international students. In 12% of cases the status of the alleged victim was unknown.

Figure 3.3: Education status of student alleged victims

A UK national undergraduate — 50%
An international undergraduate student — 13%
A UK national postgraduate student (taught) — 6%
An international postgraduate student (taught) — 5%
No direct victim — 3%
An international postgraduate student (research) — 3%
A UK national postgraduate student (research) — 3%
A number of individuals — 2%
Unable to disclose — 2%
Other — 1%
Student at another HEI — 1%
Don't know — 12%
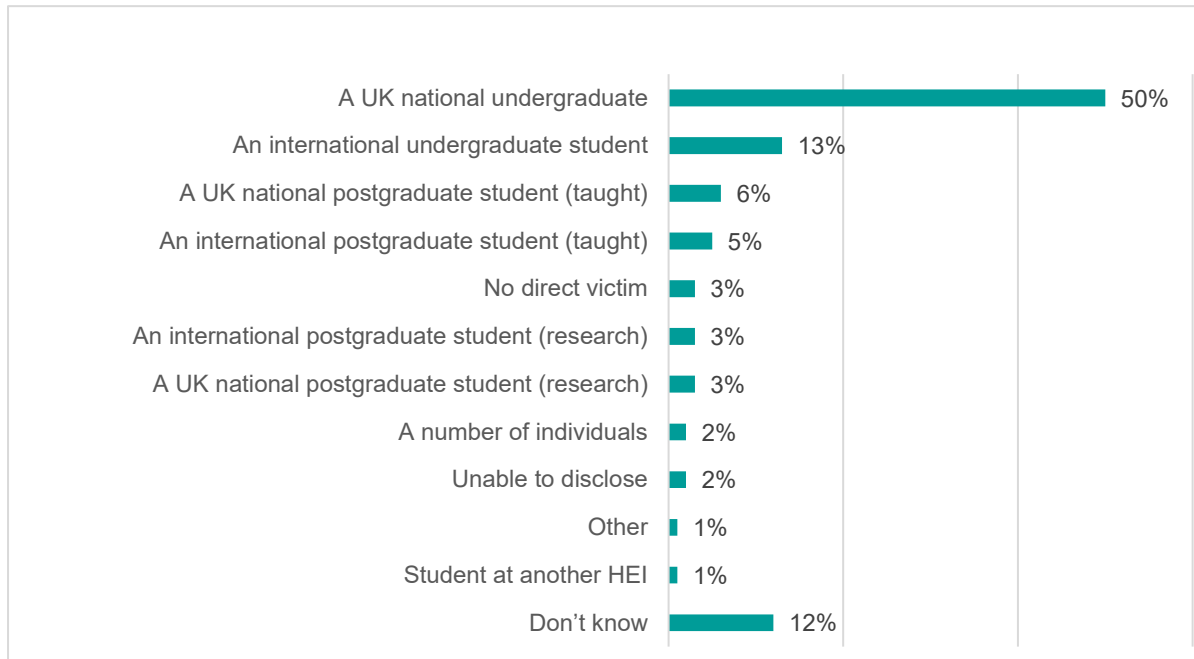
Base: all who have had some complaints from students (102)

3.4 Employment/student status of alleged perpetrator

Figure 3.4 shows the status of alleged perpetrators for the most recently closed cases for staff and students. In over half (53%) of cases reported by students, the alleged perpetrator was a fellow student, with around one quarter of cases (27%) involving an employee of the university. In 2% of cases, the alleged perpetrator was reported to be an employee of a contracted agency.

Institutions reported that the most recent cases of racial harassment of staff also tended to involve harassment from colleagues, with 86% of perpetrators noted as other employed university staff.

Figure 3.4: Status of alleged perpetrators

A student
- Students: 53%
- Staff: 2%

An employee of the university (senior)
- Staff: 32%
- Students: 1%

An employee of the university (middle ranking)
- Students: 18%
- Staff: 30%

An employee of the university (junior)
- Students: 8%
- Staff: 24%

An employee of a contracted agency
- Students: 2%
- Staff: 2%

A member of the public
- Students: 2%
- Staff: 1%

Other
- Students: 7%
- Staff: 1%

Don't know/ refused
- Students: 10%
- Staff: 8%

■ Staff ■ Students

Base: institutions who reported a most recent case: staff (88), students (102)

4. The outcomes of racial harassment complaints

This section looks at the outcome of HEIs' most recently closed complaints and how long it took to close them. It also considers how successfully HEIs felt they handled these cases.

4.1 Outcome of complaints

The outcomes of the most recently closed complaints for staff and students are shown in Figures 4.1 and 4.2.

Around one in three of HEIs' most recent staff complaints concerning racial harassment (38%) had been investigated and not upheld. This figure was similar for the most recent cases involving students (30%). In the descriptions of cases provided by institutions, there were some examples where action had still been taken even though the case itself had not been upheld:

Student complained that she had been isolated and had received derogatory comments about her work and participation, including her English language capacity, which she experienced as related to her race / nationality. The College conducted a thorough investigation, adapting its Complaints and Dignity at Work & Study Policy, to ensure that the complaint was heard, and that the subject of the complaint was able to answer to the accusations. The complaint was not upheld as there was no substantiating evidence provided. The College has however taken steps to adapt its Dignity at Work & Study policy to ensure that students and staff are covered by it.
(England)

The student claimed that other students in their accommodation had discriminated and bullied them, relating the accusations to their race. The complainant also said that staff who were initially informed about the behaviour did not take it seriously, or take appropriate action, and again discrimination was cited. The complaint was fully investigated, but there was no evidence that the other students discriminated against the complainant. Staff behaviour was found to be reasonable in dealing with the initial complaint and there was no evidence of discrimination. However, it was found that communication from the staff member investigating the initial complaint to the student was not appropriate. The staff member and their manager was spoken to in relation to the latter findings.
(England)

Figure 4.1: Outcome of staff complaints

Outcome of most recent complaint from staff

Category	Value
Other	2%
Alleged victim opted for voluntary redundancy	1%
No agreement as external mediation failed	1%
Complaint received after alleged perpetrator left	1%
Perpetrator resigned	2%
Case closed: lack of evidence	5%
Withdrew the complaint	8%
Left the university	11%
Outcome through conciliation / mediation	10%
Received financial compensation from HEI	8%
Perpetrators temporary contract terminated	1%
Matter referred to the police	1%
Moved to a different post in the university	1%
Left university with a financial settlement	1%
Removed from university	1%
Dismissed	2%
Reprimanded and/or given formal warning	2%
Required to attend training	5%
Disciplined	18%
Complaint not upheld	38%

Case closed without conclusive outcome
33%

Outcome through mediation
10%

Victim compensated financially
8%

Any action taken against alleged perpetrator
33%

Outcome not stated: 9%

Base: all who have had some complaints from staff (88)

Please note that the total percentage of responses does not equal 100 in figures 5.1 and 5.2, as respondents were able to select more than one response.

Figure 4.2: Outcome of student complaints

Outcome of most recent complaint from students

Outcome	%
Other	7%
Unable to investigate	1%
Case not pursued by complainant	1%
Alleged victim left the university	1%
Alleged perpetrator voluntarily left the university	2%
Alleged victim withdrew the comlaint	6%
Case closed due to lack of evidence either way	9%
Outcome through conciliation / mediation	8%
Alleged victim received financial compensation	1%
Left university with a financial settlement	1%
Perpetrator was excluded from accommodation	2%
Perpetrator was suspended	2%
Removed from the university	4%
Disciplined	5%
Matter referred to the police	6%
Reprimanded and/or given formal warning	22%
Complaint not upheld	30%

Case closed no conclusive outcome 20%

Outcome through mediation 8%

Victim compensated financially 1%

Any action taken against alleged perpetrator 42%

Outcome not stated: 12%

Base: all who have had some complaints from students (102)

A large proportion of outcome of complaints were grouped as 'other' as these outcomes were often only reported by one institution.

In a third of reported cases of staff harassment (33%), action was taken against the alleged perpetrator. The most common outcome, where action was taken, was that the alleged perpetrator was disciplined by the institution (18%). For institutions with higher levels of ethnic minority students, this was a less common outcome (8% of alleged perpetrators were disciplined). In one in five (22%) of student cases, the alleged perpetrator was reprimanded and/or given a formal warning and in 4% of cases they were removed from the university. In 6% of student cases, the matter was referred to the police. This was less common for staff cases, of which only 1% were referred to the police.

> Student reported racist language from unknown members of the public towards them. After reporting to the University, our security team supported the student to report the matter as a hate crime to the police.
>
> **(England)**

Staff complaints of racial harassment were more likely than student complaints to be settled with financial compensation. In 8% of staff cases, the complainant received financial compensation from the university (compared to 1% of student cases). In 1% of both staff and student complaints, the perpetrator left the university with a financial settlement.

An outcome through conciliation/mediation was achieved in around one in ten cases of harassment for both staff and students.

Some cases were unresolved either due to a lack of evidence (9% of student cases and 5% of staff cases) or through the withdrawal of the complaint (6% of student cases and 8% of staff cases).

A student alleged another student had made negative racial remarks in a PC lab. Investigations were made, the student was spoken to and outcome was no further action based on lack of evidence and dispute in accounts of what happened and no witnesses. Alleged perpetrator was provided with advice and guidance regarding being mindful of future behaviour.

(England)

In the descriptions of cases provided by institutions, some examples were given of complaints that had been upheld, but it was decided that race was not a motivating factor for the complaint.

In the period indicated by this survey, the University received one complaint, of racial harassment from a member of staff against another member of staff. An investigation was carried and concluded that the complaint is upheld but that the incident was not racially motivated.
(England)

The grievance was investigated and the outcome was partially upheld accepting that the supervisor spoke in a derogatory manner but there was no evidence to suggest that the manager treated the individual differently because of the colour of their skin. There was no evidence on the third aspect as it was concluded all staff were issued the same instruction relating to accuracy of the recording of their times of work. The supervisor was disciplined in relation to the first matter and received training.

(England)

4.2 Time taken to close complaint

In general, racial harassment cases were not dealt with quickly. Around a fifth of staff complaints (19%) and more than one in ten student complaints (13%) took over six months to resolve. A further third of racial harassment complaints of staff (31%) were reported as having taken between 3 and 6 months, as were 15% of student cases. The breakdown of time taken to close most recent cases is shown in figure 4.3.

Figure 4.3: Time to resolve complaints

Staff — 9% Less than one month, 33% 1-3 months, 31% Longer than 3 months less than 6 months, 13% Longer than 6 months less than a year, 6% More than a year, 9% Don't know

Students — 32% Less than one month, 40% 1-3 months, 15% Longer than 3 months less than 6 months, 11% Longer than 6 months less than a year, 2% More than a year

Legend:
- Less than one month
- 1-3 months
- Longer than 3 months less than 6 months
- Longer than 6 months less than a year
- More than a year
- Don't know

Base: all who have had some complaints from staff (88), all who have had some complaints from students (102)

4.3 Action taken

Staff cases

Institutions were asked to describe, in their own words, the nature of the last racial harassment complaint recorded, what action the university took and what changes to policy and processes, if any, the university made as a result. The nature of cases involving staff was often related to treatment by managers in areas of their work, such as performance evaluation, progression and redundancy selection.

Manager accused of being racist and not providing promotion/development opportunities. As the complaint was not upheld, no changes were required.
(England)

The employee, who was unsuccessful in a redundancy selection process, subsequently brought claims in the employment tribunal of racial discrimination and harassment. The University defended [itself against] the claims which were withdrawn before the case reached a final hearing.
(England)

Where institutions talked about making changes based on the complaints they had received, these tended to fall into two broad types of action – investment in training or a review of the processes for reporting and handling racial harassment complaints.

Examples of investment in training as a response

The trade union's black staff representative received an email from the perpetrator asking why the union did not have a white person's representative, or a representative for men. The investigation concluded that this was not an appropriate email to send, and the appropriate level of action was to train the person and help them understand the history of liberation campaigns, and the appropriate expected conduct while at work, or using work based communication tools. The perpetrator apologised and is now fully aware of their personal and social responsibilities.

(England)

A BAME member of staff was using campus library facilities late at night, accompanied by 3 of his family members (all of whom were non-staff). Only the member of staff was able to produce valid identification and as a result they were all asked to leave in an over-zealous manner. The University reviewed, clarified and communicated library entrance policy and created a standard operating procedure to support it. Behavioural / de-escalation training was recommended for the individual involved and the wider Campus Support Team.

(England)

Examples of reviewing the framework for reporting and dealing with issues of harassment

Over the last 9 months, the institution has developed a University wide initiative entitled XXX. This will address a number of key issues, including providing a framework to enable everyone to report and record (anonymously) instances of unacceptable behaviour, a revised Dignity policy, training Dignity Advisors.

(England)

We are in the process of reviewing our anti-harassment and anti-bullying procedure and as part of this will improve the process for raising concerns either informally or formally where appropriate and where possible, bring improvements in processing issues. As part of this review we are also exploring the possibility of a process for anonymous reporting to facilitate the raising of concerns in ways not covered by our existing procedures so that we can better understand whether there are unreported issues that need to be addressed.

(England)

In more complex cases, external agencies, such as the police, became involved. These tended to be complicated and take longer to resolve.

> Following the incidents our Equality and Diversity team worked closely with the Hate Crime Lead at XXX Police.
> **(England)**
>
> The complaint was complex and included concerns relating to harassment (perceived to be linked to nationality), bullying, coercion and being undermined. The complaint was made against four senior members of staff. The complaint was investigated and not upheld. The complainant appealed which, following consideration in line with the University's policy, was not upheld. Recommendations were made, which included mediation. The mediator met with individuals but advised that mediation would not work given the resolution being sought by the complainant.
> **(Wales)**

Student cases

The actions taken as a result of student complaints were similar to those taken in response to staff complaints: the provision of training and guidance or a review of policies and procedures for reporting and investigating complaints.

Example of investment in training as a response to a complaint:

A student complained that a member of security staff verbally abused him. This was investigated, upheld and the student received an apology. Training was put in place for the member of staff.

(England)

Examples of reviewing the framework for reporting and dealing with issues of harassment:

Allegations of racist, homophobic and threatening behaviour in shared student accommodation. We are reviewing our procedures to ensure clarity in reporting complaints and that these are investigated and resolved in good time.
(England)

A residential student complained that other students had engaged in … racist chanting… The university has revised the procedures for escalating cases of potential racial harassment and ensuring improved training for the accommodation provider's staff.
(England)

There were a number of individual examples given which demonstrate HEIs taking action beyond standard training and awareness. Following an incident involving a student union society, one institution took steps to raise the profile of its values and 'appropriate behaviours'.

A Students' Union Society hosted an … event in which racist (and other) remarks were written on t-shirts which were then worn in public. We are now seeking to raise the profile of the University's values and appropriate behaviours and have further promoted the range of available reporting routes. This complaint has informed the internal review of our institutional approach to student discipline, including discipline associated with racial harassment. We are implementing new mechanisms designed to improve the student experience and to provide more granular data to inform future practice.

(England)

One institution took steps to involve the police and move a student into emergency accommodation:

International PhD Student from China who suffered significant racial harassment from housemate who was a student in another University. Student supported to report matter to police. Emergency accommodation provided by University. Complaint taken to other University for action.

(Wales)

Another institution investigated an incident raised anonymously before the student attended the university:

> The University was sent an anonymous allegation, and a screenshot of a comment posted on Twitter in 2014. The person who posted the comment was a teenager, and not a student of the University at the time. A summary hearing with the Dean was arranged and the student received written advice on future behaviour.
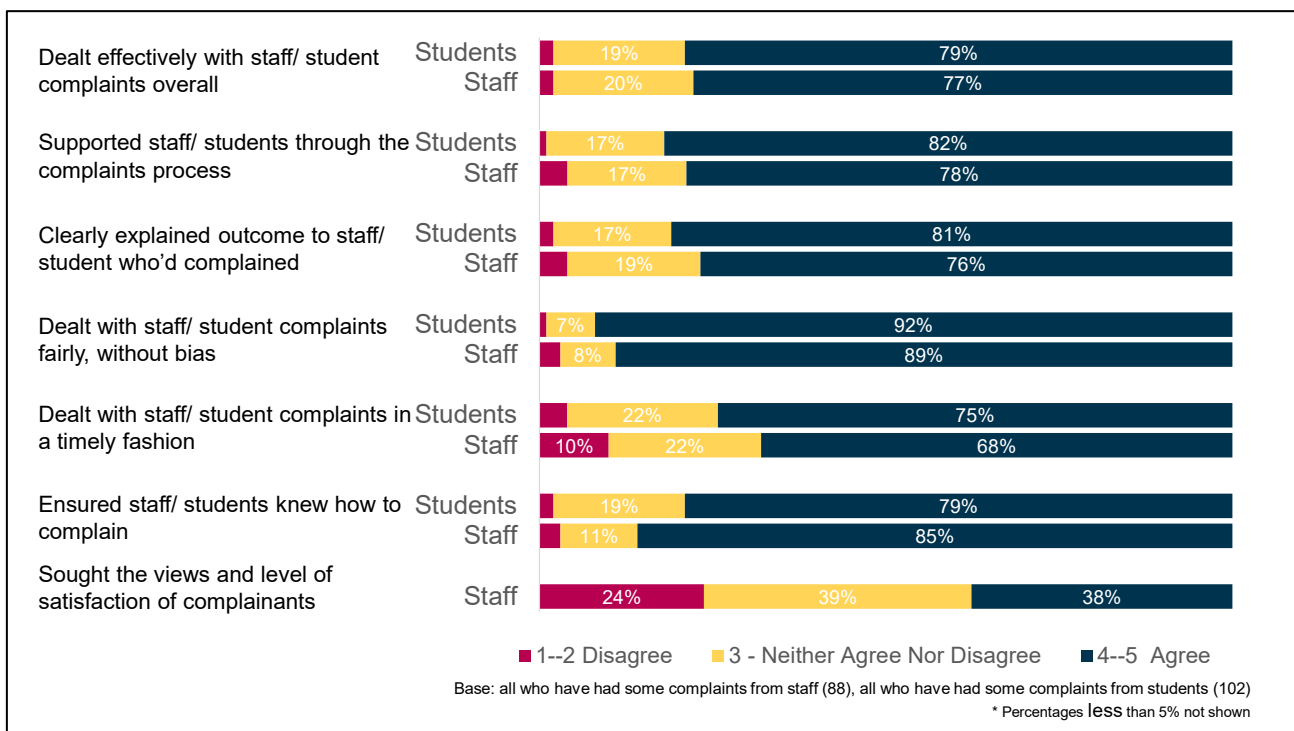>
> **(Scotland)**

4.4 Perceptions of success in dealing with racial harassment complaints

HEIs were asked how successful they felt that they had been in handling racial harassment complaints of staff and students from the beginning of the academic year 2015/16 to the time of the survey (a period of around three and a half years).

Institutions were asked whether they agreed or disagreed with a number of statements about their handling of complaints. Responses are shown in figure 4.4 below.

Figure 4.4: Perceptions of success in dealing with complaints

		1–2 Disagree	3 - Neither Agree Nor Disagree	4–5 Agree
Dealt effectively with staff/ student complaints overall	Students		19%	79%
	Staff		20%	77%
Supported staff/ students through the complaints process	Students		17%	82%
	Staff		17%	78%
Clearly explained outcome to staff/ student who'd complained	Students		17%	81%
	Staff		19%	76%
Dealt with staff/ student complaints fairly, without bias	Students		7%	92%
	Staff		8%	89%
Dealt with staff/ student complaints in a timely fashion	Students		22%	75%
	Staff	10%	22%	68%
Ensured staff/ students knew how to complain	Students		19%	79%
	Staff		11%	85%
Sought the views and level of satisfaction of complainants	Staff	24%	39%	38%

Base: all who have had some complaints from staff (88), all who have had some complaints from students (102)
* Percentages less than 5% not shown

Generally, HEIs were confident that they had handled complaints well, with over 75% of institutions agreeing with each statement except one. The highest level of agreement, among both groups, was for complaints being dealt with fairly and without bias.

Institutions that had received staff complaints were asked an additional question about complainants' satisfaction and to what extent the views of complainants about the process had been sought. For this statement, the level of agreement was considerably lower at 38%.

The high proportion agreeing that complaints had been dealt with in a timely fashion is perhaps at odds with some of the long timeframes given for closing the most recent cases (see figure 4.3).

5. Policies, procedures and culture

This section firstly addresses the different and most prominent routes that HEIs in GB provide for staff and students to seek redress for a racial harassment complaint. It then looks into the systems, processes and safeguards that institutions currently have in place to prevent racial harassment of staff and students, and the institutional priorities to address racial harassment.

5.1 Routes to redress

Respondents were asked whether they provided various different routes for students and staff, who were alleged victims of racial harassment, to seek redress.

As shown in figure 5.1, the most commonly offered route to redress for staff and students was ensuring a means to make a formal complaint at an institutional level (98% for students, 99% for staff). This was followed by encouraging informal resolution of disputes through dialogue (90% for students, 98% for staff), and providing a formal complaint path at department or faculty level (80% for students, 89% for staff). Almost 9 in 10 institutions also offered students (87%) and staff (86%) a route to report a complaint to a third party e.g. a students' union or trade union. HEIs with a high proportion of ethnic minority staff, however, were less likely to offer a route for staff to make a complaint to a third party (77%). Institutions were less likely to offer staff and students specific ways (anonymous or otherwise) to report 'microaggressions' (49% for students, 43% for staff). They were also less likely to provide a policy or system specifically created by the institution to enable anonymous complaints (45% for students, 40% for staff).

Figure 5.1: Routes to redress for staff and students
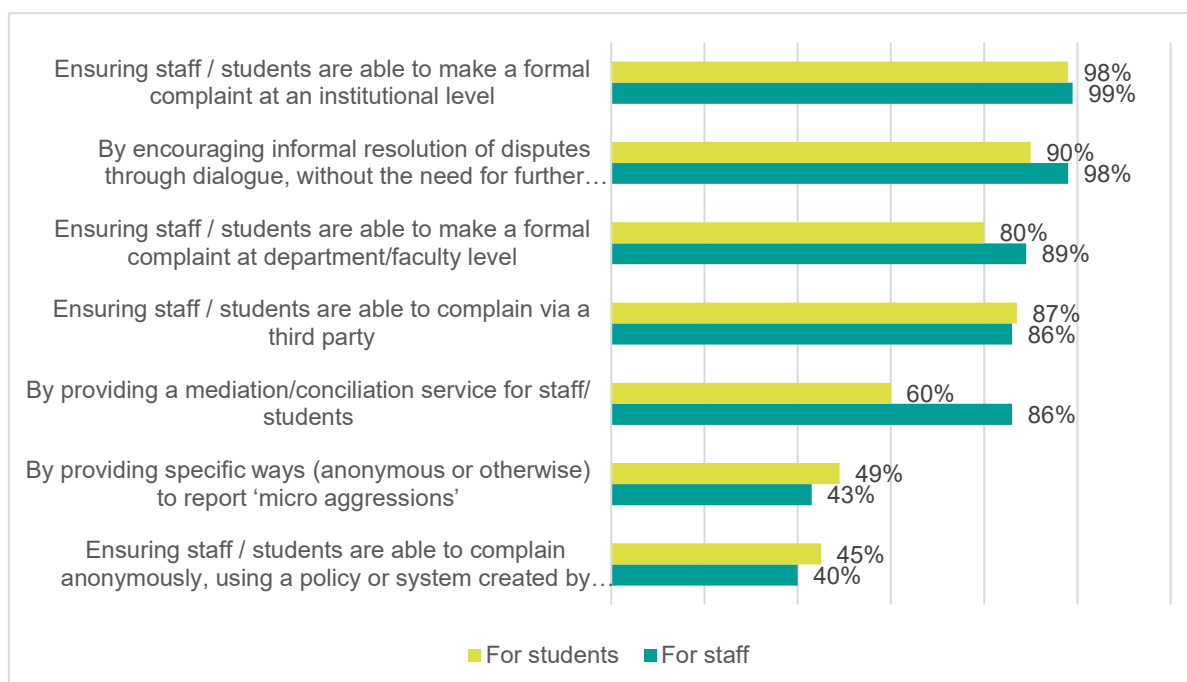
While the most prevalent routes to redress were the same for both students and staff, there were some key differences between the proportion of institutions offering particular routes to redress to staff and offering the same routes to students. Institutions were more likely to provide mediation/conciliation services for staff (86%), than they were for students (60%). Although more than 9 in 10 institutions encouraged informal resolution, there was also a difference between the proportion offering this for staff (98%) and for students (90%). Equally, institutions were more likely to provide a way for staff (89%) than students (80%) to make a formal complaint at department/faculty level.

Welsh institutions were more likely than other institutions to offer mediation services for students (6 out of a total of 7 did so), while Scottish institutions were less likely to offer this service (7 out of 17). Institutions with low UCAS entry tariffs were also more likely than those with medium or high tariffs to ensure students were able to complain via a third party, such as the student union (40 out of 41).

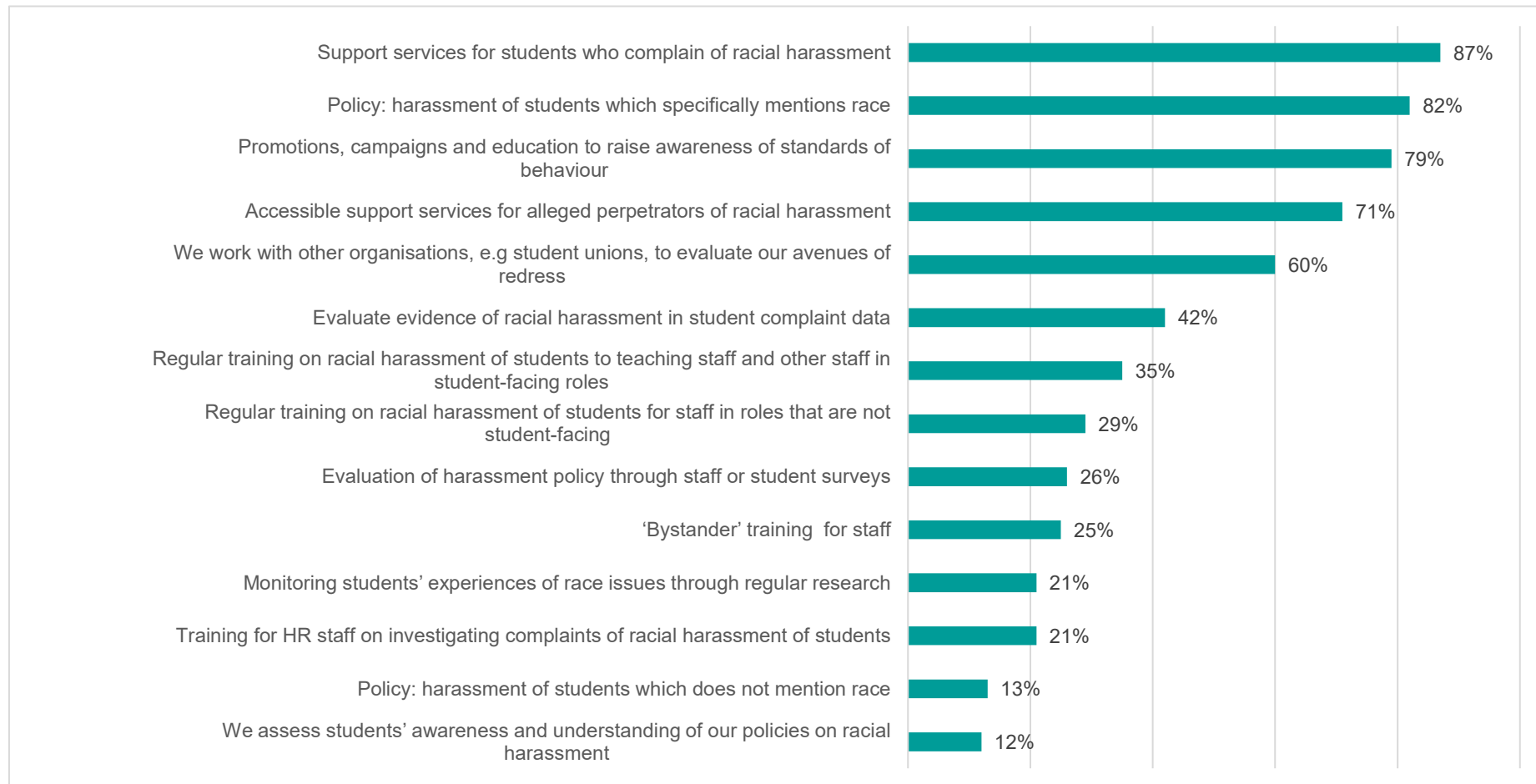## 5.2 Systems, processes and safeguards currently in place

The survey asked what processes, systems and safeguards HEIs used to prevent and address racial harassment of staff and students.

As shown in figure 5.2, the most commonly reported policies/processes that address racial harassment of students were: support services for those students who make a complaint of racial harassment (87%), having a policy for harassment of students based on the issue of race (82%) and promotions, campaigns and education to raise awareness of standards of behaviour (79%).

Some differences were found here among HEIs with different levels of ethnic minority students:

— Institutions with high levels of ethnic minority students were more likely to work with other organisations, such as student unions and accommodation providers to evaluate routes to redress (76% compared with 54% of HEIs with medium levels of ethnic minority students, and 49% of HEIs with low levels of ethnic minority students).

— Institutions with high levels of ethnic minority students were more likely than other institutions to monitor students' experience of race through regular research (35% vs 21%).

— Institutions with low levels of ethnic minority students were more likely to seek out and evaluate evidence of racial harassment in data held on students' complaints (56% vs 42%). Equally, these institutions were less likely than others to offer bystander training (10% vs 25%).

Figure 5.2: Systems, processes and safeguards that institutions have in place to prevent and address racial harassment of students

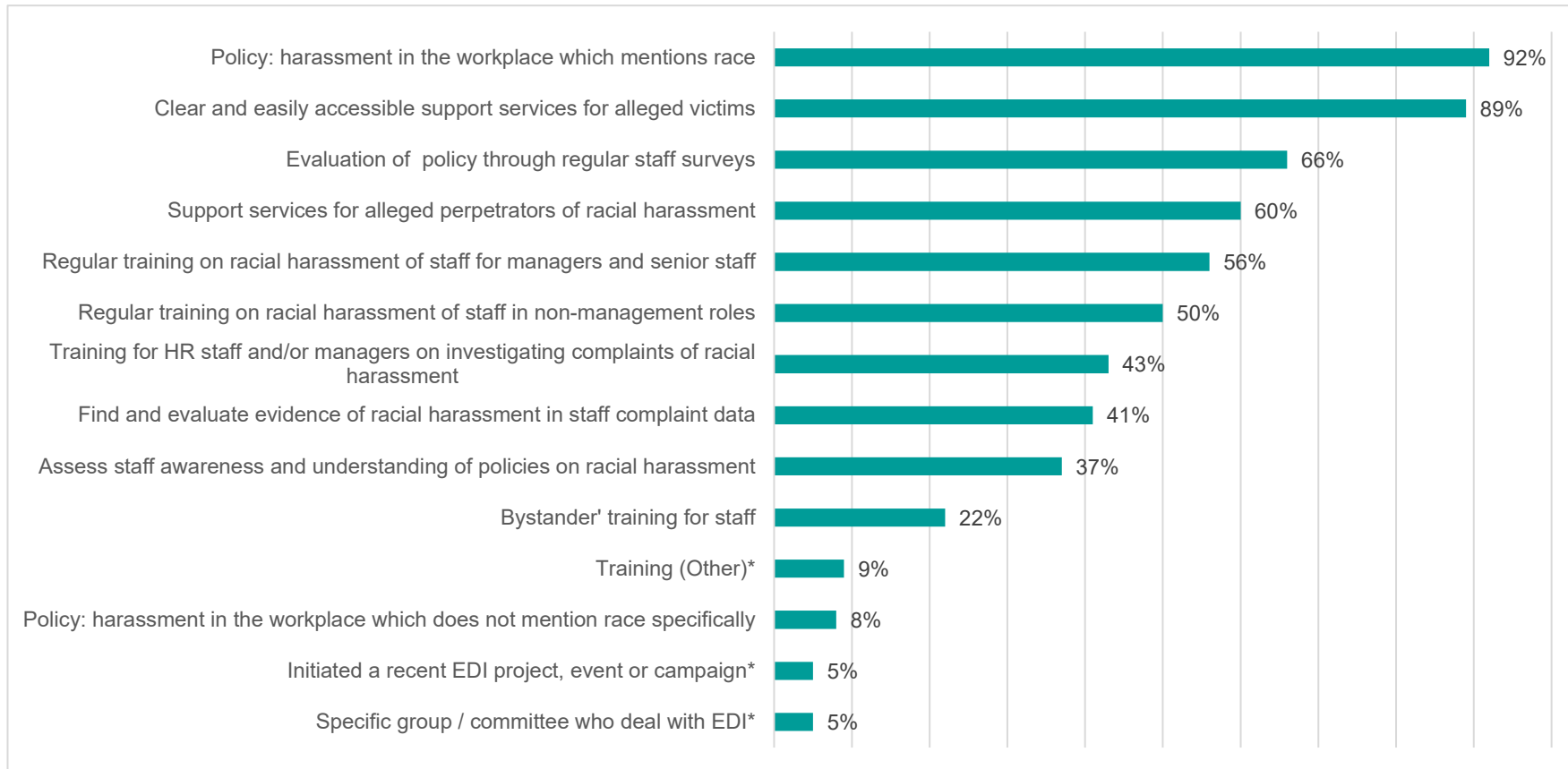|	
Support services for students who complain of racial harassment	87%
Policy: harassment of students which specifically mentions race	82%
Promotions, campaigns and education to raise awareness of standards of behaviour	79%
Accessible support services for alleged perpetrators of racial harassment	71%
We work with other organisations, e.g student unions, to evaluate our avenues of redress	60%
Evaluate evidence of racial harassment in student complaint data	42%
Regular training on racial harassment of students to teaching staff and other staff in student-facing roles	35%
Regular training on racial harassment of students for staff in roles that are not student-facing	29%
Evaluation of harassment policy through staff or student surveys	26%
'Bystander' training for staff	25%
Monitoring students' experiences of race issues through regular research	21%
Training for HR staff on investigating complaints of racial harassment of students	21%
Policy: harassment of students which does not mention race	13%
We assess students' awareness and understanding of our policies on racial harassment	12%

The most common polices or processes used by institutions to prevent or address racial harassment of staff were also those most widely adopted by institutions in addressing racial harassment of students. Around 9 in 10 (92%) had a workplace harassment policy which covered race, while a similar proportion (89%) offered clear and easily accessible support services for alleged victims. Between half and two-thirds of institutions evaluated their policies through regular staff surveys (66%), offered support services for alleged perpetrators of racial harassment of staff (60%), and offered regular training on racial harassment of staff for managers (56%) and those in non-management roles (50%).

Of the prompted policies and processes that could be used to prevent and address racial harassment of staff; institutions were least likely to provide bystander training for staff (22%). Similar to HEIs with low levels of ethnic minority students, HEIs with the highest levels of ethnic minority staff were less likely to offer bystander training (11%).

Figure 5.3 shows the systems, processes and safeguards in place specifically for addressing racial harassment of staff.

Figure 5.3: Systems, processes and safeguards used by HEIs to prevent and address racial harassment of staff
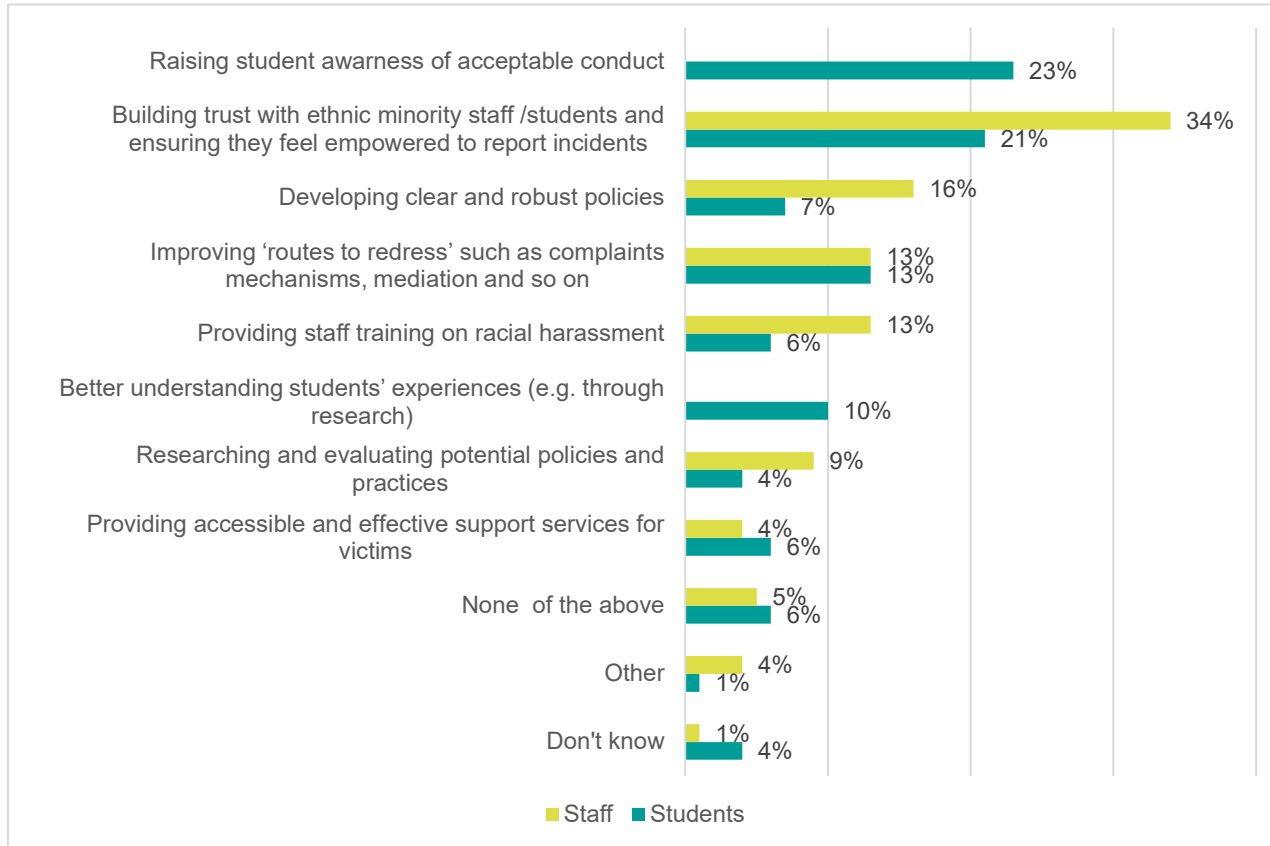
Category	Percentage
Policy: harassment in the workplace which mentions race	92%
Clear and easily accessible support services for alleged victims	89%
Evaluation of policy through regular staff surveys	66%
Support services for alleged perpetrators of racial harassment	60%
Regular training on racial harassment of staff for managers and senior staff	56%
Regular training on racial harassment of staff in non-management roles	50%
Training for HR staff and/or managers on investigating complaints of racial harassment	43%
Find and evaluate evidence of racial harassment in staff complaint data	41%
Assess staff awareness and understanding of policies on racial harassment	37%
Bystander' training for staff	22%
Training (Other)*	9%
Policy: harassment in the workplace which does not mention race specifically	8%
Initiated a recent EDI project, event or campaign*	5%
Specific group / committee who deal with EDI*	5%

In the survey, slightly different prompted options were asked in reference to systems, processes and safeguards in place to prevent and address racial harassment of *staff*, and to address racial harassment of *students* (as shown in figures 5.2 and 5.3). Where prompted options were comparable, some differences emerged.

— Institutions were more likely to provide a policy on harassment of staff which specifically mentioned race (92%), in comparison with a policy on harassment of students which specifically mentioned race (82%);

— Institutions were more likely to assess staff awareness and understanding of racial harassment policies on racial harassment (37%), than they were to assess student awareness (12%).

5.3 Priority areas

Institutions were asked what their main priority was in addressing racial harassment of staff and students (figure 5.4). While the list of prompted priority areas was largely the same for staff and students, institutions were asked whether two additional elements were main priorities when addressing racial harassment of students, namely: raising student awareness of acceptable conduct and or gaining a better understanding of students' experiences (for example, through research).

Figure 5.4: Main priority in addressing racial harassment of staff and students

Chart showing "Main priority in addressing racial harassment of staff and students":

Priority	Staff	Students
Raising student awareness of acceptable conduct		23%
Building trust with ethnic minority staff /students and ensuring they feel empowered to report incidents	34%	21%
Developing clear and robust policies	16%	7%
Improving 'routes to redress' such as complaints mechanisms, mediation and so on	13%	13%
Providing staff training on racial harassment	13%	6%
Better understanding students' experiences (e.g. through research)		10%
Researching and evaluating potential policies and practices	9%	4%
Providing accessible and effective support services for victims	4%	6%
None of the above	5%	6%
Other	4%	1%
Don't know	1%	4%

■ Staff ■ Students

As shown in figure 5.4, building trust with ethnic minority staff (34%) and students (21%) was the most common priority area for addressing racial harassment of staff, and second most common for students. For HEIs with high levels of ethnic minority students, building trust with ethnic minority students was less of a priority issue (12%).

Raising student awareness of acceptable conduct (23%), was the top priority area for institutions in addressing racial harassment of students.

The least common main priority areas were researching and evaluating potential policies and practice (9% for staff, 4% for students), and providing accessible and effective support services for victims (4% for staff, 6% for students).

There were no notable differences between country of institution in main priority areas in addressing racial harassment of staff and students. Low tariff institutions were more likely to view improving 'routes to redress' (such as complaints mechanisms and mediation) as a main priority area in comparison with high and medium tariff institutions (low: 10 out of 41, medium: 3 out of 44, high: 3 out of 43).

Reasons for stated key priority area in addressing racial harassment of staff

HEIs were asked to explain their selection of a priority area when it came to addressing racial harassment of staff. The key reasons behind the most common priority area (building trust with ethnic minority staff to ensure they felt empowered to report incidents), tended to centre on the following themes:

⁃ Work had recently been done to improve policies, so it was important to turn attention to staff's capacity to implement them.

⁃ It was seen as a priority area in staff surveys.

⁃ There was a lack of reported incidents.

The above themes are explored in more detail below.

Work that has already been done to improve policies

In open-ended comments, institutions frequently suggested that they had undergone a process to ensure that their policies regarding racial harassment were now fit for purpose. There was an acknowledgment that while a robust complaints procedure may be in place, the institutional focus was now on spreading awareness of these policies and encouraging confidence in reporting of incidents, which may have been historically low among ethnic minority staff.

We believe that we have a framework of policies and practices in place. Our sense is that improved confidence to raise issues and to have them addressed as early as possible is a primary focus. In our view increased openness to learn from incidents is essential, however this requires building trust and empowerment, and creating a space for such learning to take place.
(England)

We already have training and policies available for staff, however, ensuring a supportive culture for people is an area we wish to develop further, including increased signposting of reporting routes.
(Scotland)

Recognised as a priority area from staff surveys

Several institutions said that staff surveys had found low levels of confidence among ethnic minority staff in feeling able to report racial harassment. As such, it was identified as an institutional priority.

> Our Race Equality Charter Mark application survey highlighted that BAME staff are less confident than white staff that appropriate action would be taken if they reported a race-related incident. Growing this confidence along with reviewing reporting mechanisms and training have been identified as priorities in this area.
>
> **(England)**

Lack of reported incidents

Several institutions also suggested that the lack of reported cases of racial harassment pointed towards an underlying issue in confidence of reporting among ethnic minority staff, rather than simply a lack of incidents.

> The University believes that there is under-reporting of racist incidents and therefore it needs to encourage its staff whether from an ethnic minority background or not, to report all types of racist incidents so that the university can understand the extent of the problem and seek ways in which to address them and minimise the potential for such incidents taking place.
>
> **(England)**

Reasons for stated key priority area in addressing racial harassment of students

When considering the most common main priority area for institutions in addressing racial harassment of students (raising students' awareness of acceptable conduct), open-ended comments tended to be similar to those regarding the main priority area involving staff (empowering ethnic minority staff to report racial harassment). It was suggested by some institutions that they now had confidence in the robustness of their policies on racial harassment. However, they needed to improve students' awareness of expected conduct and understanding of the ramifications of racist behaviour.

> [The university] has well established policies, procedures and support mechanisms for students, therefore, the next priority is to raise awareness to enable students to understand what constitutes harassment and the consequences of their actions, in seeking to deter incidents.
>
> **(England)**

Several HEIs felt that students were not fully aware of the organisation's zero tolerance policy on all kinds of harassment, including racial harassment. Building awareness of this zero tolerance approach was noted as part of institutions' overall prevention policy.

We believe there is a lack of awareness of the possible outcomes of harassing conduct and that we need to provide greater clarity to students of what could constitute harassment. We need to work with the SU to better promote the zero tolerance message and to ensure students are aware they can lose their place if found responsible for harassing behaviour.

(England)

We want to be confident that students and staff understand our standards and expectations, firstly to help with prevention (staff and students know what inappropriate language and behaviour looks/sounds like and avoid them), secondly to make it easier to challenge when harassment happens.

(England)

6. Evaluation of policies and practice

This section investigates whether or not HEIs gathered information from staff and/or students around the general culture of their institution in terms of the inclusion of people from ethnic minorities. This included gathering information on whether staff/students were subject to racial harassment, bullying or prejudice. Secondly, it assesses how this information was gathered and what it was used for in addressing and preventing racial harassment. The section then looks at whether institutions analysed the information collected from their complaints and redress systems to identify future improvements in policies and practice. Where this information was used, institutions were also asked how this process worked.

6.1 A culture of inclusion of ethnic minority staff and students?

Around four in five HEIs (79%) reported that they collected information on the 'general culture' of inclusion of ethnic minority staff and students (figure 6.1). This would typically have taken the form of staff/student surveys about the general university environment. This figure was higher for institutions that reported that they were not confident that all incidents of racial harassment of both staff and students were reported (95%, n=40). There were no notable differences on this between country or tariff of institution. HEIs with low levels of ethnic minority students were less likely to collect this information (68%).

Figure 6.1: Percentage of institutions collecting information from staff and/or students on the general culture of the institution, in terms of the inclusion of people from ethnic minorities
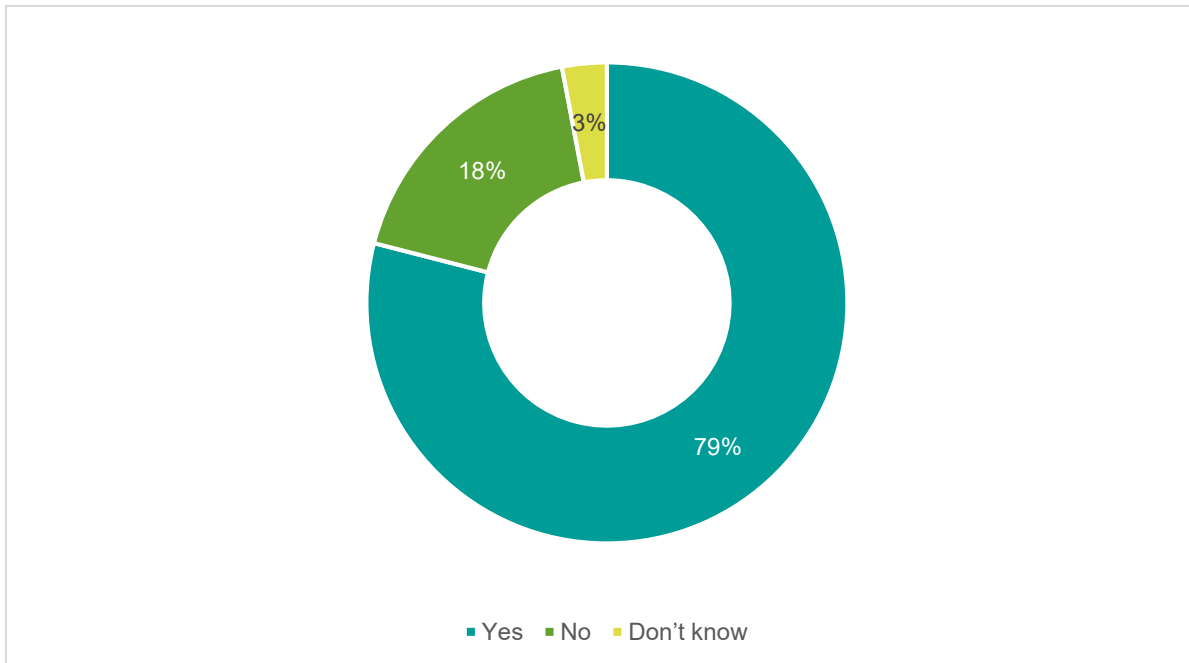
Base: all institutions (141)

Institutions that reported that they collected information on the general culture of inclusion of ethnic minorities were asked to explain the process for collecting this information and, if relevant, how they used this information to improve policies and processes.

6.2 Data collection

The majority of institutions said that they collected data predominantly through quantitative surveys of staff and students, ranging from one to three times a year (although a smaller number of HEIs said they ran focus groups with staff and students). Staff surveys were more common than student surveys. Several institutions reported collecting this data as part of their submission to the Race Equality Charter.

While the predominant form of data collection was via institution-designed staff and student surveys, some also noted internal analysis of secondary data sources such as the National Student Survey, and Employee Engagement Surveys:

> Whilst we do not conduct specific surveys we have actions to examine our NSS survey and our Employee Engagement Survey by protected characteristic to better understand the student and staff experience. Information from our most recent surveys is currently being collated for consideration via the Provost Commission to inform work on making the University a more inclusive place to work, study and visit.
>
> **(England)**

6.3 Using data to inform policies and practice

Institutions were less likely to include details, in open-ended comments, as to how data collected in this area was used to influence and improve policies and practice. In general, institutions shared the data primarily among equality and diversity departments (or other departments dealing with racial harassment complaints, depending on the infrastructure of the university), and sometimes at a faculty level, to inform strategic priorities around inclusion. A small number of HEIs specifically said they disseminated the data to the wider institution (e.g. outside of the equality and diversity team):

This information is used to determine whether people from particular ethnic backgrounds have a better, same, or worse experience compared to the general staff population. These results are presented through a traffic light system, with 'red' areas highlighted for that school/department to address as part of their action plan.

(Scotland)

6.4 Analysis of information gathered from complaints / redress systems

HEIs were asked if they analysed the information gathered from their complaints/redress systems to identify future improvements in their policies and practice. As shown in figure 6.2, almost nine in ten institutions (87%), reported that they did analyse this information. This figure was higher among institutions that reported that they had received racial harassment complaints of both staff and students in the previous 3 years (94%, n=67). It should be noted that the proportion of HEIs who reported using complaints data to identify future improvements in polices and practice is higher than the proportion of those who reported receiving any cases of racial harassment. It should therefore be taken that responses to this question were given in relation to general complaints data, and not solely complaints around racial harassment.

Almost all HEIs with low levels of ethnic minority staff and students, analysed information from their complaints/redress systems to identify future improvements (98% of those with low levels of ethnic minority students, 96% of those with low levels of ethnic minority staff).

Figure 6.2: Percentage of institutions that reported analysing the information gathered through their complaints/redress systems and used this to identify future improvements in policies and practice
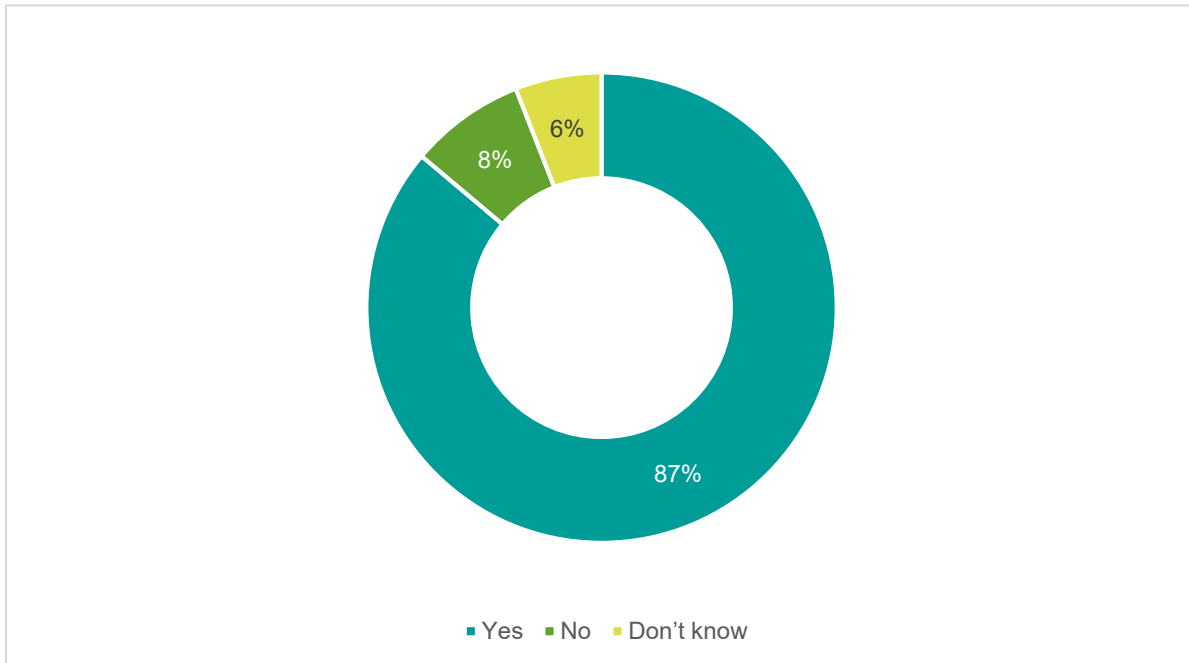
Base: all institutions (141)

Institutions that reported analysing data gathered through their complaints/redress system were asked how they used this data to identify future improvements in policies and processes.

Information gathered from the complaints/redress system was used by equality and diversity staff or 'student experience teams' to compile an annual report. This report was used to identify improvements in the existing complaints policy and was often shared at a department or faculty level.

All bullying and harassment complaints data is analysed annually and reported in the Diversity & Equality Annual Report and reported through the committee system. The Diversity & Equality Team may recommend specific actions to address trends more generally or make recommendations to specific departments.

(England)

The Student Experience and Equalities Manager in the Student Wellbeing Team undertakes an Annual Survey of reports by students of bullying and harassment at the end of each academic year. Data from the Annual Survey is included in the university's annual Student Equalities Report which is scrutinised by the university's Equality and Diversity Committee.

(England)

Several institutions also reported that complaints data was used not only to identify improvements in formal policies and process, but also to inform awareness and prevention campaigns:

Our analysis of incidents involving racism has informed preventative work such as student-facing "anti-racism" workshops. Our awareness of cases where racist language is used on social media has informed the development of welfare interventions towards reported and reporting students. Any issues which arise and highlight the need to change/review a policy or practice is normally taken forward by discussing and agreeing revised approaches and implementing these changes following agreement.

(England)

7. Handling of informal complaints

This section investigates HEIs' approaches to collecting data on incidents of racial harassment of students and staff that are reported informally.

7.1 Informal reporting of complaints

As shown in figure 7.1, just over 4 in 10 institutions collected data on incidents of racial harassment of staff (44%) and students (43%) that were reported informally. HEIs with low levels of ethnic minority staff were more likely to collect data on informal reports of racial harassment of students (56%).

Figure 7.1: Percentage of institutions that collect data on incidents of racial harassment of staff and students that are reported informally

Students	Staff
43% Yes, 57% No	44% Yes, 56% No

Base: all institutions (141)
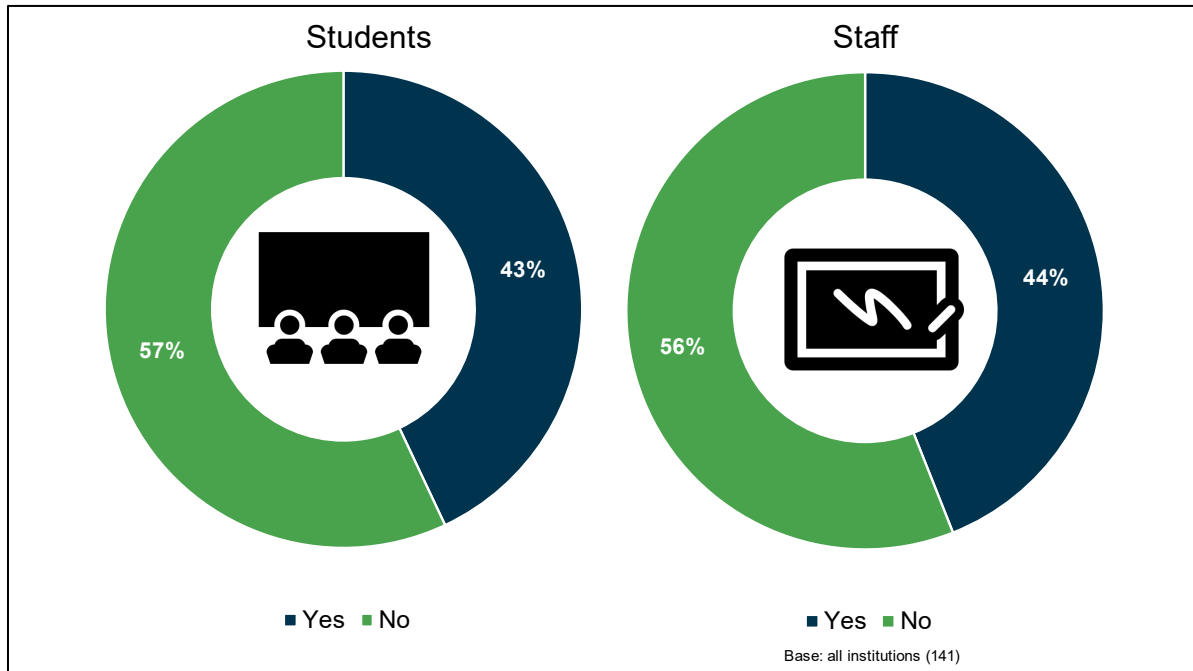
7.2 Mechanisms for recording informal complaints

All institutions were asked about their overall approach for dealing with informal reports of racial harassment of staff and students. The main approaches mentioned were:

— simply treating informal complaints as 'formal',

— collecting reports through nominated staff champions, and

— using anonymous reporting tools.

These approaches are discussed in more detail below.

7.3 Informal complaints are treated as 'formal'

A regular theme in open-ended comments was that institutions had no method of collecting data on informal complaints, as any complaint that was brought to the attention of the institution was considered as a 'formal' complaint, and would go through the formal grievance/complaints procedure:

> There is no mechanism for informal reporting, all reports are recorded formally, but both staff and student reports would receive advice on options, e.g. informal resolution, mediation, formal complaint, according to the seriousness of the incident. Data are used to monitor and identify particular trends or problems which may require attention.
>
> **(England)**
>
> [In relation to staff]: As an organisation, we take a zero tolerance approach to reported incidents of racial harassment, and as such would always deal with reports formally. Complaints would be investigated via our grievance procedure, and as a HR Team, we would record data on number of investigations under this category for analysis purposes, in order to support us in robustly addressing any resultant issues.
>
> **(England)**

There isn't really a concept of "informal reports". If a complaint is made it will be dealt with in an appropriate and proportionate manner. In terms of the Student Disciplinary Code, where the nature of an offence was not sufficient to warrant formal referral to the Student Disciplinary Committee, informal action may include an apology, and or a verbal or written warning, or exclusion from a specified activity, or community service. All students can access Student Affairs support whether or not [they] make a report.

(England)

7.4 Line managers/dignity or harassment advisors

HEIs that did make an effort to collect information on informal reports from staff often did so through speaking directly to line managers. Line managers in a few cases were encouraged by the institution to record numbers of informal complaints, although in general these records of informal complaints were not disseminated more widely to the HR/equality and diversity teams, and not included alongside formal report figures. In a couple of instances, institutions also reported that informal discussions with line managers and trade unions helped them to gather anecdotal evidence about unreported harassment.

Staff are encouraged to seek immediate advice and guidance from their Line Managers or P&OD Business Partners. They are encouraged to keep clear records of incidents as this information may be used at a later stage.

(England)

As for informal reports of racial harassment from students, HEIs most commonly employed a network of 'harassment' or 'dignity' advisors. Reports of informal harassment received by advisors were sometimes discussed with wider equality and diversity teams. A small number of institutions also suggested that students were encouraged to report incidents via their personal tutor/department where appropriate.

> Anonymous data is collected annually through the Harassment Advisors (staff and students) and reported to our Equality, Diversity and Inclusion Committee.
>
> **(England)**
>
> We also work closely with our SU [students' union] to ensure that informal reports received by advisers and elected officials are being understood and where possible addressed.
>
> **(England)**

7.5 Anonymous reporting tools

Several institutions used dedicated anonymous reporting tools to allow students and staff to submit complaints of harassment, racial and otherwise:

> We have recently established a new anonymous platform which enables the informal reporting of incidents. It is too early to make any assessments of its effectiveness.
>
> **(England)**

We are able to get informal complaints in many ways; through anonymous reporting mechanisms, at departmental level, and at institutional level.

(Wales)

7.6 Action taken in response to informal reports of racial harassment

The most common form of action taken by institutions as a result of informal reports of harassment was offering training in conduct around harassment, or mediation to the affected parties. A few institutions noted that the remedial action taken depended upon the individual case. Some reported that, where necessary, and where confidentiality can be respected, informal complaints may be remedied through formal complaints channels.

The nature of the informal complaint/allegation would be explored to see whether or not it should escalate to a formal complaint (at which point investigation managers would be appointed). If possible, the complaint could be managed informally and both parties spoken to via mediation.

(England)

For staff, informal reports are not captured systematically. If the University was aware of informal complaints, attempts would be made to encourage reporting with a range of responses available including mediation.

(England)

8. Confidence in reporting levels and barriers to reporting racial harassment

This section investigates the extent of HEIs' confidence that all cases of racial harassment of staff and students are reported to them. It also looks at perceptions of the main barriers to enabling students and staff to report cases of racial harassment.

8.1 Confidence that racial harassment is reported

Institutions were asked how confident they were that all incidents of racial harassment of staff and students were reported to the university authorities. Figure 8.1 shows the reported levels of confidence.

Figure 8.1: HEIs' level of confidence that all incidents of racial harassment of staff and students were reported

Base: all institutions (141)
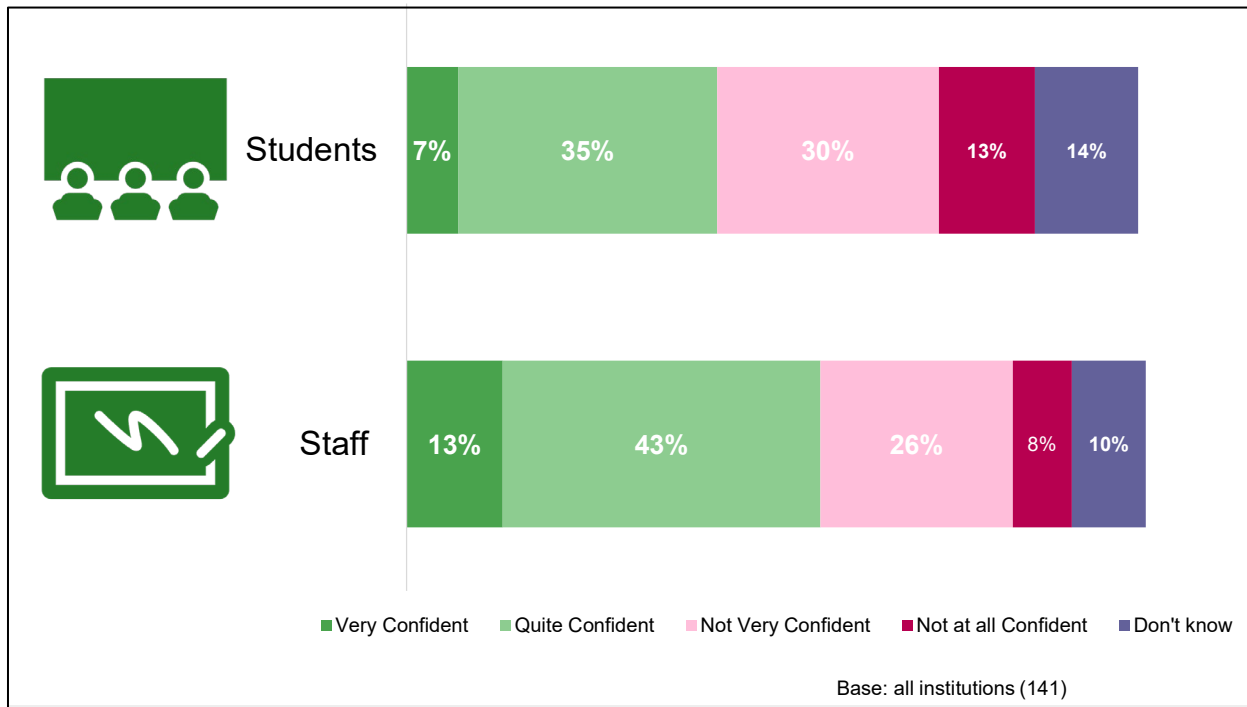
Institutions were more likely to report being 'very' or 'quite' confident that all incidents of racial harassment of staff were reported (56%), than all incidents of racial harassment of students (43%). Around one in ten institutions were unsure of their level of confidence (10% in regard to reporting of incidents of staff and 14% in regard to students).

Institutions with high entry tariffs were more likely not to be confident that all incidents of racial harassment of staff were reported (56%), in comparison to medium (25%, n=44) and low entry tariff institutions (27%). A similar trend was found among high tariff institutions in relation to confidence that all racial harassment incidents of students were reported. Just under two-thirds (63%) of high tariff institutions were not confident that all incidents were reported, compared to four in ten (41%) of medium tariff institutions and under a third (32%) of low tariff institutions. There were no differences found in confidence levels between English, Welsh or Scottish institutions.

Institutions that had no complaints of racial harassment of staff or students since the start of the 2015/16 academic year (n=25), were more likely to be confident that all incidents of racial harassment were reported to university authorities than those who had in fact received complaints. Just over two-thirds of institutions that received no complaints of racial harassment (68%), were confident that all incidents of racial harassment of staff or students were reported, compared with 43% for students and 56% for staff among institutions that had received some complaints.

Institutions with low levels of ethnic minority staff were more likely to be confident that all incidents of racial harassment of students are reported to university authorities (58% vs 43% of all other institutions). Conversely, those with high levels of ethnic minority staff were more likely to be not confident (48% vs 43% of all other institutions).

8.2 Barriers to reporting incidents of racial harassment

All institutions were asked what they thought were the main barriers to reporting racial harassment of staff and students at their university (either formally or informally). Comments tended to focus on the following areas, listed in order of most frequently mentioned to least frequent:

— the potential negative consequences of reporting,
— lack of confidence that the institution will take any action or that the complaints process will produce a suitable outcome,
— lack of awareness of routes to redress, and
— lack of an anonymous reporting route.

These themes are explored in greater detail in the following paragraphs.

8.3 Potential negative consequences of reporting

A barrier cited by institutions was a perception among staff and students that reporting an incident of racial harassment could have negative consequences for them. For students, this may be in the form of victimisation by other students, and even staff, and concern about how their HEI would respond (for example, the lack of a robust response could worsen feelings of shame or embarrassment that the victim may have been feeling). HEIs felt the main barrier for staff was the fear that it would affect future relationships with other staff members.

Fear of perceived consequences or a victim's own concerns around their judgement or perceptions of incidents can influence individual decision-making.

(Scotland)

Fear of damaging working relationships as a result of reporting; scepticism that no action may result and reporting staff may be branded a troublemaker/ difficult/ overly sensitive.

(England)

Particularly staff in junior grades may be unaware of how to complain and are probably the most likely to be fearful of some form of penalty. The majority of BAME staff are in the lowest grades and this may well have an impact.

(England)

8.4 Lack of confidence that the institution will take any action or that the complaints process will produce a suitable outcome

With respect to the barriers students faced when it came to reporting racial harassment, respondents felt that there was a lack of confidence among students that the institution would take any action as a result. It was thought that the complaints process would fail to produce a satisfactory outcome.

> Staff and students don't think anything will be done so there is no point in raising a complaint. There is a lack of confidence in the system.
> **(England)**
>
> Lack of confidence in University implementation of procedures.
> **(Scotland)**

8.5 Lack of awareness of routes to redress

Some institutions stated that, in addition to the above two factors, a lack of awareness of the routes to redress provided by the institution could be a barrier to reporting for students and staff.

> Awareness of support mechanisms such as our Dignity Advisor Network and confidence in the reporting processes.
>
> **(England)**

A lack of awareness regarding how and where staff and students can report incidents of racial harassment, a related issue which relates to this is the size and scale of the University and the ability to raise complaints about incidents across campus locations and off campus e.g. in student accommodation.

(England)

8.5 Lack of an anonymous reporting route

Although less commonly mentioned by institutions, a few did note that their current lack of an anonymous reporting route acted as a barrier for staff and students to feel comfortable in making complaints.

For staff: lack of anonymous facility to report plus lack of trust that issues will be dealt with appropriately. For students: lack of anonymous facility to report plus lack of racial diversity in the team to whom reports are directed.

(England)

9. Mitigating racial harassment

This section looks at HEIs' self-perception of how successful they are in preventing and addressing racial harassment of staff and students.

9.1 HEIs' self-perception of success in preventing racial harassment

Institutions were asked on a scale of 1–10, with 1 being 'very poor' and 10 being 'outstanding', how successful they felt their institution was in preventing and addressing racial harassment. '1–2' responses were grouped as very poor, '3–4' responses as quite poor, '5–6' responses as neutral, '7–8' responses as quite successful, and '9–10' responses as very successful.

Figure 9.1: Institutions' self-assessment of success in preventing and addressing racial harassment
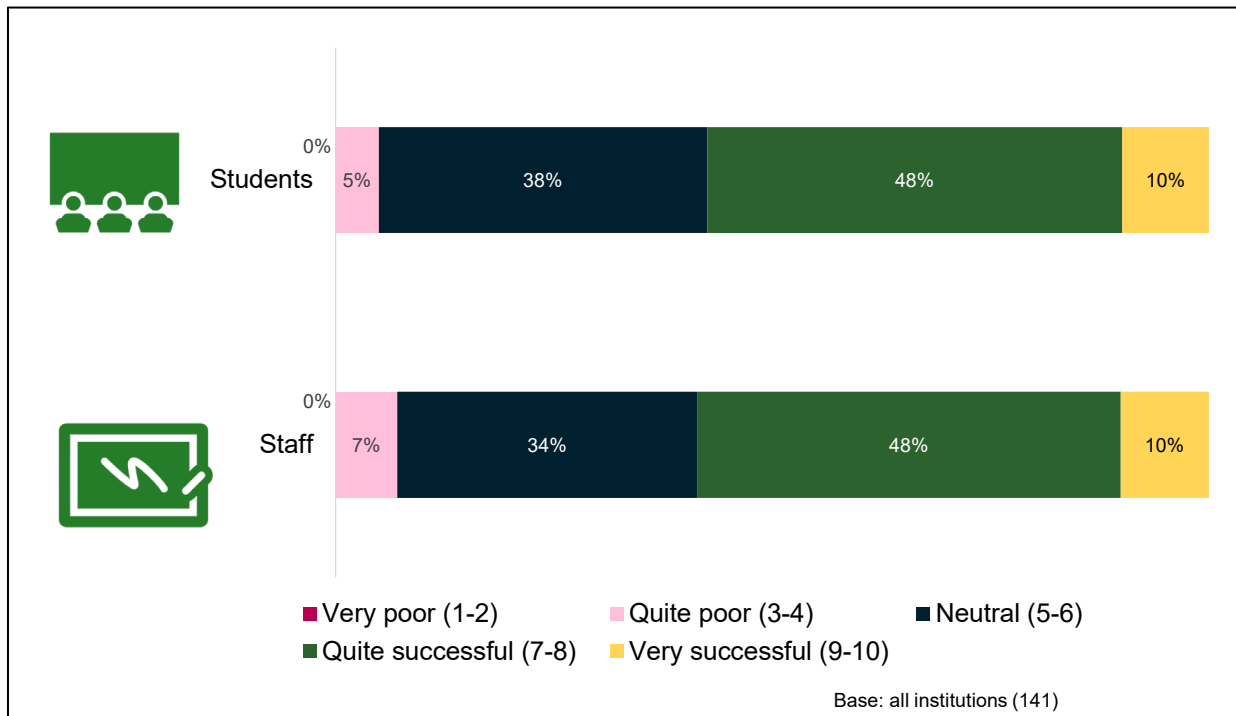
As shown in figure 9.1, institutions' responses regarding successful prevention of racial harassment were similar in relation to both staff and students. One in ten institutions (10%) said they were very successful at preventing and addressing issues of racial harassment raised by both staff and students. Almost half scored themselves as 'quite successful' (48% for both students and staff). Just 5% of institutions gave a score of less than five for dealing with complaints brought by students; this figure was 7% for staff. No respondents felt their institution was very poor at preventing and addressing racial harassment of staff or students.

The mean score of institutions when rating their success in preventing and addressing racial harassment (on a scale of 1–10) was 6.7 in relation to racial harassment of both staff and students.

HEIs with high levels of ethnic minority staff were more likely to have said that their institution was 'quite poor' in preventing and addressing racial harassment of staff (15% vs 7%).

There were no notable differences in response between different countries or entry tariffs of institution.

9.2 Reasons for perception of success in preventing and addressing racial harassment of staff

All institutions were asked to explain the success score they had given themselves. The following themes emerged from their open-ended responses:

Lack of targeted programmes

Several HEIs noted that while they believed their policies and processes were fit for purpose, they lacked an offer of specific training or programmes that would help to implement policy.

> Policies and zero tolerance are in place, however we do not currently have targeted programmes to prevent race-related or other equality-related harassment. (e.g. other HEIs have local harassment advisers, bystander programmes, anonymous reporting etc).
>
> **(England)**

Disconnect between staff feedback and number of reported cases

Several institutions noted that there appeared to be a disconnect between staff feedback about racial harassment, and the number of reported cases received by the institution (formal or informal). Rather than take the official reported numbers as an indicator for success, these institutions were concerned that harassment was under-reported.

> From available figures, we appear to have a low number of reported cases of racial harassment. We are not aware of any informal cases being reported. There seems to be a disconnect between the feedback from our most recent staff survey of 2016 and the numbers of formal cases reported since that time.
>
> **(England)**

Staff awareness of race issues

Two institutions said that their staff knew how to tackle harassment related to other protected characteristics, such as gender. However, they were less confident when it came to race issues.

> When we started the journey on the REC Charter, we found huge gaps in the knowledge of staff and students around the theme of race. In comparison, the gap is non-existent in relation to gender and disability.
>
> **(England)**
>
> We are awake to the challenges, and handle other areas of harassment well, but we are at the start of a journey with regards to race.
>
> **(England)**

Where institutions scored themselves eight out of ten or higher in relation to addressing and preventing racial harassment of staff, this was largely due to two main reasons:

1. Confidence that the policies and processes that the institution had in place around racial harassment were working:

> The University has a well-established policy framework implemented by HR Managers who proactively manage all staff cases.
>
> **(England)**

2. Low or zero numbers of reported cases of racial harassment of staff:

> We do not have any incidents and therefore feel we are adept at preventing and addressing racial harassment.
>
> **(England)**

9.3 Reasons for perception of success in preventing and addressing racial harassment of students

Only a small number of institutions gave a response of five or under when rating their success in preventing and addressing racial harassment of students. Open ended responses tended to be similar to those provided in relation to preventing and addressing racial harassment of staff, with institutions most commonly citing a low level of reported cases (in contrast with anecdotal evidence suggesting more instances of racial harassment among students), as the reason for lack of success.

> We believe that incidents of racial harassment amongst students are currently underreported so aim to improve this.
>
> **(England)**

Paradoxically, the more self-confident HEIs tended to offer the same justification for their self-assessment score as those who perceived themselves to be less successful. At the same time, those institutions that rated their success in preventing and addressing racial harassment as eight or over cited similar reasons for success as those for racial harassment of staff. Comments tended to centre on the low level of reported cases, which were seen as evidence of robust policy in the area:

> We have a low number of cases, given the number of students that study at the University (c 30,000). While we remain vigilant that complaints might not be raised, we are satisfied that the routes to raise them are well publicised and understood.
>
> **(England)**

10. Support for HEIs

This section will look at how HEIs used the data gathered from staff and students, in relation to racial harassment, to comply with the Public Sector Equality Duty (PSED). It will also analyse how clear HEIs found the legal frameworks in this area. This section then examines where HEIs sought advice and guidance on racial harassment, as well as their opinions on what further guidance and measures were needed to prevent harassment.

Legal responsibilities

The Public Sector Equality Duty, which came into force across Great Britain in April 2011, requires public bodies to pay due regard to three main aims while carrying out their day-to-day functions. These aims are the elimination of discrimination, advancement of equality of opportunity, and to foster good relations between those who share protected characteristics and those who do not. It covers the nine protected characteristics, one of which is race, and applies to all colleges and HEIs in England, Scotland and Wales. This means HEIs should consider these aims when making decisions about policies, services and their general conduct as an employer.

In open-ended comments, more than half of the HEIs who responded to the survey said they took into account information gathered from staff and students about racial harassment when designing or reviewing policies, strategies or when formulating action plans. While some had simply reviewed or amended existing policies, a number of institutions stated they had a specific action plan or strategy to address PSED-related aims and objectives.

> We have undertaken research, including gathering further information from students and staff, and considered our own data, to develop the new BAME strategy and action plan. The action plan includes, but is not restricted to, access of BAME students, support, implementation of staff policies, training, awareness raising etc, which collectively aims to address the PSED.
>
> **(England)**

Others had implemented specific initiatives or campaigns as a result of particular needs or issues identified in their data. These were often focussed on a specific issue or area of racial harassment, such as awareness or training.

> Upon review [of data gathered] additional actions are being considered, for example an awareness raising campaign about the [online anonymous reporting] tool is currently underway to build confidence in the system.
>
> **(England)**

Several HEIs said they produced an annual equality report or review. Some mentioned publishing their annual report, with almost all of these noting that the report was linked to the PSED. Others said their report or review was only considered internally by senior staff or committees and used to inform future actions. Those who gave details about the content of their annual report(s) generally said it contained the ethnic profile of staff and students, numbers of complaints, details of complaints, and actions taken to support diversity and equality.

As part of the Public Sector Equality Duty (PSED), racial harassment cases for staff and students are reported. All harassment data and cases are broken down by the protected characteristics, including ethnicity, and are reported along with any themes identified, to a pillar committee.
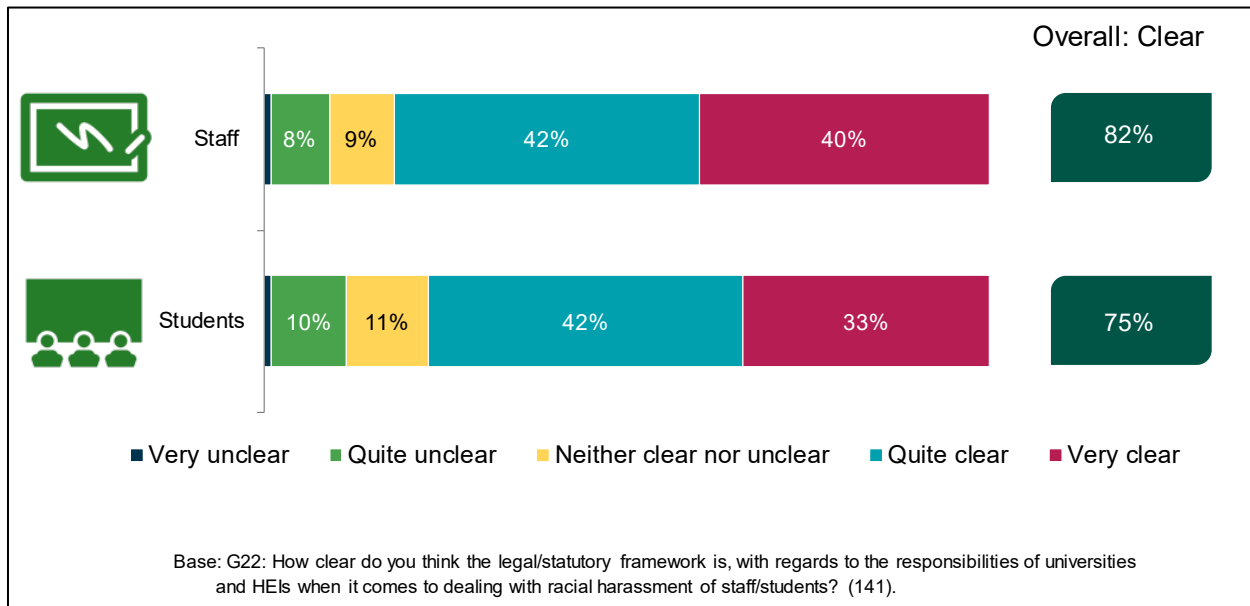
(England)

A few respondents said they conducted equality impact assessments in order to comply with the PSED, while a small number said they used data from students and staff to inform widening participation for under-represented groups, identify or guide training needs or form support networks.

Clarity of the legal framework

As shown in figure 10.1, HEIs were more likely to think the legal or statutory framework concerning universities' responsibilities was clear, overall, when dealing with racial harassment of staff (82%) than students (75%). This was driven by a difference in the proportion who thought it was very clear for staff (40%) as opposed to students (33%), whereas the number who thought it was quite clear was the same for both groups (42%).

Institutions with low levels of ethnic minority staff and students were more likely to think the legal or statutory framework concerning universities' responsibilities was clear (91% with low levels of ethnic minority staff, 90% with low levels of ethnic minority students). This compared with institutions with medium levels of ethnic minority staff (66%), and students (69%), and institutions with high levels of ethnic minority staff (67%) and students (67%) that felt the framework was clear.

Figure 10.1: Clarity of the legal framework with regard to HEIs' responsibilities in dealing with racial harassment


Base: G22: How clear do you think the legal/statutory framework is, with regards to the responsibilities of universities and HEIs when it comes to dealing with racial harassment of staff/students? (141).

Advice and guidance

As shown in figure 10.2, HEIs were most likely to seek advice and guidance on addressing racial harassment from Universities UK, with almost nine in ten doing so (89%). Over two-thirds sought advice from the Office for Students (72%), and over half consulted the National Union of Students (63%), The Office of the Independent Adjudicator (60%) and Advance HE (55%).[8] Institutions with low UCAS tariffs were more likely than those with medium or high tariffs to draw advice from The Office for the Independent Adjudicator (73%).

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[8] Some respondents listed the Equality Challenge Unit, which was part of the merger in March 2018 that formed Advance HE, so are counted within this figure.

Most Scottish universities referred to Universities Scotland (15 out of 17) and the Scottish Funding Council (14 out of 17), while Welsh universities sought advice from the Higher Education Funding Council for Wales (5 out of 7).

Figure 10.2: Organisations from which HEIs sought advice and guidance on the issue of racial harassment
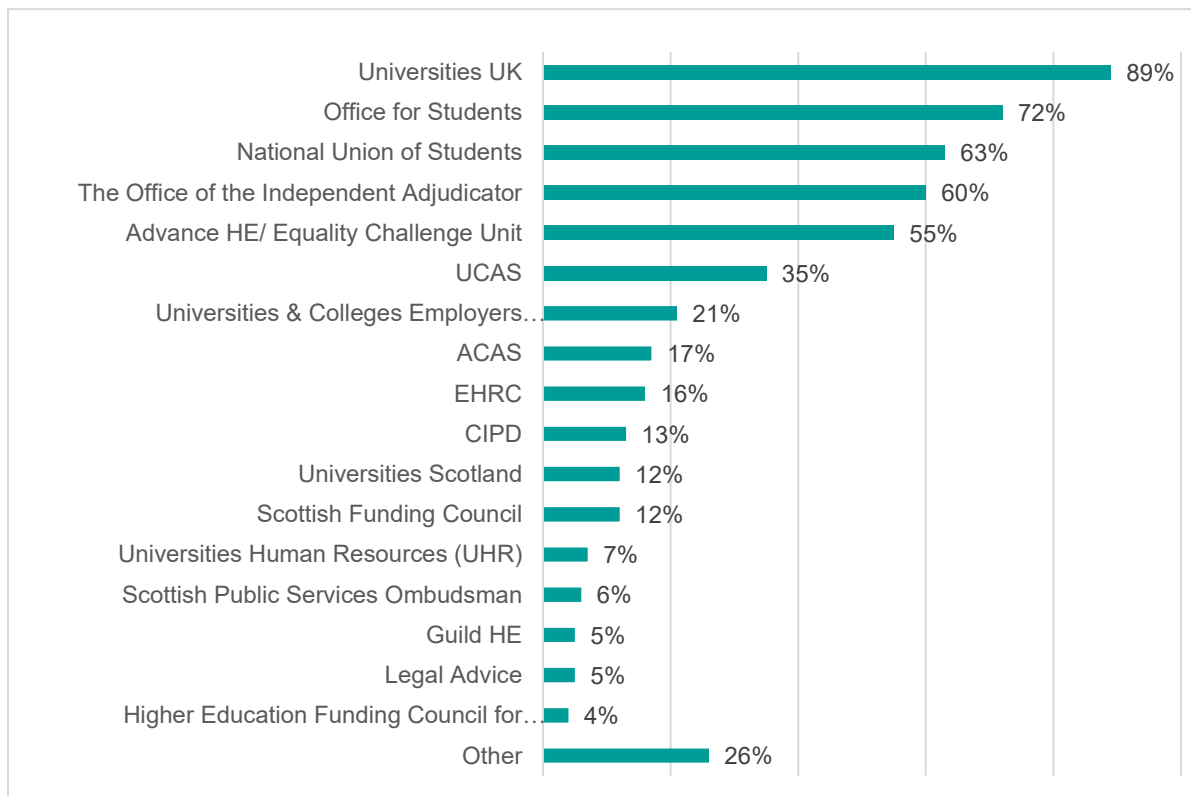
Base: H3: Which of the following organisations does your institution draw advice and guidance from in this area? (141).

When asked what further guidance would be useful, HEIs commonly raised the sharing of examples of best practice across the sector. Others indicated they would value case studies demonstrating how policies or principles had been successfully applied.

> Case studies which provide an overview of steps that other institutions and wider non-HE sector bodies have taken which has had a positive effect in this area, beneficial as a source of insight and benchmarking.
>
> **(England)**
>
> We believe there is sufficient, appropriate guidance in this area but would welcome more support around its interpretation and application perhaps, for example, through the sharing of best practice case studies.
>
> **(England)**

A small number of HEIs also said examples of bad or failed practice, or things that have not worked well, would also be of use.

It was also suggested that the existing guidance, along with future changes or additions, could be collated into a central source for ease of access, as it is currently spread across multiple locations.

> We suspect that rather than further guidance a single source of [collated guidance], similar in status and standing to an ACAS Code of Practice, might be helpful.
> **(England)**

A handful of HEIs said it would be useful to have guidance on how to deal with microaggressions or lower level, subtle instances of racism or harassment. A small number said they would value guidance on when to escalate incidents to the police, how to deal with issues around data protection and how to address any conflict with free speech.

Some HEIs said that there was enough guidance already. Of these, some said that although they didn't think any further guidance was needed, they would still value case studies or further support with how to interpret and apply the guidance.

Prevention

When discussing the actions universities, the government or other organisations could take to prevent racism in higher education, the most common themes raised by HEIs were raising awareness and staff training. Comments on training tended to focus on standardising it and making it mandatory for certain roles. Some respondents said that they would appreciate new training and educational materials.

Other common themes were the provision of funding for training or initiatives, and the need to create a supportive, inclusive culture in higher education and beyond. Some HEIs felt that the government had a role to play in the latter, as well as in supporting equality measures and initiatives. Several respondents suggested that education or intervention was needed at an earlier stage, before students even reached higher education. This ought to take place in schools or colleges and across society as a whole.

A few HEIs felt that there needed to be greater diversity in both the staff and student body. Appointing people from ethnic minorities to senior positions, it was thought, would inspire others to succeed. A handful of HEIs suggested setting clearer expectations of a 'zero tolerance' approach to racial harassment. They also felt it was important to share examples of good practice and instil a more joined-up approach across organisations.

11. Future plans

This section looks at whether or not institutions had plans to take further steps to prevent racial harassment and improve their methods of responding to it in future.

Over four in five HEIs (82%) stated that they did have plans. We asked these respondents to describe them in brief; the answers were quite varied. The main themes were:

— adherence to the Race Equality Charter

— training development, and

— anonymous reporting.

Adherence to the Race Equality Charter

HEIs' most frequently cited a strategic plan that was linked with their application to, or in accordance with, the Advance HE Race Equality Charter:

> The university has signed up to the Race Equality Charter and will have a clear action plan to improve the reporting, recording and methods of responding to and minimising racial incidents.
> **(England)**

> We are undertaking a Self-Analysis within the context of [our] Race Equality Charter application and a key outcome of the analysis is identification of any gaps and action points from senior staff to address these.
> **(England)**

Training development

Some institutions also outlined plans for implementing training programmes for staff, and in fewer cases for students as well. Some felt that it was important to provide all staff with basic equality and diversity training. Others had plans to provide tailored training programmes on how to manage complaints of racial harassment (for equality and diversity staff), identifying microaggressions and how to be an 'active bystander':

> We have just held a session delivered by Advance HE on student microaggressions, and we wish to roll this out over the next few months.
> (**England**)

Anonymous reporting

Some respondents said that they had plans to take further steps to prevent and improve their methods of responding to racial harassment of staff and students in the near future. They were doing this by launching (or considering launching) a process for students and staff to report incidents anonymously:

> We are launching a campaign in March 2019 to allow students to report an incident anonymously or report an incident and get support. This will help directly with our harassment and support network.
> (**England**)

12. Conclusion

Overall, universities had received few complaints of racial harassment. Over the three and a half year period for which universities were asked to provide information, a total of around 560 complaints were received from students and around 360 from staff. British universities employ 670,000 staff and teach 2.3 million students. Across GB, based on 2017/18 population figures, this equates to roughly one complaint for every 1,850 university employees and one complaint for every 4,100 students since the start of the 2015/16 academic year.

In keeping with this, universities were not always confident that all incidents of racial harassment were reported. Forty-three per cent of universities felt that all student incidents that took place were reported to them and 56% said that all staff incidents were reported. One key barrier to reporting was potential complainants' concerns about both the effectiveness of the reporting system. Another was possible repercussions for the complainant should they pursue their case. When asked about their main priority in addressing racial harassment, universities were most likely to report that their focus was on building trust and ensuring that all incidents were reported. This was particularly important in relation to staff. As for students, universities were equally likely to focus on both ensuring all cases were reported and raising awareness of acceptable conduct.

University practices in handling informal complaints was mixed. Under half of institutions had processes for collecting data on informal reporting (43% for students and 44% for staff). Some of these said that all complaints brought to their attention were treated as formal. Others had instructed staff to log all reports of any form of racial harassment that were brought to their attention, even if raised informally. A small number had structures in place to allow for anonymous reporting

Universities acknowledged that fear of cases not being appropriately handled was acting as a barrier to reporting. It is difficult to draw concrete conclusions about how effectively universities have handled complaints in recent years. However, a relatively high proportion of cases resulted in appeal. Only a minority of cases were upheld (and a lower proportion for staff than for students).

It was relatively uncommon for racial harassment complaints to be resolved through the use of mediation. Although three-fifths of universities stated that mediation was available, most cases were pursued through the formal complaints procedure, without the involvement of mediation.

The handling of racial harassment cases was often very slow. Universities often took a long time to resolve cases – in some cases over a year. Resolving complaints made by students was generally quicker than resolving complaints made by staff

Institutions felt that they were handling complaints of racial harassment well. Across all the measures of complaints handling that the study considered, only a small minority of universities felt that they were definitely not handling complaints well. Nearly all institutions that had received a complaint felt that they had dealt with complaints fairly and without bias (92% in relation to student complaints and 89% in relation to staff complaints).

However, most institutions were not confident that they were able to prevent racial harassment. HEIs recognised that they needed to do more to embed policies and procedures on preventing and dealing with racial harassment. Most had mechanisms in place for monitoring the culture of their institution, including experiences of racial harassment. However, some HEIs did not provide training on how to report and/or tackle racial harassment. In particular, it was quite uncommon for universities to have systems in place for addressing more subtle forms of racial harassment.

Most universities were clear about their responsibilities to address racial harassment. The majority said that they analysed their complaints data to look for evidence of how they could improve (although not all had actually received any complaints). Eighty per cent of respondents had plans to take further measures in this area.

Appendix: respondents and non-respondents to the university survey

Respondents

Abertay University

Aberystwyth University

Anglia Ruskin University

Arts University Bournemouth

Aston University

Bangor University

Birkbeck College*

Birmingham City University

Bishop Grosseteste University

Bournemouth University

Brunel University London

Buckinghamshire New University

Cardiff Metropolitan University

Cardiff University

City University of London

Conservatoire for Dance and Drama

Coventry University

Cranfield University

De Montfort University

Edge Hill University

Edinburgh Napier University

Falmouth University

Glasgow Caledonian University

Goldsmiths' College

Guildhall School of Music & Drama

Harper Adams University

Heriot-Watt University

Imperial College of Science Technology and Medicine

King's College London

Kingston University

Leeds Arts University

Leeds Beckett University

Leeds College of Music

Leeds Trinity University

Liverpool Hope University

Liverpool Institute for Performing Arts

Liverpool John Moores University

Liverpool School of Tropical Medicine

London Business School

London School of Economics and Political Science

London School of Hygiene and Tropical Medicine

Manchester Metropolitan University

Middlesex University

National Film and Television School

Newman University

Norwich University of the Arts

Nottingham Trent University

Open University

Oxford Brookes University

Plymouth College of Art

Queen Margaret University

Queen Mary University of London

Ravensbourne University London

Robert Gordon University

Roehampton University

Rose Bruford College of Theatre and Performance

Royal Academy of Music

Royal Agricultural University

Royal Central School of Speech and Drama

Royal College of Art

Royal College of Music

Royal Conservatoire of Scotland

Royal Holloway and Bedford New College

Royal Northern College of Music

School of Oriental and African Studies

Sheffield Hallam University

Solent University

SRUC

St Mary's University Twickenham

St. George's Hospital Medical School

Staffordshire University

Swansea University

Teesside University

University College Birmingham

University College London

University College of Osteopathy

University for the Creative Arts

University of Aberdeen

University of Bath

University of Birmingham

University of Bolton

University of Bradford

University of Brighton

University of Bristol

University of Cambridge

University of Central Lancashire

University of Chester

University of Chichester

University of Derby

University of Dundee

University of Durham

University of East Anglia

University of East London

University of Edinburgh

University of Essex

University of Exeter

University of Glasgow

University of Gloucestershire

University of Greenwich

University of Hertfordshire

University of Hull

University of Keele

University of Kent

University of Lancaster

University of Leeds

University of Leicester

University of Lincoln

University of Liverpool

University of London

University of Manchester

University of Newcastle upon Tyne

University of Northampton

University of Northumbria

University of Nottingham

University of Oxford

University of Plymouth

University of Portsmouth

University of Reading

University of Sheffield

University of South Wales

University of Southampton

University of St Andrews

University of St Mark & St John

University of Stirling

University of Strathclyde

University of Suffolk

University of Sunderland

University of Surrey

University of Sussex

University of the Arts London

University of the Highlands and Islands

University of the West of England

University of the West of Scotland

University of Wales Trinity Saint David*

University of West London

University of Westminster

University of Winchester

University of Wolverhampton

University of Worcester

University of York

Wrexham Glyndŵr University

Writtle University College

York St John University

*University's survey submission was received too late to be included in the analysis

Non-respondents

AECC University College

Bath Spa University

Canterbury Christ Church University

Courtauld Institute of Art

Glasgow School of Art

Institute of Cancer Research*

London Metropolitan University

London South Bank University

Loughborough University

Royal Veterinary College

Trinity Laban Conservatoire of Music and Dance

University of Bedfordshire

University of Cumbria

University of Huddersfield*

University of Salford*

University of Warwick

*University offered to participate in the research but submission could not be accepted beyond the deadline.