



Universities UK

Tackling racial harassment in higher education

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Professor David Richardson,
Chair, UUK Advisory Group on
tackling racial harassment in
higher education

This year has brought to the fore a heightened awareness of the racism and racial inequalities that persist within wider society and our university communities. The Covid-19 (coronavirus) pandemic has disproportionately affected members of Black, Asian and minority ethnic groups, exacerbating racial inequalities in health outcomes¹ as well as financially.² Members of some East and South East Asian ethnic groups – many of them students and staff at UK universities – have also experienced increased levels of racial harassment as a result of the pandemic.³ The increased prominence of the Black Lives Matter movement, following the racist killing of George Floyd in Minneapolis in May 2020, has also drawn attention to racism within the UK and the enduring inequalities experienced by many Black staff members and students at UK universities, including racial harassment.

However, as many of our students and staff sadly know all too well, racism and racial harassment are not new issues. Universities UK's own research⁴ shows that to date, the same level of priority given to tackling sexual harassment has not been afforded to racial harassment. Alongside this research, the Equality and Human Rights Commission's 2019 report, *Tackling racial harassment: universities challenged*,⁵ highlighted the widespread prevalence of racial harassment on campus and the challenges we have to tackle urgently now.

As Vice-Chancellor of the University of East Anglia, many of my staff and students have shared with me their first-hand experiences of racism and racial harassment at university. Many have had deeply upsetting experiences, which have affected their mental health and led them to question whether they are welcome. This is not acceptable and I have pledged to my university community that I will take action to lead change from the very top of the organisation.

Foreword

But individual change, or change at a single university, is not enough. We must acknowledge the institutional racism and systemic issues that pervade the entire higher education sector, in all institutions, if we are to bring about meaningful change.

That is why I have been pleased to oversee the development of this guidance, which calls for urgent action to tackle racial harassment across the sector. The guidance is solutions based, and designed to help institutional leaders to turn words into tangible measures that bring about sustainable cultural change. It has been developed in conjunction with an advisory group comprising representatives with a range of expertise from across the sector, external independent advisers, and staff and student groups. Throughout, we have sought to place the voices of those with lived experience of racial harassment at the centre of our work.

Although this guidance focuses on harassment, it is crucial to recognise that this is just one manifestation of deeply embedded, structural racism. Efforts to address racial harassment without addressing systemic issues are not enough. There are numerous other ways in which we must address racism and racial inequalities in higher education, including addressing ethnicity pay gaps, increasing representation, tackling degree-awarding gaps and embracing decolonisation.⁶ These issues are outside the scope of this guidance, but I hope it will be a first step for the sector in beginning to recognise and address systemic issues.

For some, this may feel discomforting. I will be the first to admit that as a white person, with no lived experience of racism or racial harassment, taking action to address racism has taken me outside my comfort zone and I have made mistakes along the way. However, as leaders, we are not doing our job effectively if we do nothing while a significant proportion of our staff and student bodies are suffering from harassment, experiencing poorer outcomes, and ultimately cannot thrive.

In a university, institutional racism is not just the problem of those suffering from the injustices that result from it. It is a problem of the whole university community, and so the whole community must own the challenge together, led by the vice-chancellor or principal. University leaders and governing bodies must recognise addressing racism as a strategic priority. This will benefit students and staff, but also society as a whole as we shape the minds and attitudes of the next generation.

Some have argued that we need patience, and that cultural change takes time. However, it is clear that people have run out of patience – and rightly so. The sector demonstrated how quickly change is possible when it adapted its entire delivery model within a few days in March and April this year in response to the Covid-19 pandemic. My challenge will be to see similar fast progress in turning words into action on tackling racial harassment in our institutions. We cannot afford not to.

Executive summary

In the past few months alone, **the Covid-19 pandemic and the Black Lives Matter movement have shone a stark light on the racial inequalities**

that exist throughout all sections of UK society, including within higher education. The Equality and Human Rights Commission (EHRC) report, *Tackling racial harassment: universities challenged*, published a year ago, drew attention to racial harassment and its prevalence in our universities. The sector cannot reach its full potential unless it benefits from the talents of the whole population, and individuals from all ethnic backgrounds can benefit equally from the opportunities it provides. These developments reinforce the need to act now.

Drawing on existing evidence, including UUK's own research, this guidance provides a solutions-focused call for action to universities – working with the entire university community – to address racial harassment and make our universities safe places to work and study. To support this, recommendations are put forward to support universities in delivering long-term change in institutional culture and behaviours. The guidance forms part of UUK's ongoing programme of work to support the sector in addressing harassment in all forms, building on the strategic framework, *Changing the culture*.

By addressing this agenda, universities have a significant opportunity to lead the way in driving cultural change, not only for our own community but for the benefit of wider society, as we shape the minds and attitudes of the next generation. With a community of 2.3 million students and 429,000 staff, this can have a far-reaching, positive impact beyond universities to local communities and the workplace, and across society as a whole.

We recognise that racial harassment is just one manifestation of structural racism in higher education. Efforts to address racial harassment must take place alongside a wider programme of culture and policy reform to tackle racism and racial inequalities of all forms.

About the guidance

The guidance was developed by an advisory group, chaired by Professor David Richardson, Vice-Chancellor of the University of East Anglia. The advisory group was supported by staff and student panels, with members drawn exclusively from Black, Asian and other minority ethnic groups to ensure due prominence was given to the voices of those with lived experience of racial harassment. External expert advisers were also consulted to add further scrutiny and challenge to the guidance and recommendations. UUK is profoundly grateful to all those involved for their time, expertise and invaluable contributions to this guidance.

The guidance applies to all members of the university, although we recognise that minority ethnic staff and students are not a homogenous group, and have a wide range of experiences, identities and needs. We therefore take an intersectional approach in exploring issues and developing solutions.

As well as enhancing an understanding of racial harassment and racial microaggressions, the guidance is informed by case studies and examples of emerging practice from across the sector. We hope these will provide a valuable resource for others to draw on.

Nature and scale of racial harassment

Regular, national data on the nature, scale and prevalence of racial harassment in higher education is not available and, as in wider society, many incidents of harassment go unreported. However, the EHRC inquiry provides a valuable base to support the sector's understanding of the nature of harassment experienced by staff and students. A summary of findings is available in Chapter 2 and the full EHRC report is available in *Tackling racial harassment: universities challenged*.

In summary, almost a quarter of students from minority ethnic backgrounds reported experiencing racial harassment. Over half of staff who had experienced racial harassment described incidents of being ignored or excluded because of their race, and nearly a third had experienced racist name-calling, insults and jokes. Both staff and students reported regular experience of

microaggressions (ie, subtle, less 'overt' forms of racism). Racial harassment occurred in a wide variety of settings and from multiple harassers.

The impacts of racial harassment on both students and staff were severe, affecting mental health, educational outcomes and career progression. Negative mental health consequences such as depression and anxiety were widely reported, with 8% of students who had experienced racial harassment reporting that they had felt suicidal. Similar impacts were found among staff. Around one in 20 students also stated that they had left their course, and three in 20 members of staff had left their job, as a result of racial harassment.

Steps to prevent and respond to racial harassment

This guidance identifies common issues and barriers to addressing racial harassment. These issues are presented alongside suggested solutions within the five strategic pillars of UUK's Changing the Culture framework. It is important that these areas are considered together: a multi-faceted approach will be necessary to bring about effective change.

"this is what happens: self-doubt. You start questioning your sanity; your competence"⁷



Theme 1

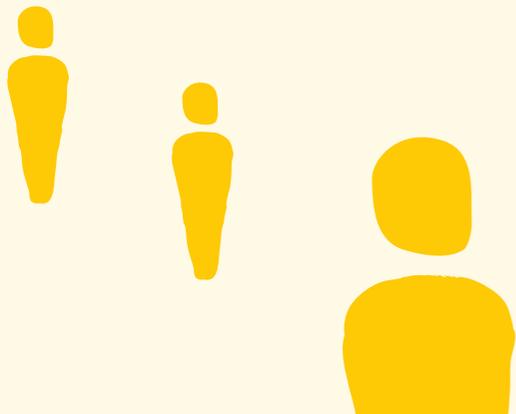
Culture

Culture is about people and **the way they behave and respond to others**, to events and to the environment, or, put simply, ‘the way we do things around here.’⁸ Having a culture that actively opposes harassment and bullying and supports good relations requires the creation of safe and open cultures where inclusion and diversity are encouraged, and dignity and respect are practised.

A university’s culture is shaped by all of its members, and building cultures of cohesion and respect is everyone’s responsibility. However, effective cultural change occurs when those in positions of leadership lead by example, including encouraging and enabling change across the institution. Having accountability vested in an individual who occupies a senior position is important due to their influence over decision-making, allocation of resources and embedding a culture where racial harassment is not tolerated.

The EHRC inquiry found that senior ownership of harassment varies between institutions and this could pose a risk to delivering sustainable, systemic change at both institutional and sector levels. This could have a negative effect on staff and student experiences, the ability to attract and retain minority ethnic talent, and an institution’s reputation.

We recommend that senior leaders, including vice-chancellors and principals, demonstrate strong leadership and ownership of activity to address racial harassment. This can be achieved by addressing racial harassment as a strategic priority, embedding it within the institution’s mission, providing appropriate oversight of initiatives to address racial harassment, and ensuring adequate resourcing for these initiatives to be effective. On a personal level, we also recommend senior leaders enhance their knowledge and understanding of race and racial literacy as well as the lived experiences of Black, Asian and minority ethnic staff and students in their community. Creating a safe space for conversations about racial inequality and committing to becoming allies in dismantling racism, at their institution and more widely, can also improve experiences of inclusion and help to deliver a change in university culture.



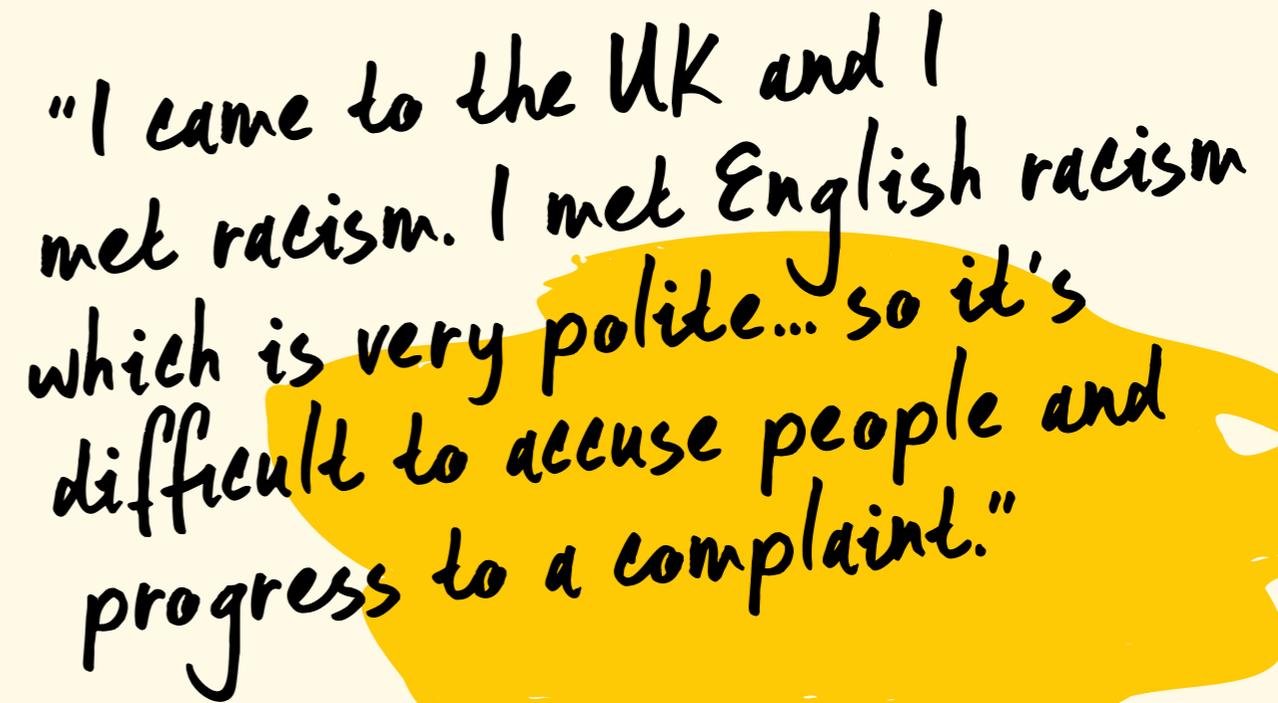
Recommendation 1

Vice-chancellors, principals and senior leaders are recommended to afford priority status to tackling racial harassment, and to demonstrate this visibly through taking ownership, responsibility, accountability and oversight for tackling it. It is recommended that this is supported by engaging with those with lived experiences of racial harassment, by dedicating specific resources to its eradication, and engaging with governing bodies or university courts.

It is not only senior managers who need to commit to cultural change. Governing bodies and university courts also have an important role in promoting a positive culture that supports equality, inclusivity and diversity across the institution, including in the governing body's own composition. This can be supported by governing bodies working with and challenging leaders to embed an inclusive culture across the institution, and requesting data on trends and outcomes of racial harassment incidents.

The EHRC's 2019 inquiry found that too often UK universities placed their reputation ahead of the safeguarding and welfare of students and staff suffering racial harassment. This can result in staff and students feeling silenced and losing trust in their institution, and makes it difficult for an institution to understand the scale of racial harassment and the detrimental impact it has. Acknowledging that racial harassment exists, articulating the benefits of addressing it and committing to change are needed if sustainable cultural change is to be achieved.

It is paramount that the voices of those with lived experience of racial harassment are at the forefront when developing strategies and interventions to address harassment. However, racial harassment is not only the problem of those who have experienced it, but a problem for the whole university community. The whole community must own the challenge together, led by the vice-chancellor or principal. This avoids the undue burden and emotional labour being placed on those with lived experience of harassment.



"I came to the UK and I met racism. I met English racism which is very polite... so it's difficult to accuse people and progress to a complaint."

Recommendation 2

Work with the entire university community, including students' unions, trades unions and staff networks, to understand the impact of racial harassment on campus. Ensure that the voices of students and staff from Black, Asian and minority ethnic backgrounds with lived experience of racial harassment are given due prominence, and be clear that tackling these issues is everyone's responsibility and should not fall to a minority of colleagues.

Theme 2

Whole-institution response

To address an issue as pervasive as racism and to effect cultural change, **it is crucial that a whole-university approach be adopted**. Having a strategy for addressing racial harassment and an effective governance structure is essential in setting the foundation for this work.

Embedding activities to address harassment within an institution's governance systems, structures and policies will support the sustainability of initiatives and maintain their place on the institutional agenda. Taking this approach is also likely to improve the consistency of response across an institution and help withstand changes in personnel.

We recommend that a whole-institution approach includes:

- reviewing policies and procedures to guard against the potential for bias in policies or the way they are implemented: this is particularly important in areas such as recruitment, performance management and assessment of students' work
- ensuring policies to address racial harassment are fully integrated in, and aligned to, the institution's broader policy framework to avoid duplication and confusion
- ensuring that any response is flexible to deal with a wide range of scenarios, such as staff and students who are away from the university setting, including those working, researching or studying abroad
- ensuring that university services for staff and students, such as those for wellbeing, counselling and careers, are aware of the impact that harassment can have on mental health and wellbeing and that delivery of services is sensitive to the needs of different groups
- improving representation of Black, Asian and minority ethnic staff across the institution, including at senior levels
- reviewing how to create an inclusive, welcoming community and culture by ensuring more diverse curricula

Recommendation 3

Universities should develop a strategy for addressing racial harassment, ensuring this is embedded consistently throughout all areas of the institution and informed by decision-makers across the university. Clear success measures should be identified and progress regularly reviewed by senior leaders and the governing body.

Recommendation 4

Regularly review policies and procedures to understand possible biases or increased potential for racial harassment. Increase racial and cultural competence and awareness of the impact of racial harassment and racial microaggressions throughout the university's services, including in wellbeing, counselling, disability support and careers services.

"There are times where you visibly weigh up the consequences of challenging and confronting such ignorant comments. This internal conflict undermines and erodes confidence, as you begin to observe this erosion reflecting back as you observe yourself in the mirror."⁹

The EHRC inquiry and UUK’s own research **highlight a lack of understanding of what constitutes racial harassment, and low levels of confidence when discussing issues of race.**

In view of this, the guidance places an emphasis on education and improving racial literacy.

This can be supported by:

- creating open spaces for conversations about race to take place
- providing examples of racial harassment and clarifying what is and is not acceptable behaviour, and by embedding behavioural expectations and the sanctions for breaching these in policies and codes of conduct
- engaging with staff and students to define terminology, including examples of microaggressions, and working with students’ unions and trades unions to raise awareness of harassment and microaggressions through campaigns
- addressing the issue of ‘banter’ by acknowledging that if an incident is perceived as racist by the victim, then it should be treated as such, irrespective of the intention of the harasser
- developing training opportunities from an anti-racist standpoint and encapsulating concepts of white privilege, fragility and allyship, and intersectionality, as well as implementing bystander training to support staff members and students to call out racism
- engaging with those with lived experience of racial harassment to ensure that interventions reflect their needs and experiences
- evaluating prevention activities to ensure that interventions are fit for purpose and support a cycle of continuous improvement

Theme 3

Prevention

"...on the surface they appear to be tiny, almost insignificant episodes but they wear you down"¹⁰

Recommendation 5

Be confident in holding open conversations about racism and racial harassment across the institution. Define racial harassment, using clear examples of terminology, including microaggressions, and being clear that the impact on the victim is important in determining harassment. Ensure these definitions are widely communicated and understood.

Recommendation 6

Increase staff and students' understanding of racism, racial harassment and microaggressions and white privilege, through training that is developed from an anti-racist perspective. This should go beyond unconscious bias training. Set targets for completion and carefully evaluate all training activities to ensure they have the desired effect.

The right to live, work and study safely and without fear of harassment extends to online activities.

Universities should already have, or be in the process of developing, policies and practices to support staff and students who have experienced online harassment. However, the rapid move of university services online in response to Covid-19 has heightened the importance of promoting online welfare and safety for all students and staff. This can be supported by setting clear behavioural expectations, backed up by disciplinary policies designed to address behaviour that fails to meet these expectations.

Recommendation 7

Ensure that staff and students are aware of expected behaviours online and the sanctions for breaching these, highlighting that incidents will be treated with the same severity as those happening offline. In the light of the Covid-19 pandemic, review the efficacy of university support for online safety and welfare, and how effectively this meets the changing needs of students and staff.

Theme 4

Response

Sadly, we know that incidents of racial harassment will occur, and so **staff and students must have confidence that their university will respond fairly, timely and effectively.**

The EHRC revealed evidence of significant under-reporting of racial harassment at universities by both students and staff. In many cases, this was due to a lack of trust in the institution's willingness or ability to respond, as well as concerns that reporting may lead to negative consequences for the reporting party.

Creating a culture that garners trust and confidence that acts of harassment will be dealt with effectively will help with this, combined with clear and accessible reporting mechanisms, including online reporting mechanisms. Exploring the facility to report incidents anonymously should increase the levels of reporting.

Recommendation 8

Where these do not already exist, universities should develop and introduce clearly defined channels for reporting incidents of racial harassment, including the option for anonymous reporting where possible. Details of the system should be communicated routinely to all staff and students to encourage usage. The provision of appropriate support to the reporting party should be a key consideration in designing reporting systems.

Data drives an integrated, organisation-wide approach to understanding the nature and scale of harassment in the university and to inform continuous improvement, so smart data collection and analysis are crucial. Having a centralised approach to collecting and recording data and cross-referencing with other sources of data will help to support this.

Recommendation 9

Universities should systematically collect data on reports of incidents of racial harassment, including where issues were resolved informally, and take action to respond to emerging trends. This data should be reported to senior members of staff and governing bodies and discussed with partners, including trades unions and students' unions. Universities should create a centralised mechanism for recording incidents to understand the true extent of the issue and prevent information being held only locally.

Reporting an incident of racial harassment may trigger a complaint and/or disciplinary procedure. The EHRC inquiry detailed a series of concerns relating to handling complaints and investigations. Universities are encouraged to review their complaint, investigation and disciplinary procedures to ensure these are clear and transparent and consistently follow sector frameworks and guidance from the Advisory, Conciliation and Arbitration Service (ACAS) and the EHRC. Working in collaboration with the university community will ensure complaints procedures are fit for purpose and meet the needs of staff and students.

"Plagiarism is taken very seriously, but if someone discriminates against everything you value and they are given a slap on the wrist, it doesn't give you a positive feeling towards the university."



Recommendation 10

Universities should review their procedures for handling racial harassment complaints to ensure that these follow sector frameworks and guidance from ACAS and the EHRC to deliver fair, transparent and equitable outcomes for all parties involved. This should be done in collaboration with staff and students from Black, Asian and minority ethnic backgrounds, trades unions and students' unions. Gather, analyse and review satisfaction data to ensure procedures remain fit for purpose.



Theme 5

Evaluation and sharing good practice

It is vital that universities ensure steps taken in this area drive improvement and positive change. Ongoing evaluation of measures to prevent and respond to racial harassment, informed by success measures agreed at the outset, will support this and inform a cycle of learning and improvement at both an institutional and sector level.

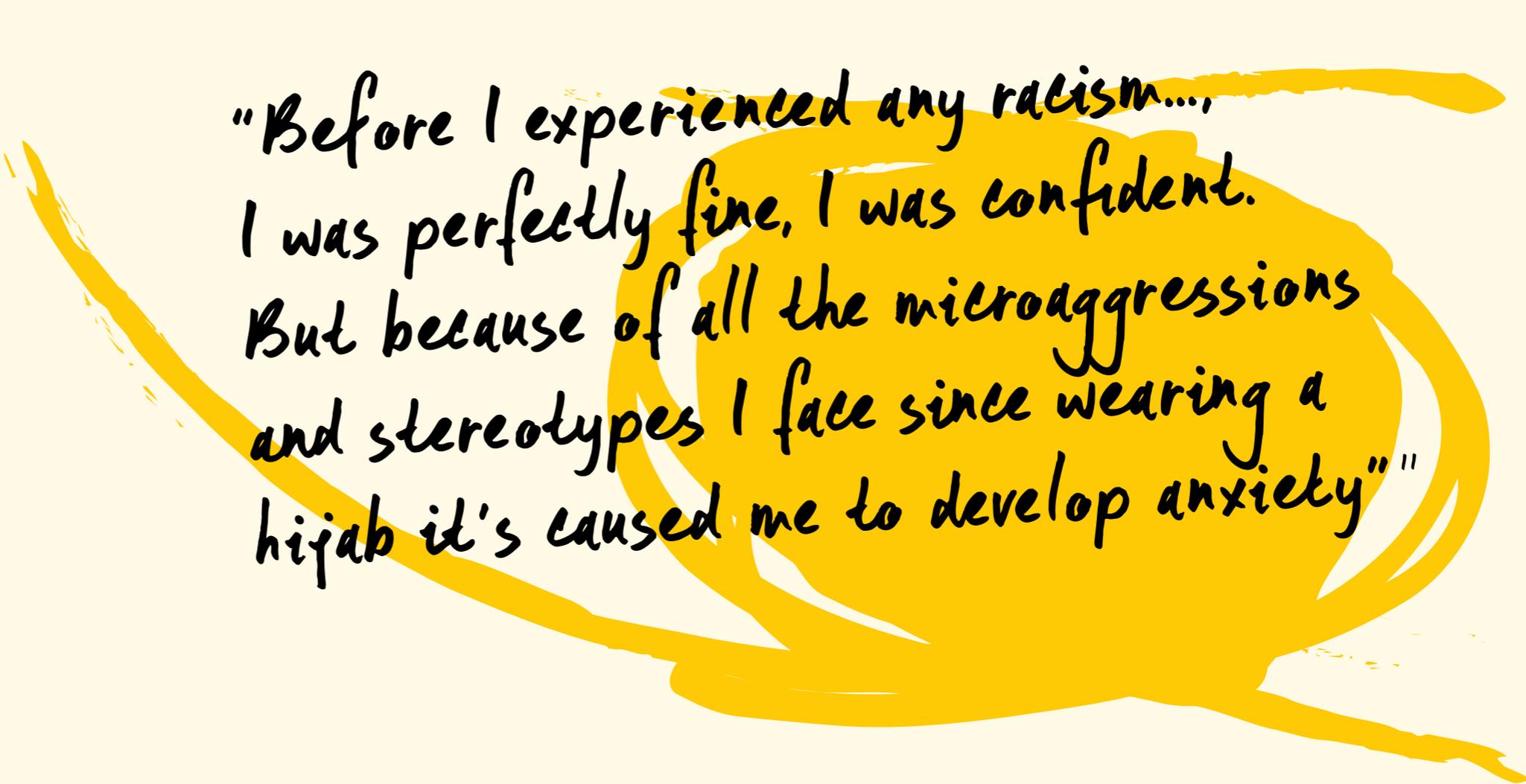
To drive a cycle of continuous improvement, **evaluation should be an integral and ongoing part of activities to address racial harassment.** Such evaluations should incorporate the views of students and staff who have used processes such as reporting systems alongside quantitative data.

Recommendation 11

Institutions should develop robust evaluation measures for their activities to prevent and respond to racial harassment. These should incorporate the experience of staff members and students who have used reporting systems and complaints procedures. Established measures should also be kept under review as changes to circumstances, such as the Covid-19 pandemic, may require new action or changes in approach.

Sharing of good practice is also crucial to support institutions to develop their approaches to tackling racial harassment. UUK has a role to play here and will continue to broker the exchange of knowledge and learning, including dedicating a proportion of its annual harassment conference to addressing racial harassment.

The evaluation of sector-level performance is important to ensure that cultural change is occurring and sector-level guidance remains responsive to emerging issues. UUK will carry out a review to evaluate the impact of the guidance by summer 2022.



"Before I experienced any racism... I was perfectly fine, I was confident. But because of all the microaggressions and stereotypes I face since wearing a hijab it's caused me to develop anxiety"

Recommendation 12

UUK will carry out a review to evaluate the impact of this guidance and identify areas for further improvement by summer 2022.

Chapter 1

Introduction

Scope of the guidance

UK higher education **cannot reach its full potential unless it benefits from the talents of the whole population,** and until individuals from all ethnic backgrounds can benefit equally from the opportunities it provides.

Universities have a moral and legal¹² duty to ensure that all members of the university community can study and work in an environment that is free of harassment. However, as the Equality and Human Rights Commission (EHRC) 2019 inquiry into racial harassment in universities showed, this is not currently the case.¹³ Large numbers of staff and students from Black, Asian and minority ethnic backgrounds at universities in Great Britain¹⁴ had experienced racial harassment, with profound impacts on their wellbeing, outcomes and sense of belonging.¹⁵

The context in which this guidance is published is one of heightened racial awareness. Numerous events continue to demonstrate that harassment is pervasive on campus, including a marked increase in incidents of racial harassment experienced by staff and students from East and South East Asian backgrounds during the Covid-19 pandemic.¹⁶ The Black Lives Matter movement, which has come to increased prominence following the racist killing of George Floyd in Minneapolis in May 2020, has also drawn attention to the numerous racial inequalities, including racial harassment, experienced by many Black staff members and students at UK universities.¹⁷

This guidance provides a call to action for universities, and all those working and studying within them, to do more to tackle racial harassment and racial microaggressions. It makes a series of recommendations for universities to tackle racial harassment and proposes practical actions to deliver long-term change in institutional culture and behaviours.

The guidance emphasises that, in addressing racial harassment, it is necessary to acknowledge that the racism endemic in UK society also pervades higher education. The higher education system was established in a way that afforded opportunities to privileged groups, and inequalities continue to be perpetuated through its structures, processes and behaviours. While this guidance is not able to examine all facets of racism within the sector, it is clear that universities should address racial harassment as one manifestation of racism, and not treat this in isolation from wider structural issues.

We recognise that this scope is limited, and **see this guidance as an early step in a journey for the higher education sector**. We also acknowledge that some universities may be further ahead on this journey than others, but trust that there will be something for everyone to draw on in addressing this pernicious issue.

The guidance was developed by an advisory group chaired by Professor David Richardson, Vice-Chancellor at the University of East Anglia, and supported by staff and student panels. Members of the panels were drawn exclusively from Black, Asian and minority ethnic groups, to give prominence to the voices of those with lived experience of racial harassment. External expert advisers were also consulted to add further scrutiny and challenge to the guidance and recommendations. Full details of the methodology is available in [Annexe A](#). UUK is grateful to all those who have contributed towards the development of this guidance.

An explanation of the terms used in this guidance is available in [Annexe B](#).



The wider context

The guidance is part of UUK’s wider programme of work to support universities in preventing and responding to all forms of harassment in the higher education sector. It therefore aligns with and builds on the strategic framework set out in *Changing the culture*.¹⁸

Alongside input from the advisory group and staff and student panels, reference is also made to the evidence and recommendations from:

- EHRC inquiry into racial harassment in higher education, *Tackling racial harassment: universities challenged*,¹⁹ with specific reference to recommendations 4–7
- UUK research set out in *Changing the culture: two years on*, which called for institutions to afford greater priority to addressing incidents of hate, including race-based hate
- NUS/UUK report *Black, Asian and minority ethnic student attainment at UK universities: #closing the gap*,²⁰ which called for institutions to embed tackling issues of race and racism within wider strategic goals

- [reports on evaluations](#) of the Office for Students (OfS) Catalyst-funded projects²¹ to address hate crime, sexual violence and online harassment
- Advance HE’s [Race Equality Charter](#).²²

Universities must balance commitments to ensure freedom of intellectual enquiry and expression within the law, encourage tolerance of diverse views and beliefs, and foster good relations and safeguard students. [Freedom of expression: a guide for higher education providers and students’ unions in England and Wales](#), published by the EHRC, provides a clear framework for universities and students’ unions to work within and sets out a benchmark of good practice for how universities can balance safeguarding students and upholding free speech.²³ A [similar guide](#) has been published by the EHRC for institutions and students’ unions in Scotland.²⁴

Application of the guidance

This guidance is wide-reaching in its application and applies to all students at an institution, including undergraduate, postgraduate, international and mature students, distance learners, and those on work placements or studying overseas, as well as all staff, including academic and professional services staff and governing bodies.

The guidance recognises that people from different ethnic backgrounds are likely to experience racial harassment differently. It takes an intersectional approach to account for those who are both racialised and minoritised in other ways, such as by sexuality or disability. In particular, racial harassment can often go ‘hand in hand’ with religiously motivated harassment,²⁵ including Islamophobia and antisemitism. Advance HE advises that it may be helpful to monitor or categorise harassment against specific faith groups separately, to reflect oppressions with specific histories and to understand the experiences of different groups.²⁶ This realises that the origins, motivations and manifestations of harassment against different religious groups may present differently.²⁷

We recognise that all universities have different staff and student cohorts, and will **adapt their approach to tackling racism and racial harassment in accordance with the specific needs and challenges of their communities and local contexts.**

The guidance applies to universities across the UK, while taking account of the different legal frameworks and policy contexts in the four nations.²⁸ Further details of these can be found in [Annexe D](#).



Approach and frameworks

This guidance draws on the framework of critical race theory. This proposes that racism is an ordinary rather than abnormal experience, supported by societal structures, and that concepts such as ‘colour blindness’ will only rectify the most overt forms of racism while maintaining structural inequalities. In addition, white people, who as a collective group benefit from structural racism overall, can be complicit (albeit unwittingly) in perpetuating racism and thereby have a responsibility to counter it.²⁹

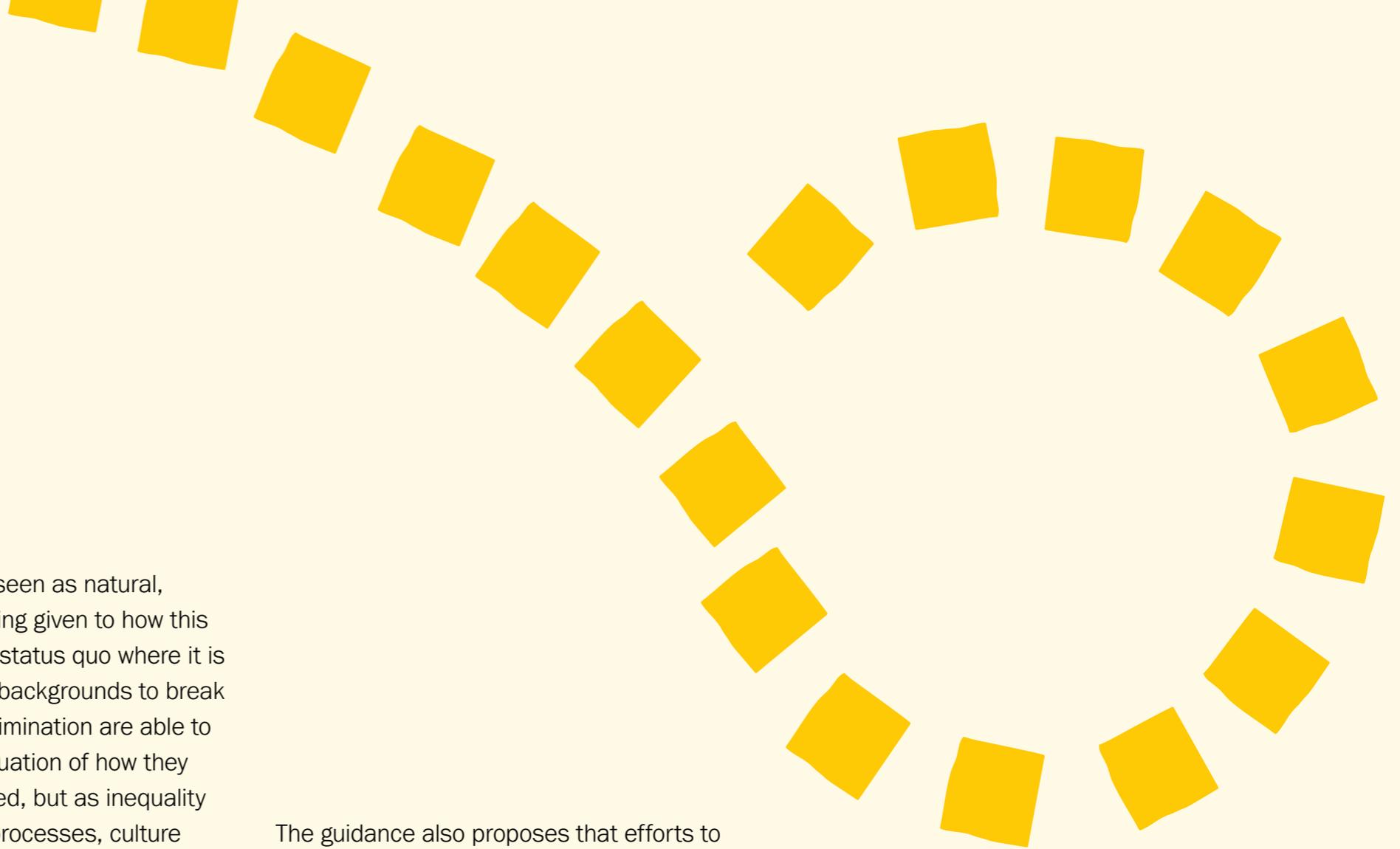
Racism can therefore not only be considered as the actions of one individual to another, but also perpetuated by the systems, structures and processes of organisations. All-white, or predominately white spaces have traditionally been the norm in UK higher education and academia, and this continues to be the case in the sector overall today.³⁰ Critical race theory as a framework explains that white domination

is normalised and therefore seen as natural, with little critical understanding given to how this maintains and reproduces a status quo where it is difficult for those from other backgrounds to break in. Thus, inequality and discrimination are able to persist with little critical evaluation of how they occur. This is often unintended, but as inequality is embedded in structures, processes, culture and behaviours, it is often not recognised as such and therefore cannot be eradicated. These inequalities manifest in unequal outcomes seen in higher education.³¹

This guidance avoids a deficit approach, which refers to actions that focus on changing or adapting students and staff from minority ethnic backgrounds to fit in with existing institutional structures, processes and cultures, rather than interrogating the issues within these and changing them. This is critical if people of all backgrounds are to be afforded equity.

The guidance also proposes that efforts to address racial harassment are considered as part of an institution’s wider work to tackle all forms of harassment, but afforded a distinct role within that work. While many activities to prevent and respond to racial harassment are likely to be common to all forms of harassment, evidence from UUK’s *Changing the culture* found that initiatives to address incidents of hate and racial harassment remain relatively underdeveloped compared with activity to address sexual misconduct.³² Others have made similar arguments.³³ We therefore recommend that efforts to address racial harassment are treated as a distinct priority.

Throughout the guidance, reference is made to ‘emerging practice’, in recognition that the sector is on a journey towards establishing examples of robust practice. Nevertheless, the guidance introduces case studies and examples of effective activities, which we hope will provide useful learning to others. Learning from interventions to address sexual misconduct and other forms of harassment may also be applicable in certain contexts.



Chapter 2

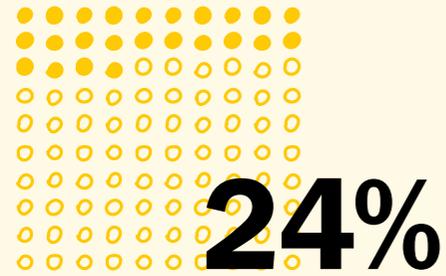
Nature and scale of the issue

Overview

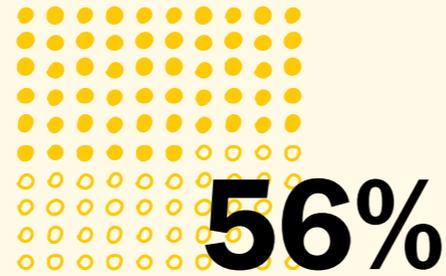
There is no regular data that fully identifies the nature, scale and prevalence of racial harassment in higher education. We also know that **much harassment goes unreported.** However, the 2019 EHRC inquiry provides a strong evidence base, which this guidance draws on.³⁴

Evidence on hate crimes in wider society shows that race-based hate crimes account for the majority of reported hate-based incidents. Figures from the 2018/19 Crime Survey for England and Wales show that 76% of all recorded hate-crime offences were race-hate crimes, a total of 78,991 offences.³⁵ Race also accounted for 62% of charges of hate crime in Scotland in the same period, a total of 2,880,³⁶ and 37% of hate crimes in Northern Ireland.³⁷

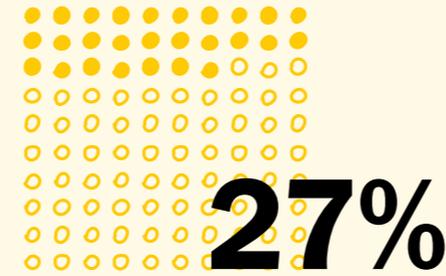
Personal experiences of racial harassment: students³⁸



24% of students from minority ethnic backgrounds had experienced racial harassment within British universities since starting their course (highest for 29% Black students and 27% Asian students).



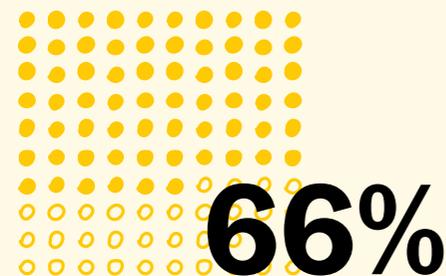
Racist name-calling, insults and jokes (56%) followed by other forms of verbal abuse (45%) were reported to be the most commonly experienced forms of racial harassment. This included persistence of blatant racial slurs and insults.



Out of 585 student responses to an online call for evidence, **the highest proportion of students (161 students) reported racial harassment happening in teaching settings,** such as lectures, study and research groups, laboratories and one-to-one discussions with tutors.



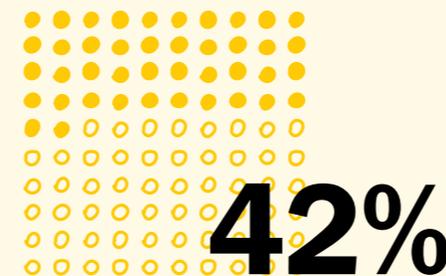
Students reported that the most common perpetrators of harassment were other students, although **more than a quarter also described incidents where they were harassed by a tutor or academic.** Postgraduate students were much more likely to report racial harassment perpetrated by university staff.



Two-thirds of students who had experienced racial harassment **did not report it** to their university.



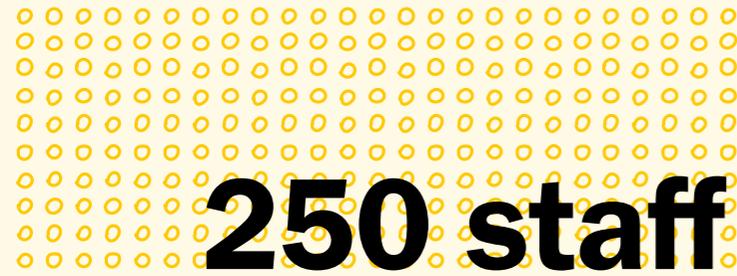
A fifth of students (20%) reported experiencing **physical attacks.**



Microaggressive acts featured frequently in the evidence, with 42% of students who had experienced racial harassment reporting they had been subjected to these acts.

Examples included minority ethnic students reporting that their peers and lecturers had expressed surprise at their presence on a particular course, or lecturers providing them with fewer learning opportunities. Offensive comments were often justified by perpetrators as ‘jokes’ or ‘banter’. If an individual attempted to speak up, they were often treated with a lack of empathy and understanding, with microaggressive acts dismissed as isolated incidents rather than recognised as a cumulative pattern of repeated slights.

Personal experiences of racial harassment: staff



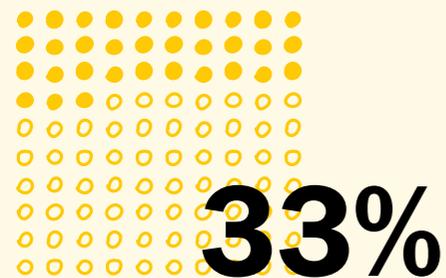
250 staff

Through their online call for evidence, the EHRC **heard from more than 250 members of university staff** from minority ethnic backgrounds who had been racially harassed. This included those working as academics, in professional services and as support staff.

The experiences of academic staff and professional services staff were reported to be similar, with **few differences found by type of work.**

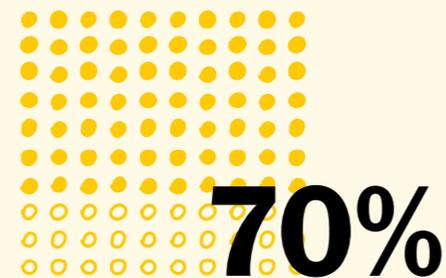
Staff are most likely to experience harassment **from their managers or senior staff**, either privately in one-to-one meetings or openly in the workplace.

"The microaggressions is the big thing. Lots of people will experience it on a day-to-day basis but don't have a way of doing anything about it/reporting it"



33%

Nearly 1 in 3 members of staff had experienced racist name-calling, insults and 'jokes', often drawing on racial and religious tropes.



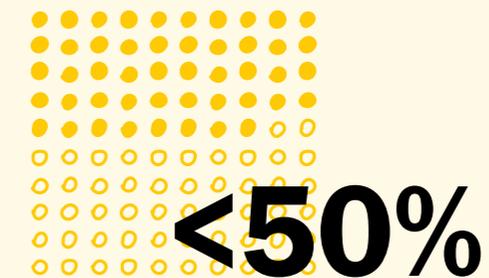
70%

More than 7 in 10 staff who had experienced racial harassment reported microaggressive acts and demeaning behaviours. Most said they experienced these behaviours at least monthly, with many saying they did so on a daily basis.



80%

More than 4 in 5 staff respondents said incidents were **part of a pattern of repetitive and escalating behaviour.**



<50%

Fewer than half of all staff who had been racially harassed had reported their experience to the university.

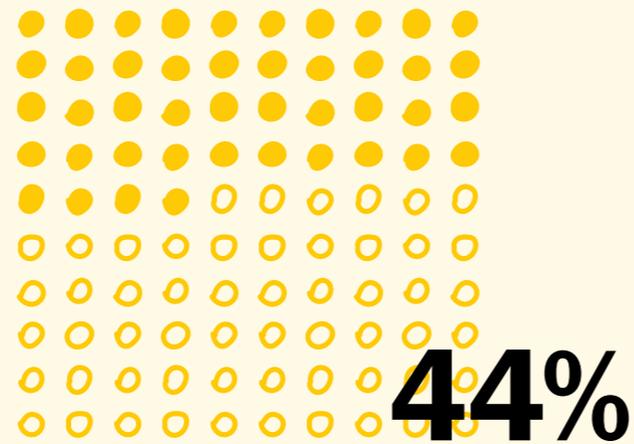
Impacts of racial harassment

The impacts of racial harassment are profound, affecting mental health, educational outcomes and career.



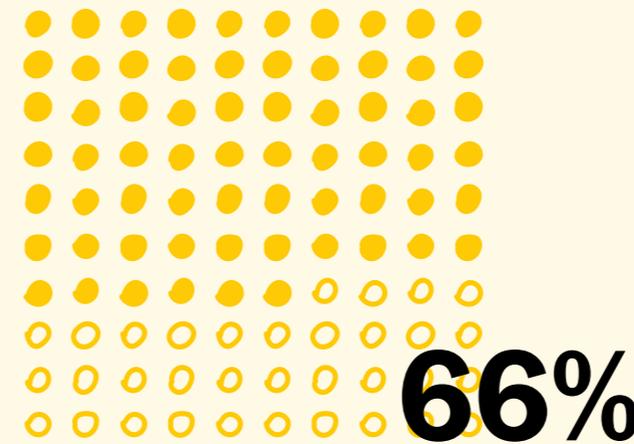
8%

Students who experienced racial harassment reported significant negative impacts on their mental health, such as feeling angry, upset, depressed and anxious, and **8% said they had felt suicidal.** Staff reported experiencing similar impacts.



44%

Many who had experienced racial harassment were **left feeling vulnerable, with women especially likely to feel this** (44% of women, compared with 19% of men).



66%

Many of those who had experienced racial harassment were likely to lose trust in those around them, to avoid or distrust others and to become isolated. **Nearly two-thirds of students avoided certain people,** while almost half avoided certain areas.³⁹ Staff described similar narratives.



5%

1 in 20 students had left their studies as a result of racial harassment, and **3 in 20 staff had left their jobs.** Many more had actively considered doing so.

Chapter 3

Steps to prevent and respond to racial harassment

Overview

This chapter sets out the common issues in tackling racial harassment. For each issue, reference is made to suggested actions and overarching recommendations for resolving these, and unlocking further progress.

Issues are presented within the **five strategic pillars** of the UUK's Changing the culture framework. It is important that all of these pillars are considered together, as there is no single 'magic bullet' to addressing racial harassment: rather, a multi-faceted approach will be necessary to take effect at institutional, cultural and individual level. Distinctions are made as to whether an issue relates to staff or students, although many of the challenges are common to both.

Links to case studies are included to illustrate how universities are addressing these issues.

Theme 1

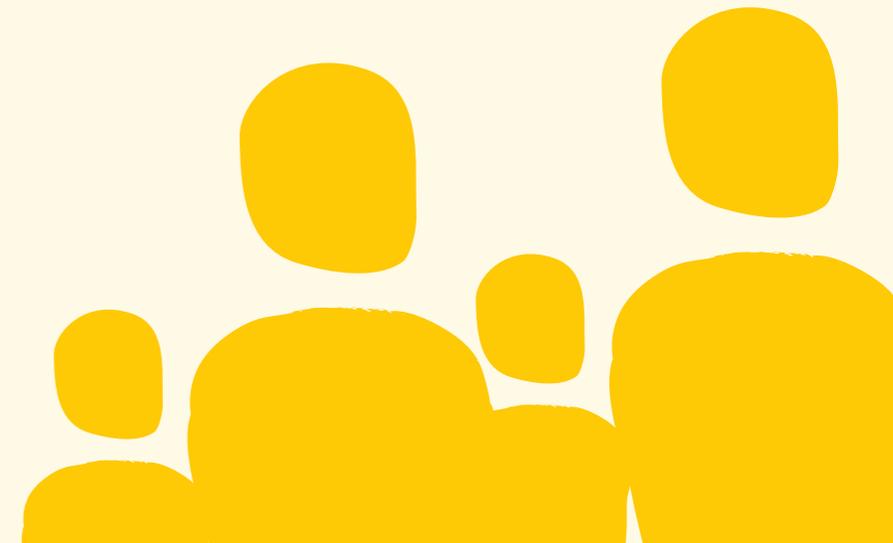
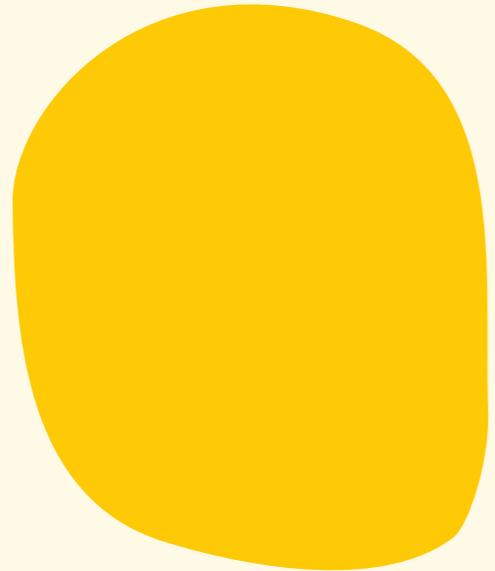
Culture

Culture is about **people, their behaviour, and the way in which they respond to others, events and the environment**, or put simply, ‘the way we do things around here’.⁴⁰

Having a culture that actively opposes harassment and bullying and supports good relations requires the creation of safe and open cultures where inclusion and diversity are encouraged and dignity and respect are practised.

Culture is fundamentally about people, and is shaped by all those within a university. All members of the university community have a responsibility to contribute to building a culture of respect and tackling racial harassment.

However, effective cultural change at an institutional level occurs when those in positions of leadership lead by example, and encourage, enable and facilitate change throughout the institution. This section includes suggested actions to support vice-chancellors and principals, and their senior teams, in moving forward.



"universities need to acknowledge racism exists but not as a blanket statement, 'racism exists everywhere', to make themselves feel better... they need to address it in their own context."

Issue 1.1

Lack of ownership by senior leaders and governing bodies to tackle racial harassment

Evidence from UUK and the EHRC indicates that the ownership by senior leaders for tackling harassment varies between universities. For example, *Changing the culture: two years on* found that 45% of senior leaders had made long-term commitments to addressing harassment.⁴¹ Evaluations of the OfS Catalyst-funded programme on safeguarding students found that progress in addressing harassment could be hampered or become unsustainable without the buy-in of senior and middle management, risking the creation of small pockets of good practice largely driven by specific individuals.⁴²

Responding to this, we recommend that the cultural change required to tackle racial harassment is owned and sustained by vice-chancellors and senior leaders. Actions and recommendations to support vice-chancellors are set out below.

Although outside the scope of this guidance, increasing the representation of staff from Black, Asian and minority ethnic backgrounds at all levels of a university, especially within senior management, is vital in developing an inclusive culture where a greater diversity of voices are privileged and involved in decision-making. Furthermore, this diversity of thought and experience will lead to better decision-making and facilitate institutions in responding effectively to the needs of the institution's own community, as well as responding to complex local and global challenges.

Stronger senior leadership ownership of activity to tackle racial harassment

The majority of senior leaders in UK universities are white⁴³ and therefore unlikely to have direct personal experience of racial harassment.

Ensuring that leaders have a good understanding of racism, racial harassment and how these operate at their university is therefore important in addressing it.

- Engaging with staff and students' unions and networks, and listening to the concerns of Black, Asian and other minority ethnic groups will enhance leaders' understanding of experiences at their university. It is important that students and staff are facilitated to do this on their own terms, as the recounting of difficult experiences may be traumatising for those involved.
- While listening to those with lived experience of racial harassment is crucial, it is important to recognise that everyone has a responsibility to tackle this agenda. Leaders are encouraged to invest time in self-led education and reflection to enhance their personal understanding of racism and racial harassment. It is important to reflect on how leaders may bring their biases to areas such as strategy, implementation and recruitment. Formal development opportunities to enhance leaders' understanding of racism, microaggressions, white privilege and allyship are also likely to be helpful: for example, **the vice-chancellor and senior management team at the University of East Anglia have recently undergone white allyship training.**
- Demonstrate an ongoing engagement and commitment to improving race equality. Take a leading role in opening conversations about race and racial inequalities, and commit to being an ally in dismantling racism. Acknowledge publicly that racism and racial harassment affect university staff and students at your institution, and that institutional structures can contribute to this. Publicise the actions taken to address these issues. In August 2020, principals in Scotland made a public declaration to acknowledge their commitment to tackling racism on their campuses.⁴⁴
- Commit to creating an inclusive culture and environment by setting the tone and expectations of student and staff behaviour, and the consequences if these are breached.
- Highlight the importance and value the university places on the safety and wellbeing of its staff and students in its mission and value statements, and institutional strategies and policies.



Senior leader scrutiny and accountability

- Vice-chancellors and principals should provide oversight and scrutiny of the institution's programme of work to address racism and racial harassment. This will raise the profile of initiatives, support their sustainability, and embed a culture free from harassment that promotes good relations across the university community.
- Commit at governing board or court level to zero tolerance of racial harassment and bullying, as recommended by the Race at Work Charter.⁴⁵ Demonstrate this by incorporating commitments to equality, including race equality, into the university's strategic visions and five- or 10-year plans.
- Underpin this with equality objectives on tackling racial harassment and publish information on the baseline position and annual progress. Set and regularly review targets, which should be linked to key performance indicators (while guarding against perverse incentives) to embed performance on tackling harassment within institutional structures.
- Engage the senior team to help disseminate messaging around the need to tackle racism and racial harassment throughout the institution. **Set an expectation that this is a priority issue requiring consideration throughout all departments and at all levels of seniority in the university**, including all leaders and managers.
- If not already in place, appoint members of staff whose roles are dedicated to implementing equality, diversity and inclusion (EDI). Evidence from UUK's advisory group indicates that where EDI staff report to the vice-chancellor, principal, pro-vice-chancellor or vice-principal with responsibility for EDI, this prevents such roles being sidelined or being given insufficient senior visibility. Consideration could also be given to appointing a senior individual who has specified accountability for addressing racial inequalities, including harassment.



"Two of the really big reasons for not reporting are due to the way the university has handled past incidents: Not being taken seriously by the university and being made to feel like it's your fault / you provoked / they didn't mean it."

Dedicating and prioritising funding and resources

UUK's Changing the culture framework highlighted the importance of dedicated resources to deliver long-term, sustainable change.⁴⁶ This was mirrored in feedback from the evaluation of the OfS Catalyst-funded projects, whereby sustainability of an initiative was often dependent on securing long-term funding.⁴⁷

Although initiatives to address racism and racial harassment will incur costs, there is a strong business case for allocating resources to this area: improved staff and student retention, increased wellbeing, and harnessing the creativity and productivity gains that occur in an environment where all voices are equally valued.⁴⁸

Dedicating resources – financial and time – and prioritising funding will quicken the pace of change and ensure that resourcing is sufficient for commitments to be effective. Evidence from UUK's survey of sector progress in tackling harassment suggests that racial harassment is relatively under-addressed compared with other areas.⁴⁹ Further investment is needed to reach the same level of maturity as activity to tackle sexual violence.

- Vice-chancellors and principals should ensure the availability of resources to deliver long-term commitments to tackle racial harassment. This should include sufficient resourcing to dedicate staff time to addressing racial harassment as a 'business as usual' function, rather than this being a voluntary or optional endeavour.⁴⁸

Embed activity to address racism and racial harassment within governance structures

- Designate space within governance and reporting structures to discuss racism and racial harassment, such as an equality committee. This will ensure that these issues are appropriately considered at senior levels on a permanent basis: temporary or ad-hoc working groups can have a negative impact on the sustainability of initiatives and in maintaining their place on the institutional agenda.
- Set aside space for discussing items to address racial inequalities, including harassment, at board or executive level, to support the embedding of equality as business as usual. Placing items on racial harassment at the top of an agenda is likely to enable items to be explored, as opposed to noted for information.
- Embed the monitoring of initiatives to prevent or respond to harassment within governance structures, and determine regular opportunities to report to senior boards, to allow scrutiny and maintain momentum. Setting out reports on the prevalence of harassment (including trend analysis) and periodic survey data, as well as outcomes of incidents, will enhance institutional learning and understanding of where racial harassment is occurring and the impact and effectiveness of policies.

Action by governing bodies and university courts to hold leaders accountable for embedding an inclusive culture across their institution

Governing bodies are responsible for the mission, character and reputation of an institution, and therefore have **an important role to play in leading cultural change**, and setting the values and standards that underpin how a university operates. This is set out in the Committee of University Chairs (CUC) Code of Governance.^{50,51}

The EHRC has recommended that governing bodies have procedures in place to satisfy themselves that their institutions identify, reduce and report on harassment as part of their due diligence processes, as well as support their obligations to ensure their institution complies with the Public Sector Equality Duty (PSED).⁵² Governing bodies should also ask for information on evidence of how this is being achieved.

- Where appropriate, conduct development sessions for the governing body or court to enhance understanding of racial literacy and racial equality.

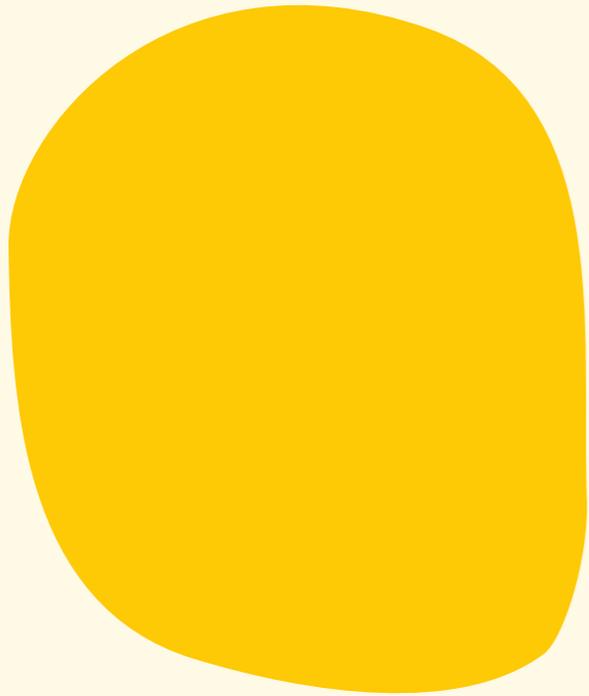
- To ensure appropriate oversight of activities to address racial harassment, the governing body should consider the best strategic mechanism for receiving this assurance. This could include regular reporting on commitments to tackle harassment, resource allocation, effectiveness of prevention and response activities, and progress updates on equality objectives.
- The equality committee (or equivalent body with responsibility for tackling racism and racial harassment) should also report regularly to the governing body, and have a member of the governing body among its membership. This will ensure that equality issues continue to be seen as business as usual and not side-lined. In some institutions, the chair of council sits on the equality committee to demonstrate the importance of this issue.
- Analyse the ethnic representation of governing bodies and courts to ensure that these represent the student body and wider population. Where this is not the case, consider the use of positive action pathways to increase diversity.



Recommendation 1

Integrate visible and meaningful senior leadership

Vice-chancellors, principals and senior leaders are recommended to afford priority status to tackling racial harassment, and visibly demonstrate this through taking ownership, responsibility, accountability and oversight for tackling it. It is recommended that this is supported by engaging with those with lived experience of racial harassment, by dedicating specific resources to its eradication, and engaging with governing bodies or university courts.



Issue 1.2

Institutions are perceived to prioritise reputation above tackling racial harassment

Evidence from the EHRC’s inquiry, and evaluation of the OfS Catalyst-funded programme on student safeguarding reveal a **perception that universities often put their reputation above the experiences of staff and students.**⁵³

Reference was made to concerns that efforts to address harassment or incidents of hate could be detrimental to an institution’s reputation, alumni relations and student recruitment, resulting in a reluctance to address these issues. Linked to this was a sense that universities do not have an accurate picture of the prevalence of racial harassment, and the impact it has on staff and students.

Understanding and articulating the benefits of tackling racial harassment

- Understand the benefits of tackling racial harassment in terms of improved wellbeing and mental health, greater sense of belonging, student and staff retention and progression, and enabling all staff and students to fulfil their potential. Conversely, consider the risks of not acting to address racism and racial harassment in the light of staff and student unrest and protest and negative media scrutiny, which may be equally damaging to an institution’s reputation.
- Ensure the institution’s commitment to tackling racial harassment is clearly communicated to the student and staff body. Increase transparency by being open about the challenges, and regularly communicate how the university is addressing these, including lessons learned, and how these will feed into a cycle of continuous improvement.
- Focus on the values, culture and character of the institution. Accept the risk of sometimes getting it wrong, even when the intentions were right, recognising that this can facilitate improvements in practice.

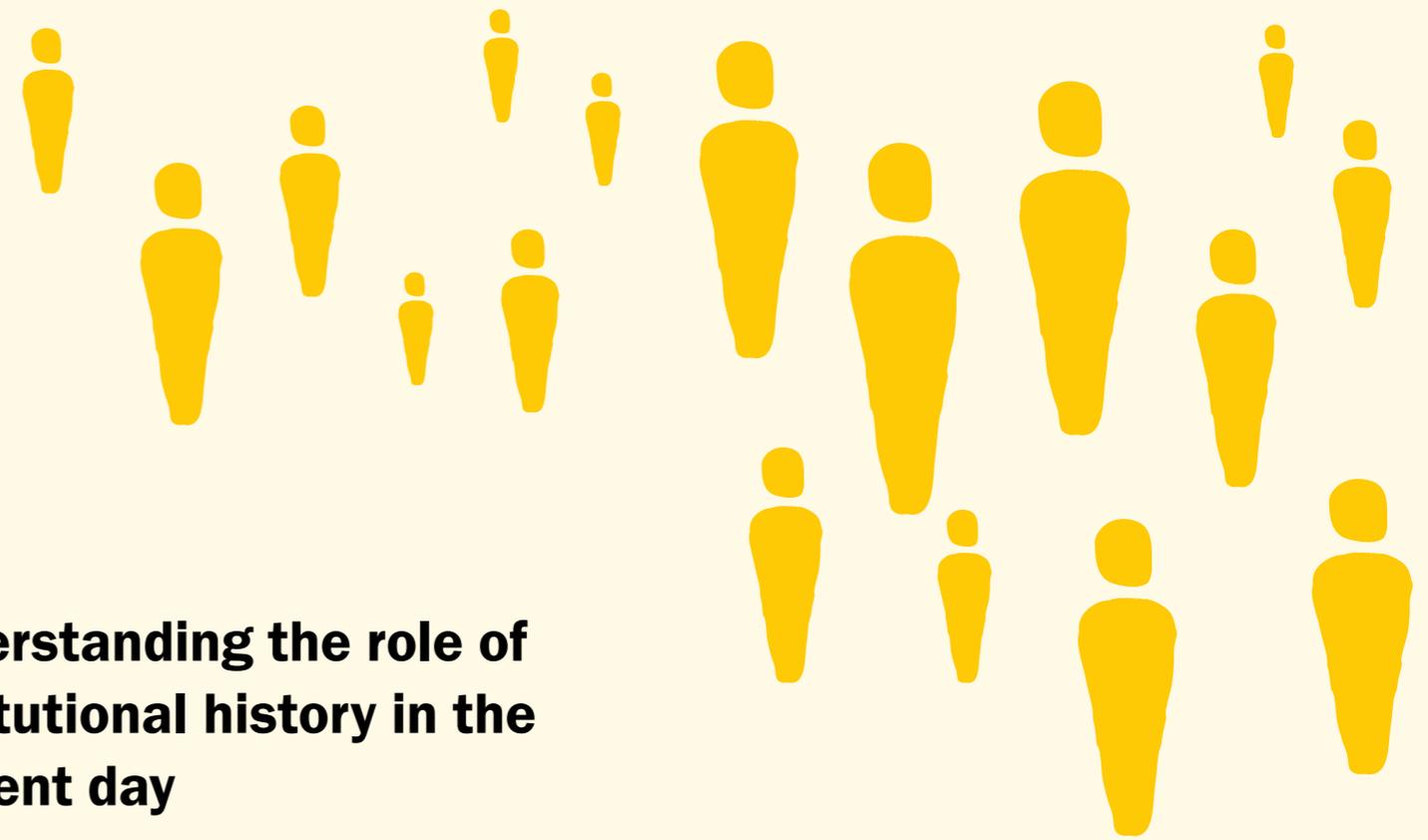
Understanding the lived experiences of staff and students within the university community

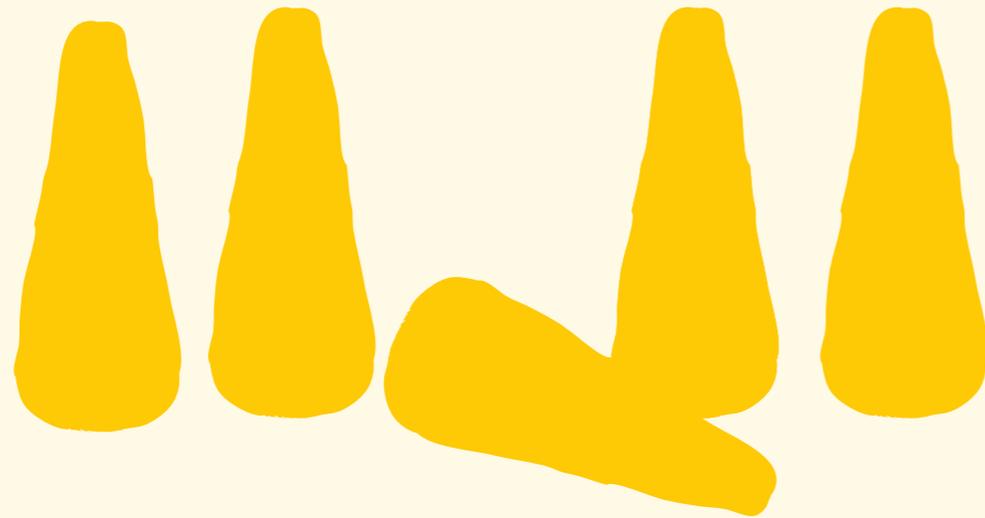
- While engagement with staff and students is vital, this should be done in conjunction with taking action, rather than focusing solely on engagement before any changes are made. **Work with students' unions, trades unions and staff networks to involve individuals with lived experience of racial harassment in developing policies and processes.** Recognise the burden this places on individuals in terms of both time and emotional labour, and consider how to appropriately recompense and/or support them.
- Recognise that 'Black, Asian and minority ethnic', or 'BAME', is an umbrella term and that staff and students from such backgrounds are not a homogenous group. Seek to understand the specific challenges and needs of different groups.

- Although it is vital that the voices of those with lived experience of racial harassment are centred, it is also important that educating others and seeking change are not seen as this group's responsibility. Promote the message that tackling racial harassment is everyone's responsibility, and encourage white colleagues to be proactive in addressing harassment by supporting allyship.
- Provide support to staff and students who work to make improvements to race equality, including on a voluntary basis, and develop policies to support individuals who may experience negative media attention as a result, including through social media.
- Draw on the expertise of academic staff researching issues of race, racism and racial harassment and incorporate this in initiatives to address harassment.

Understanding the role of institutional history in the present day

- Recognise that elements of a university's history, such as links to slavery and colonialism, can shape the experience of individuals, as well as culture and institutional structures today. Consider research to better understand the university's particular links to slavery or other issues and identify whether there may be appropriate ways to recognise this. A case study from the University of Glasgow provides an example of how one university has done this.
- Enable conversations on institutional history sensitively, and be mindful of the impact on historically marginalised groups. **Be open to making changes, and admitting where decisions made in the past may need to be re-visited.**
- Consider reviewing curricula and teaching and learning practices to understand where these could better reflect a wider range of perspectives.
- Consider how to emphasise more inclusive elements of an institution's past, such as showcasing a diverse range of alumni in publications, in a way that is not tokenistic.





"If you are at an institution where you've never felt valued, so why would you expect people to make any complaints?"

Recommendation 2

Incorporate voices of lived experience

Work with the entire university community, including students' unions, trades unions and staff networks, to understand the impact of racial harassment on campus. Ensure that the voices of students and staff from Black, Asian and minority ethnic backgrounds with lived experience of racial harassment are given due prominence, and be clear that tackling these issues is everyone's responsibility and should not fall to a minority of colleagues.

Case studies

University Diversity Fund,
University of Cambridge



Establishing the Office for Institutional
Equity, University of East London



Providing senior leadership on addressing
harassment, University of London



Co-creating solutions, Norwich Medical
School, University of East Anglia



Slavery, abolition and the
University of Glasgow



Theme 2

Whole- institution response

Taking a whole-institution approach recognises the influence of culture and environment in a university. Developing a coherent, university-wide response supports the embedding of activities to tackle racial harassment within an institution's systems, structures, policies and practices.

This will support the sustainability of initiatives, address inconsistencies in implementation across the institution, and avoid the development of good practice only in isolated 'pockets' of a university. It also makes it feasible for the response to withstand changes in personnel. This approach also seeks to address the concern that those who have experienced racial harassment may receive differing responses, depending on where it is experienced or reported.

Although not all the actions in this section relate specifically to addressing harassment, they will contribute to building an inclusive and welcoming institutional culture and community.

Issue 2.1

Good practice to address racial harassment is not implemented consistently across the university and its partners

Institutions should have clear policies in place to ensure, as far as possible, a consistent approach to tackling racial harassment for students and staff. This should include those who are off campus or away from the university setting, such as on work placements, studying or working abroad or on research trips.

Consistency between different areas of the university

- Develop an institution-wide strategy for addressing racial inequalities, including racial harassment, with identified success measures and targets for meeting these, that is appropriately resourced.
- Ensure that each department and service of the university has a nominated individual with responsibility for addressing racial harassment within this area, with clear lines of accountability to senior teams. Enable regular opportunities for colleagues to share challenges and good practice.
- Review university and departmental harassment policies to ensure these are consistent across the university and give due weight to racial harassment.
- Consider how racial equality can be embedded across the university. A [case study on the Office for Institutional Equity](#) at the University of East London demonstrates how one university is working towards this.

"To win trust there needs to be diversity from top management to different committees and working groups. If it remains very white it's very difficult to feel comfortable and believe in the processes."

Treatment of students and staff who are away from university

Universities have a duty of care to their staff and students, wherever they are working or studying. However, the EHRC noted that some students who were away from the university campus, for example on work placements, were unclear about whether incidents of racial harassment in these settings could still be reported to the university, and whether they would be supported if they did report incidents or concerns.⁵⁴ University staff, many of whom will conduct research trips overseas or spend time working in partner institutions, may face similar challenges, as will students who study, work or volunteer abroad.

Institutions should also be aware that they may be liable under the Equality Act 2010 for harassment committed by their agent, even if they had no knowledge of the agent's actions and did not approve them.⁵⁵

- As part of the partner approval process, institutions should review the harassment policies of their potential partners, and identify how incidents of racial harassment will be dealt with, to ensure that these meet an acceptable standard.
- Develop clear policies for how staff who are visiting partner institutions or working abroad on university business, as well as students on work placements or studying, working or volunteering abroad, will be treated under an institution's own harassment policies and codes of conduct. The usual codes of conduct and repercussions should continue to apply, regardless of where a student or staff member is based. While laws or cultural norms may differ in other countries, the values to which universities expect their own students and staff to adhere to will not.
- Ensure that students and staff are aware of how they can report incidents of harassment and receive support (including virtually) while they are away from the university.
- Medical placements were noted by the EHRC as a common situation when students may experience racial harassment. In 2020, the British Medical Association (BMA) published a charter for medical schools on tackling racial harassment,⁵⁶ including where students are on work placements.
- Different countries may offer less legal protection than the UK for those experiencing discrimination or harassment. Guidance on the legal position in a country and the support a university can offer will support students and staff to travel from an informed position. Being mindful of requests to avoid travelling to locations where a person believes they would be at increased risk of racial harassment or other discrimination, and offering alternative provision where possible, may also be helpful.

Partnership working

Students and staff can experience racial harassment outside the university setting, such as on public transport or while living off campus.

- Work closely with local partners, including the police and local authorities, to ensure joined-up approaches to tackling harassment that occurs off campus. This will help to develop an understanding of the patterns of harassment experienced by students and staff when in the local community.
- Ensure that the roles and responsibilities of external parties are clearly communicated to students and staff, including in reporting pathways.
- Where existing partners are carrying out their own activities to tackle racism and racial harassment, collaboration may strengthen these efforts. As an example, the further education sector is currently increasing its efforts to address systemic racism.⁵⁷

Recommendation 3

Develop an institution-wide strategy for tackling racial harassment

Universities should develop a strategy for addressing racial harassment, ensuring this is embedded consistently throughout all areas of the institution and informed by decision-makers across the university. Clear success measures should be identified and progress regularly reviewed by senior leaders and the governing body.



Issue 2.2

Good practice does not extend to all elements of staff and student experiences

Staff and students can experience racial harassment in many contexts. Universities are therefore **encouraged to review policies, structures and activities alongside creating an inclusive, welcoming community and culture.**

Review policies and procedures throughout the university to understand possible biases

There is greater potential for racial harassment and discrimination to occur in certain areas of an institution's ongoing work. This includes, but is not limited to, recruitment, staff performance management, teaching evaluation mechanisms (especially those involving student feedback), marking of students' work and disciplinary procedures. Research by the University and College Union in 2016 noted that Black staff were disproportionately more likely to be subject to disciplinary action, and that Black staff were less likely to have temporary contracts renewed.⁵⁸ The 2017 McGregor-Smith review on race in the workplace made similar findings.⁵⁹

- Collect and share data on protected characteristics within procedures, including recruitment, retention, performance management, progression, and disciplinary and grievances procedures, to reveal possible biases in policies and procedures that may perpetuate harassment.
- Consult with trades unions to understand particular areas where staff feel they have experienced harassment or inequitable treatment.
- Consider how policies and procedures cover all learning environments and experiences of all staff and students. Continually monitor the effectiveness of policies and adjust them accordingly.
- Where possible, ensure that the expectations of staff and students are equitable. Make it clear how differences would apply when an individual is both a student and staff member.

Include support services for staff and students in initiatives to tackle racial harassment

- Ensure that university services for staff and students, including those for wellbeing, disability support and careers services, are accessible and appropriate to an institution's student and staff body. This can be supported by enhancing cultural competence and understanding the issues that those from Black, Asian and minority ethnic backgrounds are more likely to experience, and taking steps to ensure that staff in support services are representative of the staff and student body. Where this is more difficult to achieve (eg in geographical areas with a majority white population), consider the use of third parties where possible. As an example, Bristol University offers culturally appropriate counselling sessions for Black, Asian and minority ethnic students via a community charity, in addition to its own welfare provision.⁶⁰
- Join up wellbeing and mental health services with work on tackling racial harassment, in recognition of the impact that harassment can have on mental health. UUK's *Stepchange: mentally healthy universities* provides a strategic framework to support universities in taking a joined-up approach to mental health.⁶¹
- Ensure that all staff are trained in recognising and responding to racial harassment, including being able to signpost students or staff to further support. This is especially important for those likely to be in regular contact with students, such as accommodation block management, security staff and student wellbeing officers, including those working through contractors.

Ensuring diverse and inclusive curricula

While recognising it as an issue of great interest to the higher education sector, a broad discussion of decolonisation is outside the scope of this guidance.⁶² Nevertheless, **curricula that are based on Eurocentric, typically white voices will perpetuate existing inequalities and are unlikely to reflect the experience or viewpoints of many members of the student and staff body.** As educators, universities have a powerful opportunity to shape society by privileging a more diverse range of voices. The 2019 UUK–NUS report on the Black, Asian and minority ethnic attainment gap highlighted how not having a sense of belonging may contribute to students from these backgrounds performing less well academically, and having more negative perceptions of the possibility of pursuing a career in academia, compared to their white counterparts.⁶³

- Consider reviewing curricula and teaching and learning practices across all disciplines as part of any wider commitment to improving equality of opportunity.
- Conduct any curriculum reviews in partnership with students. The University of Winchester, for example, conducts an institutional student–staff partnership scheme, where students work alongside staff on educational development projects.⁶⁴ While not specific to curriculum review, projects have included students auditing the representation of diversity within materials used in lectures and tutorials and using their findings to inform a wider institutional approach to decolonisation.

Increase representation of staff and students from Black, Asian and minority ethnic backgrounds in recruitment and at senior levels

UUK recognises that increasing the representation of staff and students from Black, Asian and minority ethnic backgrounds in higher education is a significant endeavour, and could warrant its own report. Several others have addressed this issue more fully than is possible to do within this guidance.⁶⁵

Developing racially diverse and inclusive environments will contribute to improving a sense of belonging, and ensure that **institutional culture and key decision-making are informed by contributions from a diversity of backgrounds, perspectives and experiences.**⁶⁶ Universities can also use their leverage in the wider community to encourage partner and supply organisations to take a racially conscious approach.

- Make efforts to increase Black, Asian and minority ethnic representation of staff at all levels of the organization, especially senior

levels, to ensure this is more reflective of the student body and wider population.

- Report on the ethnicity pay gap and produce an action plan to address the issues identified, in conjunction with work to address gender pay gaps.
- Use positive action measures, such as mentoring, development programmes, specific and time-limited quotas, and targeted advertising to support staff from minority ethnic backgrounds to reach more senior positions. Positive action is lawfully permitted under the Equality Act 2010 as a legitimate means of reducing inequalities between groups in employment,⁶⁷ and is recommended by the Race at Work Charter as a means of supporting career progression.⁶⁸
- Consider applying for the Race Equality Charter, a framework that aims to improve the representation, progression and success of Black, Asian and minority ethnic staff and students within higher education. This involves institutions identifying the institutional and cultural barriers that may inhibit students and staff, and developing action to address these. For further details, see the case study directory.

- Give consideration to race issues (eg a commitment to anti-racism, diversity among the workforce, a commitment to the Race at Work Charter) when selecting external organisations to engage with, including partner and supply organisations. This will reflect the community, giving students and staff a sense of belonging and showing them they are valued.

"I should see myself reflected when I look at the university. Because I don't, I feel more comfortable reporting to the students association."

Recommendation 4

Increase understanding of racial harassment and its impacts throughout the university

Regularly review policies and procedures to understand possible biases or increased potential for racial harassment. Increase racial and cultural competence and awareness of the impact of racial harassment and racial microaggressions throughout the university's services, including in wellbeing, counselling, disability support and careers services.

Case studies

Race Equality Strategy and Action Plan,
University of Sheffield



Race Equality Charter, UK-wide



"promoting equality is not enough, universities must advance it."

Issue 3.1

Staff and students lack an understanding of what constitutes racial harassment

Theme 3

Prevention

Lack of understanding of the terms racial harassment and microaggressions and the need for a shared approach to language and terminology

There is evidence that confidence in having discussions about race and racial inequalities within the higher education sector is not yet as high as confidence in talking about gender equality.⁶⁹ The EHRC also identified that universities would like guidance on understanding ‘banter’ in the context of racial harassment and how to deal with it.⁷⁰ Other reports, such as the 2017 McGregor-Smith review of race in the workplace, have also found a lack of confidence in discussing issues of race in the UK more widely,⁷¹ suggesting that this is common throughout society.

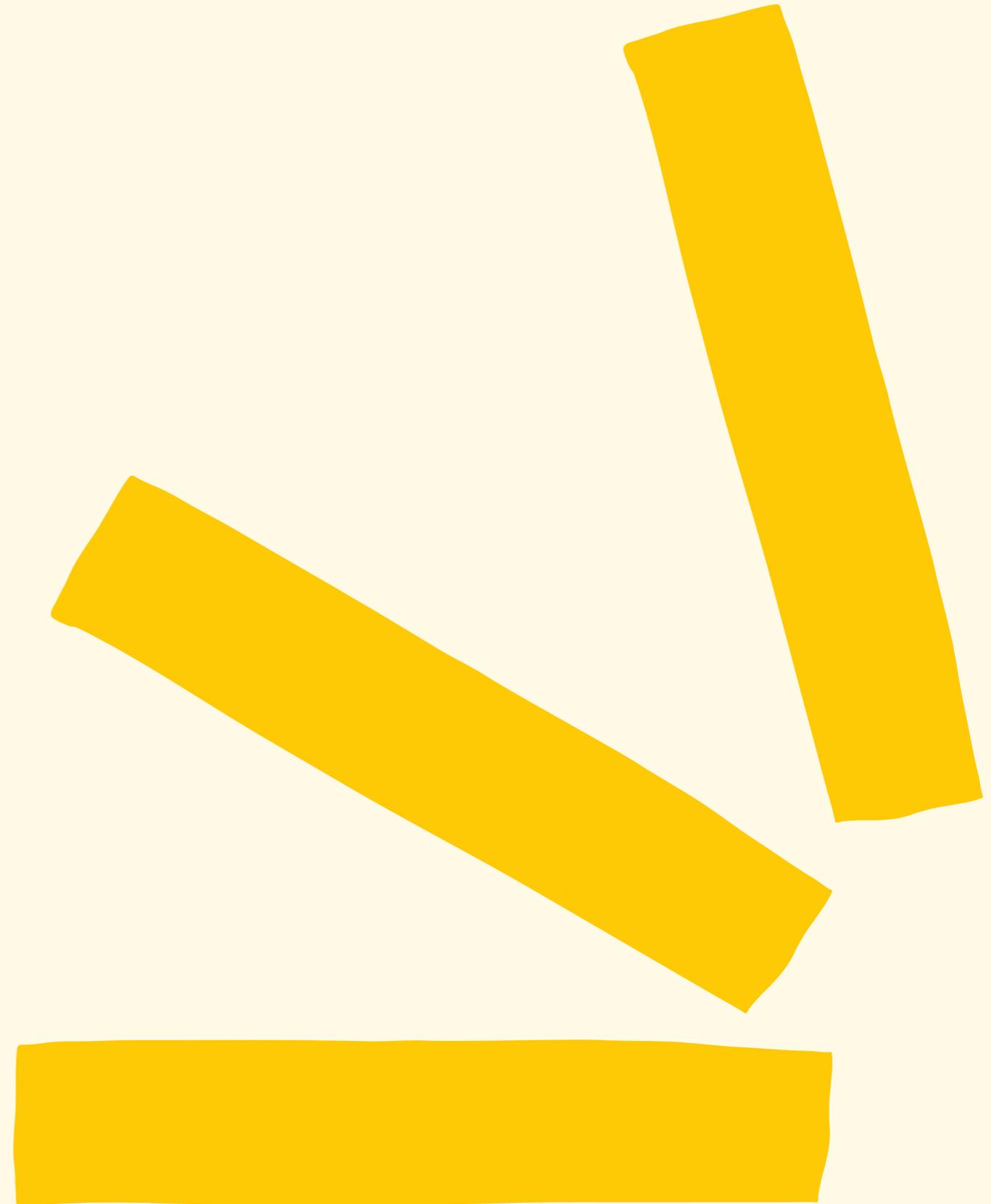
Lack of confidence in discussing race can lead to reluctance and anxiety around managing race-related issues that arise, including harassment. Opportunities to resolve problems early and informally are lost, and the issues may be misunderstood or dismissed, leaving those who have experienced racial harassment feeling they have not been heard. If people do not engage with or understand the issues, these problems cannot be addressed effectively.

In considering prevention, this guidance therefore focuses on education and creating a shared understanding of racism and racial harassment. This will be a key part of preventing racial harassment, especially while the sector is at a relatively early stage in addressing this. Although exploring structural racism in detail is outside the scope of this guidance, universities have a vital role to play in dismantling these structures through educating students about racism and its pervasiveness and modes of operation, and in considering how an understanding of anti-racist theory may support learning.

Creating a common understanding of these concepts in higher education will foreground a cultural shift to address all forms of racial harassment, including microaggressions. Lack of understanding and confidence in discussing race is likely to reflect a societal issue, and empowering students and staff in this way presents an exciting opportunity to influence wider society.

Developing a shared language around race

- **Create space for ongoing, open discussion of race by all staff and students**, including racial harassment and the forms it can take, including microaggressions. It may be helpful to have separate spaces for Black, Asian and minority ethnic staff and students to discuss among themselves, as well as discussion forums for white students and staff (see the [case study](#) from the University of East London for an example of such a group).
- Define racial harassment, with clear examples of language and terminology, including examples of microaggressions. It is recommended this is co-created with staff and student groups representing those from Black, Asian and minority ethnic backgrounds.
- Update all external-facing communications to provide clear examples of overt and subtle forms of racial harassment, including microaggressions, with signposting to contacts and procedures for reporting incidents. Be clear about the consequences of participating in racial harassment, including possible sanctions.
- Consider the use of on-campus campaigns to raise awareness of racial harassment. Partner with students' unions, trades unions and staff groups representing those who have experienced racial harassment to develop such communications. This will amplify their voices and make use of existing work. Examples of previous and existing campaigns that have been used to raise awareness of racial harassment in higher education can be found in [Annexe H](#).
- A toolkit of multimedia resources to support institutions in developing constructive and confident conversations about race, whiteness and racism is currently in development by Advance HE.⁷² This will provide a useful source of further learning for institutions.



Addressing the issue of ‘banter’

The definition of ‘harassment’ under the Equality Act 2010 is explicit that the impact of behaviour on a victim must be considered.⁷³ **Dismissing incidents as ‘banter’ or something the harasser ‘didn’t really mean’ does not take account of the impact on the victim, and is a misunderstanding of harassment.** It also contributes to a wider culture where offensive behaviour is normalised and tolerated.

This builds on the Macpherson definition of a racist incident, that is, if the victim or anyone else present perceives an incident to be racist, it should be recorded or treated as such.⁷⁴ This is also the standard used by the police and Crown Prosecution Service in England and Wales.

- Build awareness that microaggressions are forms of racism that can be just as damaging as overt racism and can constitute harassment.
- Ensure that policies for handling incidents of racial harassment are clear on the importance of the impact on the victim, building on the definitions in the Equality Act and the Macpherson report.

- Ensure that examples of terminology specifically acknowledge ‘banter’. Make clear that comments made in jest can still be harmful to those on the receiving end, and that ‘banter’ does not absolve the perpetrator of responsibility.
- Seek opportunities to proactively communicate issues arising from complaints or disciplinary action that reinforce the unacceptable nature of such banter and the adverse consequences for those who perpetrate it, in line with data protection requirements.
- Codify expectations around racial harassment in student and behaviour policies such as student charters or codes of conduct, and the sanctions if these are breached. Use the opportunities of induction and recruitment to reinforce the institution’s expectations about what constitutes racial harassment and how this will not be tolerated on campus.

Recommendation 5

Define terminology and create a common understanding of racial harassment

Be confident in holding open conversations about racism and racial harassment across the university. Define racial harassment, using clear examples of terminology, including microaggressions, and being clear that the impact on the victim is important in determining harassment. Ensure that these definitions are widely communicated and understood.

Issue 3.2

Initiatives to prevent racial harassment are not always adequate

The 2019 EHRC inquiry indicated that **many university staff had difficulties empathising with the experience of Black, Asian and minority ethnic staff and were not aware of the impacts of white privilege**, suggesting that further consideration is required in terms of training to address racial harassment.⁷⁵ Our staff and student panels suggested that a number of training activities, in particular online unconscious bias training, were often perceived as ‘tick-box exercises’ and thus unlikely to be sufficient in driving a cultural shift in tackling racial harassment.

Although the evidence on best practice in anti-racist training in higher education is still emerging, training that raises awareness of microaggressions and encourages allyship among white students and staff is important.

Ensuring that prevention activities are developed from an anti-racist standpoint

- Carry out training activities developed from an anti-racist standpoint that highlight everybody’s responsibility for tackling racial harassment. When designing training, incorporate the concepts of white privilege and white fragility, white allyship, microaggressions and intersectionality, as well as racialised unconscious bias training. Use internal academic expertise to develop and, where possible, deliver such training.
- Implement bystander training for staff and students on how to respond to incidents of racial harassment. This will give bystanders confidence to call out racism. Consider incorporating this within academic courses where interaction with the public is required, such as teacher training, medicine, allied healthcare and social work. A further example of bystander intervention training in medical degrees can be seen in a [case study from Norwich Medical School](#).
- Do not rely only on unconscious bias training to engender change. Unconscious bias training is likely to be more effective if it is carried out in person, rather than online, in the context where an individual usually works or studies (eg with their usual team), and makes use of specific strategies, such as interview techniques.⁷⁶
- Carry out training at key touchpoints, such as induction or the start of academic years, to reach high numbers of attendees. Repeat training regularly to reach newly arrived staff and students and reiterate the importance of tackling harassment.

Incorporating lived experience throughout the development and improvement of prevention strategies

- Incorporate student and staff lived experience and voice, including that of the bystander, into the creation and development of prevention strategies.
- Explore the possibility of reverse mentoring for senior leaders. This may be beneficial if approached with genuine commitment by the mentees and managed sensitively. Any such arrangements should recompense mentors for their labour (including emotional labour).

Evaluating prevention activities

Embedding the evaluation of activities to prevent racial harassment will support a process of continuous learning and help ensure interventions have the desired effect. Evidence from the OfS Catalyst-funded programme on safeguarding students indicates that activities undertaken successfully at one institution will not necessarily be successful in a different context, and consequently a ‘one-size-fits-all’ approach may not be appropriate.⁷⁷ However, efforts from one institution may still offer reflections and learning points for others. **Sharing learning and the outcomes of evaluation will also help deliver improvement across the sector.** UUK recognises its role in supporting this (see Theme 5).

- Build evaluation into all interventions at the design phase and designate regular review points to drive a culture of continuous improvement and to determine whether measures remain fit for purpose.

- Define short-, medium- and long-term success measures for initiatives at the outset and targets for meeting these.
- Use qualitative data, such as from consulting staff and students, to understand whether prevention activities are having an effect on cultural change within the university.

“Years of racist structure really weigh down on your lived experience and we aren't given the tools to articulate it.”

Recommendation 6

Increase the understanding of racism and racial harassment from an anti-racist perspective

Increase staff and students' understanding of racism, racial harassment and microaggressions and white privilege through training that is developed from an anti-racist perspective. This should go beyond unconscious bias training. Set targets for completion and carefully evaluate all training activities to ensure they have the desired effect.

Preventing online harassment

Preventing and responding to online harassment presents a particular challenge for universities. In 2019, UUK produced guidance on tackling online harassment and promoting online welfare.⁷⁸ This sets out a set of principles and practical recommendations to support universities to improve their practice in this area. However, the ubiquity of online communications and increased use of virtual learning and working due to the Covid-19 pandemic mean that such challenges are likely to increase.

Given the increase in online harassment in wider society, the scale of online harassment in universities may also change. [UUK's briefing](#) on responding to domestic and technology-mediated abuse explores how universities can support students and staff who may be at greater risk during the pandemic: women from Black and minority ethnic communities can face additional vulnerabilities and barriers.⁷⁹

- Even when circumstances necessitate moving quickly, be mindful of the potential for harassment when implementing new online platforms.
- Consider ways to foster a culture of belonging in online delivery.
- Include expected behaviours in the online sphere within partnership agreements, such as the student contract or code of conduct. Make it clear that disciplinary sanctions will be applied in the same way as for misconduct offline.
- Ensure that policies and procedures, including codes of conducts, IT usage policies, lecture capture policies, and anti-bullying and harassment policies for both students and staff are joined up across the institution. The University of Suffolk has developed a higher education online safeguarding self-review tool to review the effectiveness of existing policies.⁸⁰
- Ensure that routes for reporting online harassment, or other inappropriate or offensive behaviour, are clear and accessible.
- Collect data on how online harassment is experienced within the student cohort, and wherever possible ensure that equality monitoring is embedded into reporting mechanisms and systems. This will enable analysis of key trends, particularly around protected characteristics (supporting intersectional analysis) and can be used to evaluate and improve the effectiveness of the institution's response to online harassment.

Recommendation 7

Address racial harassment online

Ensure that staff and students are aware of expected behaviours online and the sanctions for breaching these, highlighting that incidents will be treated with the same severity as those happening offline. In the light of the Covid-19 pandemic, review the efficacy of university support for online safety and welfare, and how effectively this meets the changing needs of students and staff.

Case studies

White Anti-Racist/Affinity Groups,
University of East London >

Decolonising DMU,
De Montfort University >

Race Equality Awareness Training,
University of Sheffield >

"I find that a lot of people don't understand harassment. Micro-aggressions have become so common that they are ignored and internalised rather than complaining about them."

Theme 4

Response

An institution's response to incidents of racial harassment is vital. We know that these incidents will occur, so staff and students must have confidence that they will be dealt with fairly and effectively.

Issue 4.1

Under-reporting and recording of incidents, leading to an inaccurate profile of racial harassment

Evidence from the EHRC's 2019 inquiry revealed **substantial under-reporting of racial harassment** by students and staff.⁸¹ This reflects under-reporting of all forms of harassment across society.⁸² In particular, the EHRC found large discrepancies between the numbers of staff members and students who had experienced harassment and the numbers of formal complaints recorded by universities.⁸³



There are many reasons why incidents of racial harassment are under-reported. For example, students and staff may:

- not trust their institution to respond effectively, in some cases due to previous experience, or not trusting the institution's processes to treat them equally
- be unsure whether an incident constituted racial harassment or warranted reporting
- be unable to 'prove' that an incident took place, or fear they will not be believed
- not know where or how to report
- feel too embarrassed or humiliated to speak up
- fear retaliation, bullying, reputational damage and being seen as a 'trouble-maker'
- fear that reporting incidents will have a negative effect on their studies or career (especially where progression depends on their relationships with supervisors), or repercussions for their immigration status. This relates to the power dynamics between members of staff, and staff and students

Alongside low levels of reporting, the EHRC also found that informal complaints of racial harassment are not always captured centrally by universities. This could hamper their ability to have a clear picture of the scale of racial harassment, where incidents occur, and how they are managed.⁸⁴ This can lead to over-confidence in how well the issue is being tackled.

There are several mechanisms that can address under-reporting. **In all interventions, it is critical that universities consider how they can build the trust of staff and students to speak up with confidence.** Focusing efforts only on raising awareness of reporting systems is unlikely to be sufficient without addressing other barriers.

"I'd be concerned about the impact on my future, grades, job prospects; that's a lot stacked against just suffering through racism now."



Create easy, accessible reporting pathways and communicate these widely

- Create clear channels for reporting incidents of racial harassment. When reports are made, highlight who will see the report, how this information will be used (including details of confidentiality), the next steps the institution will take to respond, and escalation routes.
- Make it as easy to report incidents as possible, for example using online tools.
- Streamline existing reporting channels to create a single, one-stop reporting system within the university, rather than systems that are faculty-, department- or service-wide.
- Consider introducing anonymous reporting where possible. This can encourage victims of racial harassment to come forward, and help the university establish a pattern of incidents. The university's ability to respond to a specific incident may be limited when it is reported anonymously, so it is important that this is clear at the reporting stage to manage the reporting party's expectations. UUK recognises uncertainty in the sector regarding the use, storage and recording of anonymous data and is working with the sector and the Information Commissioner's Office (ICO) to develop guidance on managing anonymous complaints and reports.
- Within reporting channels, include an option to capture incidents that have been informally resolved, as this again helps build up a pattern of incidents.⁸⁵
- Communicate reporting channels widely, including targeting communications at student and staff groups who are harder to reach. Reiterate these messages regularly at key touchpoints, such as induction. Provide practical examples of the kind of incidents that a report could cover, including microaggressions.
- Work in collaboration with students' unions and trades unions to build awareness of reporting systems. These groups will also be able to offer feedback on how systems are perceived and the barriers to reporting.



Provide support to those reporting incidents of racial harassment

- Recognise that reporting an incident of racial harassment is likely to be difficult for those doing so, and ensure that reporting channels signpost individuals to university wellbeing services and appropriate third-party support, even if the reporting party does not wish to pursue a formal complaint.⁸⁶ Ensure that support services are racially and culturally competent (see Theme 2).

- Consider appointing a network of volunteer dignity advisers who are trained to listen supportively and can signpost to reporting systems or other avenues of support. Ideally, dignity advisers should undergo racial literacy training and be recruited from a range of backgrounds reflecting the student and staff body. Alongside a network of dignity advisers, the University of Exeter has appointed speak out guardians. These are more senior staff who oversee the governance of reported issues, support dignity advisers, report to both the governing body and the vice-chancellor's executive group, and champion an open culture in which coming forward to report incidents is encouraged.⁸⁷

Recommendation 8

Develop reporting systems

Where these systems do not already exist, universities should develop and introduce clearly defined channels for reporting incidents of racial harassment, including the option for anonymous reporting where possible. Details of the system should be communicated routinely to all staff and students to encourage usage. The provision of appropriate support to the reporting party should be a key consideration in designing reporting systems.



Building an accurate profile of racial harassment using data to inform prevention and response strategies

Data underpins an integrated, organisation-wide approach to improvement. **Gathering and analysing data on reported incidents, alongside measures to increase the likelihood of reporting, is fundamental to establishing baselines, enabling the targeting of interventions and for measuring progress.**

In addition to under-reporting, the EHRC inquiry found that universities lacked understanding of how to capture informal reporting of incidents. More than half did not have processes in place to capture this information,⁸⁸ which also hampered their understanding of the true scale and nature of racial harassment. The EHRC noted that a failure to accurately record data on recorded incidents of harassment could contravene universities' obligations under the Public Sector Equality Duty to have regard to the need to eliminate harassment and foster good relations.⁸⁹

- Establish a centralised approach to collecting, recording and storing data on incidents of racial harassment, including those resolved informally. This will avoid information being only held locally. This should contain data on protected characteristics. Regularly analyse this data to identify emerging trends.
- Discuss the findings of reported incidents with trades unions and students' unions, who can match these with any trends observed in their casework.
- Data on reported incidents and trends should be regularly reported to senior management, including the governing body or other senior committee with responsibility for tackling racial harassment, along with an action plan for how this will be addressed.
- Where data shows that incidents of racial harassment are concentrated within a specific faculty or department, an institution may find it helpful to engage an independent figure who is external to the department to examine incidents and identify underlying causes or commonalities.
- Regularly release summaries of the actions taken in response to complaints of racial harassment to staff and students,

including data on the number of incidents if appropriate. This will help to raise awareness of the procedures and build the confidence of students and staff in their transparency and effectiveness.⁹⁰

- Conduct regular surveys of staff and students, including adopting the voluntary questions on student experience from the National Student Survey⁹¹ regarding experiences of harassment. These will help to build a profile of racial harassment within an institution and an understanding of the extent to which formal reporting is capturing this.
- Establish data-sharing protocols, such as with the police and local authorities. This will enable the institution to capture wider trends and incidents that may affect students and staff away from campus.

An increase in reports of racial harassment, at least in the short term, should be seen as a positive development. **It is only through knowing about instances of harassment that universities can address the issue effectively and provide appropriate support.** This can also indicate a change in culture and increased trust among staff and students in the institution's ability to manage such reports.

Recommendation 9

Collect and analyse data on reporting

Universities should systematically collect data on reports of incidents of racial harassment, including where issues were resolved informally, and take action to respond to emerging trends. This data should be reported to senior members of staff and governing bodies and discussed with partners, including trades unions and students' unions. Universities should create a centralised mechanism for recording incidents to understand the true extent of the issue and prevent information being held only locally.



Issue 4.2

Concerns relating to the handling of complaints, investigations and disciplinary procedures

The EHRC inquiry found a mismatch between how universities perceived they were addressing complaints and the views of those who had gone through the complaints process. A summary of the issues raised, along with sector models for handling complaints, is set out in [Annexe E](#). The suggestions posed here should be considered as part of an institution's wider cultural and policy reform to establish a culture of trust, to ensure that anyone who is racially harassed will have the confidence to speak up, secure in the knowledge that their complaint will be taken seriously and effective redress will be made.

Development of complaints and disciplinary proceedings

- When developing complaints and disciplinary procedures, universities should consult widely, including with those who have experienced these processes.

Managing complaints

- Refer to sector frameworks and ACAS guidance to ensure that complaints handling procedures align with the recommended approach (see [Annexe E](#)).
- Procedures should be easy to understand, accessible and communicated widely to students and staff. Advertise both formal and informal routes, and support this by working in partnership with staff and student networks and societies for those from Black, Asian and minority ethnic backgrounds.
- Ensure that all staff understand the process for referring students and colleagues to identified staff members who are trained to take reports of racial harassment incidents. This will ensure that someone can be signposted to appropriate support quickly without having to speak to multiple people.⁹² Ensure that staff and students have the option to report incidents to individuals outside their department or faculty if desired.
- Ensure that staff and students understand the options for reporting incidents (including anonymous reporting) and raising a complaint, along with the processes involved and the limitations of each option.
- If a complaint alleges behaviour that could be a criminal offence, explain the options and possible outcomes of reporting the incident to the police, or through the university's internal procedures.
- Distinguish between complaints procedures, which can be raised by anyone, and disciplinary procedures, which are raised by the university.
- Although universities will generally consider the reporting party's view on whether to pursue a disciplinary or misconduct action against the responding party, there may be rare occasions where action will be pursued, even if the reporting party withdraws their complaint. This could be due to the level of risk that exists, and the need to ensure the safety of the wider university community. There may also be instances where a university does not pursue disciplinary proceedings against a responding party, such as when there is a lack of evidence.



Risk assessment

- Where a student or staff member does not wish to pursue a formal complaint, the university may still wish to take precautionary measures to protect other students and staff and initiate an investigation to address and mitigate any risk. Although a university may encourage the reporting party to engage in the process, this should be a decision for the reporting party.
- Have a plan with actions to assess risk when a complaint is received. Ensure that staff can recognise when it may be necessary to take urgent action to protect the wellbeing of an individual and whether to refer to outside agencies such as the police. Ensure that any emergency measures taken to protect an individual from harm are proportionate and reviewed regularly.

Support

- The university has a duty of care to both the reporting and the responding parties, whether they are staff or students. Support and guidance should be available to both parties from appropriately trained staff.⁹³ Providing examples and links to the support may facilitate take-up.
- Both the reporting and responding parties should have access to a supporter throughout the complaints process.
- An employee has a legal right to be accompanied at formal disciplinary and grievance proceedings by a trade union representative or a colleague.

Timeliness

- Timelines for handling complaints and disciplinary procedures should be communicated to all staff and students, including where these may be affected by police investigations. Where external constraints make it difficult to conclude investigations in a timely manner, keep the reporting party and responding party informed of progress and signpost them to ongoing support.



Lack of witnesses

- There may be incidents of racial harassment to which there are no witnesses apart from the victim. Although decisions must be made on the evidence available, this does not negate investigations being held. Training for investigators can focus on the investigation and interviewing skills needed in such cases.

Training

- Provide core investigation training skills and competencies for decision-makers, and anyone involved in conducting investigations.
- Having an understanding of independence and how power dynamics can play out in the complaints process is also important. Engaging with trades unions and students' unions in developing training can strengthen the process.
- Additional training, ideally beyond unconscious bias training and the legalities of harassment, will also be helpful. This could include training on racial literacy, structural racism, microaggressions, white privilege and understanding manifestations of trauma.
- Training for staff to ensure that they are equipped to have conversations about race and ethnicity is also important, given that many complaints are likely to be dealt with informally.

The decision-making process

- All those engaged in investigations and disciplinary hearings should be impartial.
- Consider the ethnic representation of those on panels or involved in disciplinary hearings. Where people of a particular race are under-represented on disciplinary panels, or where people of a particular ethnicity have different needs or experience a disadvantage connected to their ethnicity, consider taking steps to address this,⁹⁴ for example by encouraging those that are under-represented to undertake training on conducting disciplinary procedures. [Cardiff University's Race Equality Supervisory Panel](#) is an example of how universities can support panels through access to contextual understanding.
- To enhance contextual understanding and appreciation, consider appointing someone who has relevant expertise or experience to the panel, considering the nature of the case.
- Be open to addressing concerns raised by any party with the membership of panels or those involved in disciplinary hearings.
- Explain clearly to reporting and responding parties how and when they will have the opportunity to present information or make representations to investigators and panels. Consider how to support the parties in presenting their viewpoints and how they can challenge the information being presented to the decision-makers, in a way that avoids in-person confrontation. **Consider how to minimise the risk of re-traumatisation by reducing the number of times a person is asked to describe the events.**
- Ensure that decision-makers have access to advice and information that support a consistent outcome and application of sanctions.

Closing the complaint

- Unless the report or complaint was raised anonymously or the reporting party has asked not to be contacted further, the reporting party should receive a response to their concern.
- The response should be proportionate to the circumstances and will generally be more detailed where a formal complaints process and/or misconduct or disciplinary process has been followed.



Complaints from students about staff

- When a complaint is raised by a student about a staff member and this leads to an investigation and/or disciplinary process, **it is important that the disciplinary processes are kept separate from the complaints process.**
- Where this occurs, the [EHRC technical guidance on harassment at work](#) encourages employers to take steps, where possible, to disclose the outcomes to the reporting party and sets out how this can be done to ensure compliance with data protection considerations.⁹⁵ Notwithstanding this, the EHRC inquiry found that many universities would not disclose the outcome or any sanction imposed on the responding party due to concerns that this could breach data protection obligations. Responding to this, UUK is working with the ICO and representatives from the sector to develop guidance that will increase understanding around data-sharing. This includes the development of a framework to support universities' decision-making about sharing information on outcomes and sanctions, of complaints and disciplinary proceedings, with the reporting party, in accordance with data protection requirements.

Fitness to practise

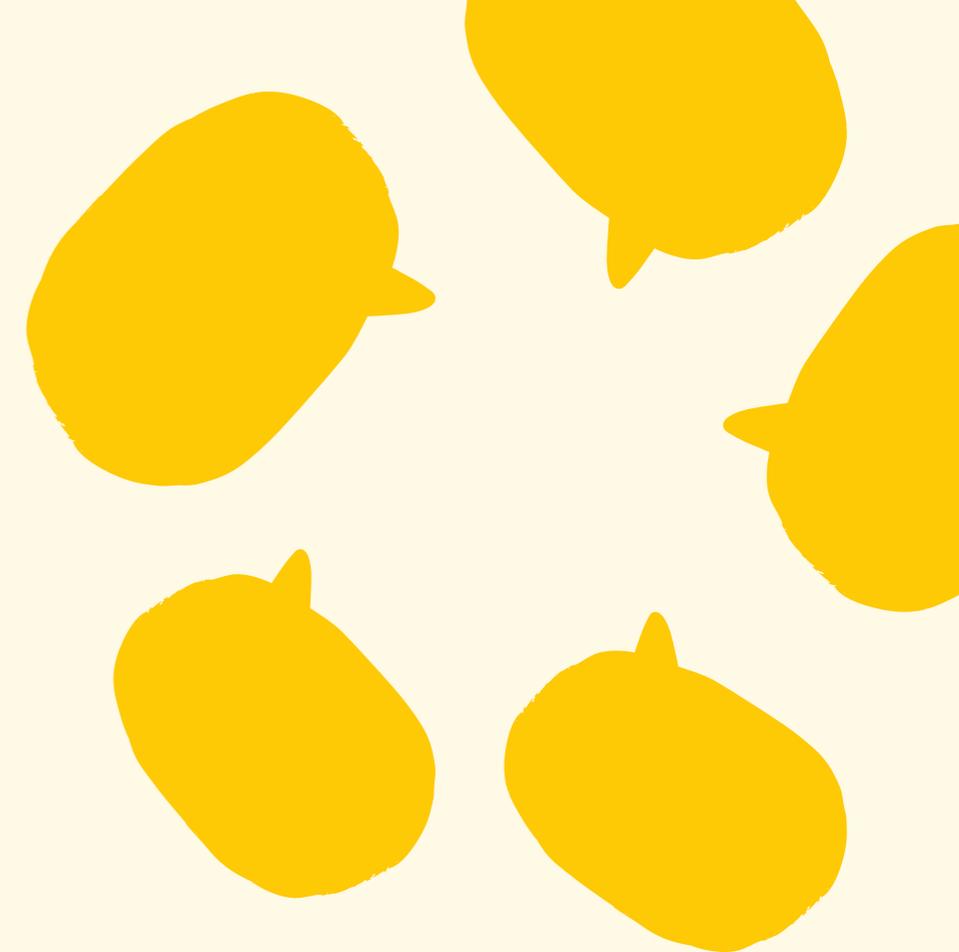
- If the responding party is a member of a regulated profession or is studying towards qualification for a regulated profession, it may be appropriate to consider whether the alleged behaviours should be considered under a fitness to practise procedure and whether the matter warrants referral to the relevant regulator or professional body. This will need to be considered as soon as the complaint is raised and the matter has been identified as one of misconduct.

Review of formal complaint

- Provide information about the circumstances in which decisions can be challenged and ensure that there is a robust appeals process for both students and staff.

Institutional learning and improvement

- Valuable feedback is obtained through the consideration and resolution of complaints and from requesting feedback on student and staff satisfaction with the complaints process. By doing this, universities can determine whether a process is fit for purpose, and identify opportunities for improvement.
- Recording complaints centrally can support regular analysis of the data. An analysis of trends can help identify areas of concern and highlight where further training or interventions are required.
- Build a regular review process into policies to ensure that they remain fit for purpose and respond to feedback from staff, students, trades unions and students' unions.



"I think it was a clear case of racial abuse but the lecturer is on my course and will determine my grade... it will affect me worse if I complain than if I don't."

Recommendation 10

Ensure that procedures for managing racial harassment complaints are fit for purpose

Universities should review their procedures for handling racial harassment complaints to ensure that these follow sector frameworks and guidance from ACAS and the EHRC to deliver fair, transparent and equitable outcomes for all parties involved. This should be done in collaboration with staff and students from Black, Asian and minority ethnic backgrounds, trades unions and students' unions. Gather, analyse and review satisfaction data to ensure procedures remain fit for purpose.

Case studies

'Tell Us' reporting tool,
Abertay University



Race Equality Supervisory Panel,
Cardiff University



Theme 5

Evaluation and sharing good practice



Issue 5.1

Poor monitoring and evaluation of interventions

Ongoing evaluation of measures to prevent and respond to racial harassment, informed by success measures agreed at the outset, is crucial to ensure that interventions have the desired effect. This will inform a cycle of continuous learning and improvement. Established measures should also be kept under review, as changes to circumstances, such as the Covid-19 pandemic, may require new action or changes in approach.

The success of prevention and response activities is context dependent, and regular evaluation is critical to ensure that initiatives that have proved successful at one university can be translated to a different kind of institution.

Evidence from the EHRC indicates that universities are likely to carry out some analysis of activity in this area, but this is more likely to be related to data on the number of complaints rather than incorporating feedback from staff and students who had used these systems.⁹⁶ As outlined in more detail under Theme 4, universities are also unlikely to capture data relating to reports made informally, and as such may not currently have an accurate picture of the prevalence and nature of incidents of racial harassment.

Evaluation of sector-wide performance is important to evidence that a cultural shift is occurring, and to ensure that guidance remains responsive to emerging issues. We recognise that racial harassment will not disappear overnight, but trust that the recommendations in this guidance, alongside universities' own activities, will support the sector to deliver sustainable cultural and systemic change.

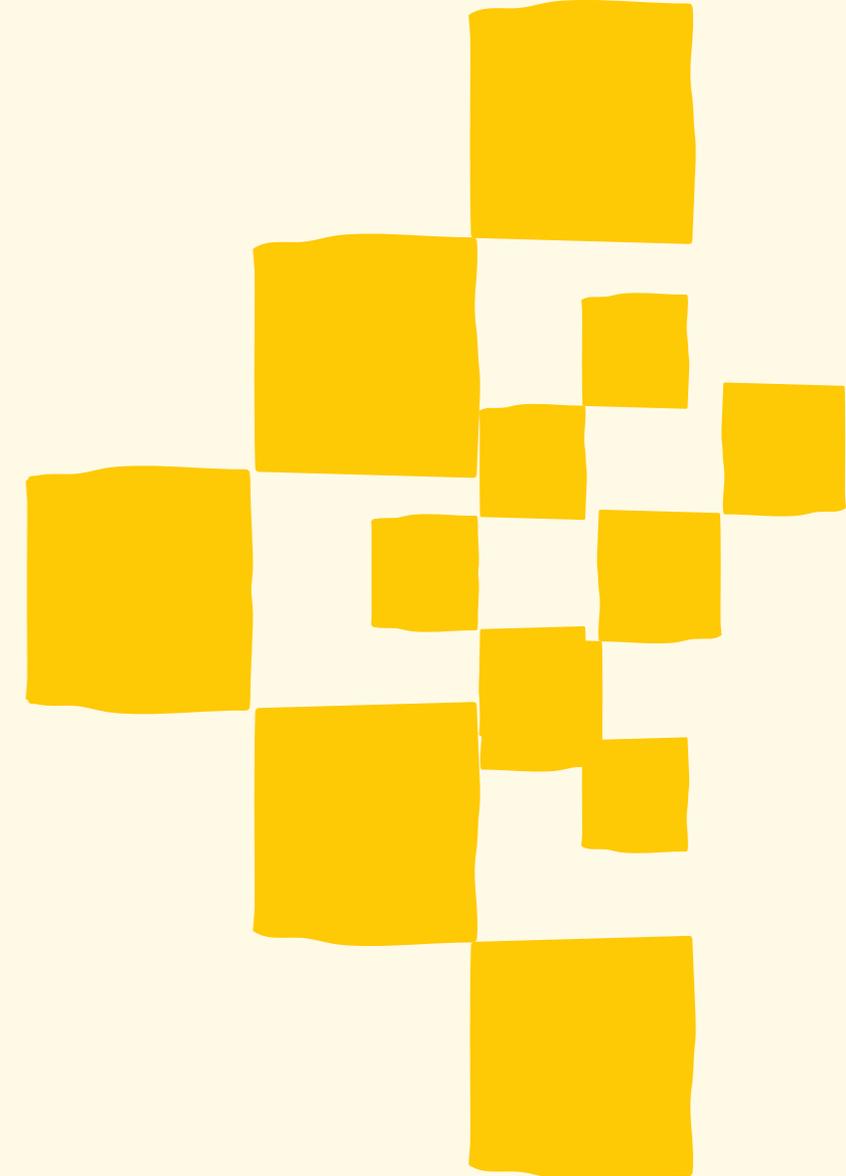
Develop evaluation measures for all activities and act on the results

- **Build evaluation into all new interventions at the design phase and designate regular review points.**
- Define short-, medium- and long-term success measures for initiatives at the outset and set targets for meeting these.
- Drive a culture of continuous improvement by regularly evaluating established measures to determine whether they remain fit for purpose and improve over time.
- Gather both quantitative (eg number of reported incidents of racial harassment) and qualitative data (eg feedback from those who have reported an incident), and use the two in conjunction to gain a deeper understanding of what the data shows. For instance, an increased number of reports of harassment may indicate increased confidence in reporting systems rather than an increase in actual harassment.
- Seek feedback from staff and students who have used institutional processes, including incident reporting and complaints procedures, on how they can be improved. Consult with students' unions, trades unions and staff networks to gain insight into how such processes are used and perceived among the groups they represent.

Support from UUK

UUK will adopt the same principle of continuous improvement by **keeping this guidance and its recommendations under regular review to ensure that these remain current and take account of emerging evidence**, particularly in the light of the rapidly changing higher education sector.

- UUK's *Changing the culture: two years on* highlighted a request from universities for further guidance on how to evaluate interventions to ensure they are having the desired impact.⁹⁷ UUK, in partnership with the NUS and Against Violence and Abuse (AVA), is working to develop a framework to support institutions in evaluating the impact of their work to tackle harassment. Due for completion in 2021, this will include an impact assessment matrix that will support universities in capturing progress towards desired outcomes.
- Using the findings in the EHRC's 2019 inquiry as our baseline, UUK will review the sector's progress against the recommendations of this guidance by summer 2022. This review will consider the perspectives of those from across the entire university community, and give due prominence to the experiences of Black, Asian and minority ethnic staff and students.



Recommendation 11

Develop evaluation measures to drive continuous improvement

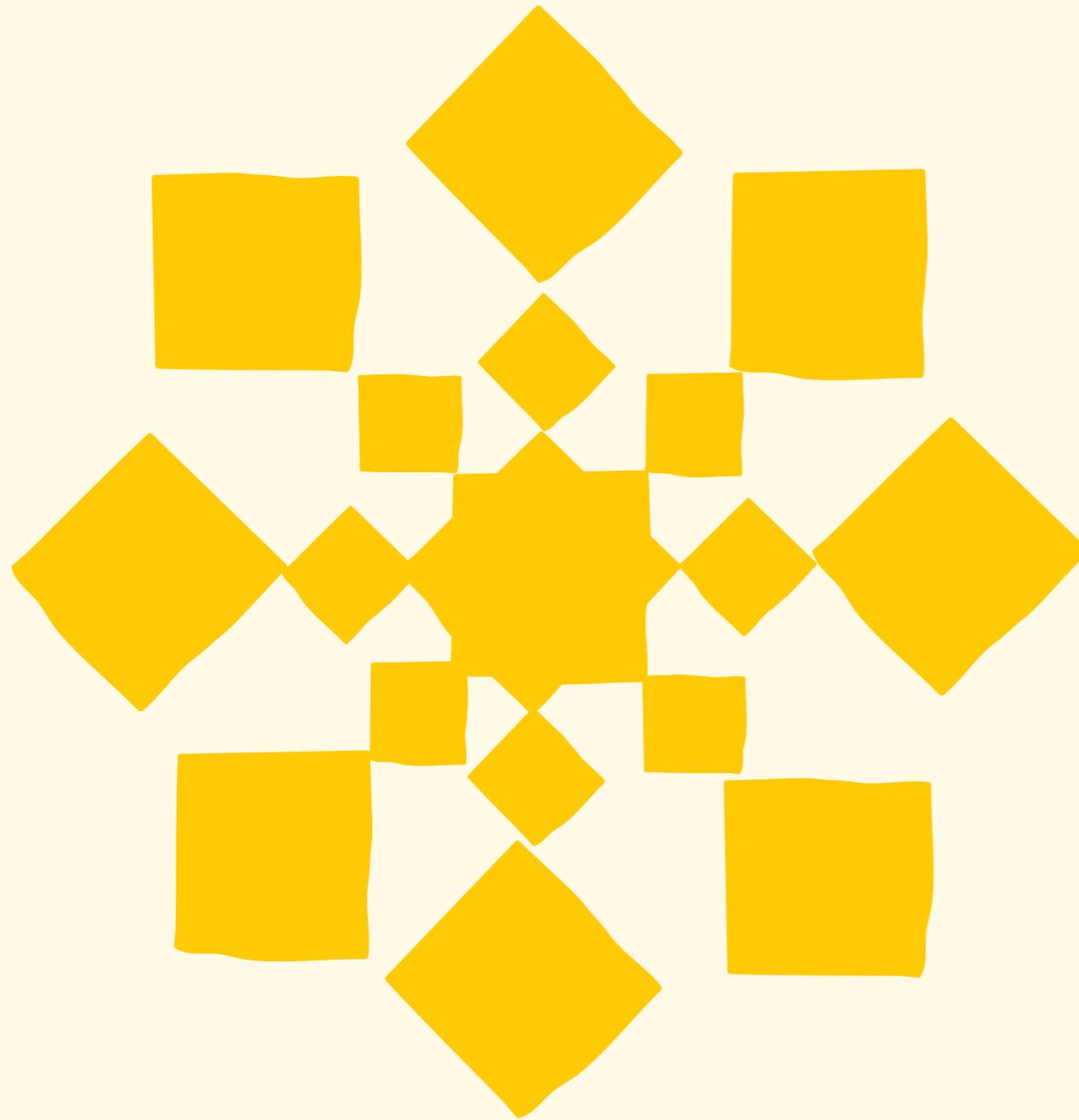
Institutions should develop robust evaluation measures for their activities to prevent and respond to racial harassment. These should incorporate the experience of staff members and students who have used reporting systems and complaints procedures. Established measures should also be kept under review as changes to circumstances, such as the Covid-19 pandemic, may require new action or changes in approach.

Recommendation 12

Conduct a UUK review of guidance

UUK will carry out a review to evaluate the impact of this guidance and identify areas for further improvement by summer 2022.

"they are trying, they want to try and help BAME students, but there's a need for conscious improvements, to improve inclusivity for students. Staff can be defensive rather than open-minded about suggestions."



Issue 5.2

Sharing of effective and good practice is limited

As noted in Chapter 1, practice on tackling racial harassment is still emerging. The sharing of practice across institutions will support the drive to improvement.

UUK has a key role here, in collaboration with other sector-wide bodies including the OfS, Higher Education Funding Council for Wales (HEFCW), Scottish Funding Council (SFC), Universities and Colleges Employers Association (UCEA), Advance HE and the NUS and trades unions.

Introduce mechanisms for sharing best practice

- Introduce mechanisms to learn from best practice within institutions. For example, convene regular meetings between those responsible for equality, diversity and inclusion in each school or department to share what works.
- UUK intends to dedicate a minimum of 25% of its annual harassment conference to tackling racial harassment.
- A number of case studies on tackling racial harassment are featured in this guidance, but there is scope to source and share others. UUK will continue to collate case studies on how universities are tackling racial harassment, and will use its platform to amplify these examples to members through member communications and one-off events, such as webinars.

Endnotes

- 1 Public Health England (2020) *Disparities in the risks and outcomes of COVID-19*
- 2 Benzeval M, Burton J, Crossley TF, Fisher P, Jäckle A, Low H, Read B (2020) 'The Idiosyncratic Impact of an Aggregate Shock: The Distributional Consequences of COVID-19' Understanding Society Working Paper Series
- 3 Townsend M, Iqbal N (2020) 'Far right using coronavirus as excuse to attack Asians, say police', *The Guardian*
- 4 Universities UK (2019) *Changing the culture: two years on*
- 5 EHRC (2019) *Tackling racial harassment: universities challenged*
- 6 Further information on addressing these and related issues can be found in [Annexe H](#).
- 7 Rollock N (2011) 'Unspoken rules of engagement: navigating racial microaggressions in the academic terrain' *International Journal of Qualitative Studies in Education*
- 8 Furnham A, Gunter B (1993) *Corporate Assessment*
- 9 Arday J (2018) 'Being Black, Male and Academic: Navigating the White Academy' *Dismantling race in higher education*
- 10 Rollock N (2011) 'Unspoken rules of engagement: navigating racial microaggressions in the academic terrain' *International Journal of Qualitative Studies in Education*
- 11 Zaihera Chaudrey, from An everyday dimension of racism: why we need to understand microaggressions, Keele University, available at: <https://www.keele.ac.uk/socialinclusion/newsandevents/news/2020/june/microaggressions/race-equality-charter.php>
- 12 The Public Sector Equality Duty legally obliges all publicly funded universities, as public authorities, to have due regard to the need to eliminate racial harassment and discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. As specified by the Equality Act 2010 and in case law, this duty is ongoing, and must be considered rigorously. For further information on the Public Sector Equality Duty, see [Annexe D](#)
- 13 EHRC (2019) *Tackling racial harassment: universities challenged*
- 14 This inquiry did not gather evidence from Northern Ireland.
- 15 EHRC (2019) *Tackling racial harassment: universities challenged* p.7
- 16 Lau J (2020) 'Coronavirus sparks a rising tide of xenophobia worldwide', *Times Higher Education*
- 17 Fazackerley A (2020) 'It's not banter, it's racism: UK students accuse universities of brushing complaints aside', *The Guardian*
- 18 Universities UK (2016) *Changing the culture*
- 19 EHRC (2019) *Tackling racial harassment: universities challenged*
- 20 UUK & NUS (2019) *Black, Asian and minority ethnic student attainment at UK universities: #closingthegap*
- 21 See www.officeforstudents.org.uk/publications/catalyst-fund-projects-evaluation/
- 22 See www.ecu.ac.uk/equality-charters/race-equality-charter/
- 23 EHRC (2019) *Freedom of expression: a guide for higher education providers and students' unions in England and Wales*
- 24 EHRC (2019) *Freedom of expression: a guide for higher education providers and students' unions in Scotland*
- 25 EHRC (2019) *Tackling racial harassment: universities challenged* (p.27)
- 26 Advance HE (2018) *Religion and belief: supporting inclusion of staff and students in higher education and colleges*
- 27 Further information on 'what works' to tackle religious-based harassment is available in the third round evaluation of OfS catalyst funded projects (Advance HE (2019) *Evaluation of safeguarding students Catalyst Fund projects: Round three – interim report*)
- 28 The 2019 EHRC inquiry did not include universities in Northern Ireland; however, much of the information in this guidance will be relevant to support Northern Irish universities to tackle racial harassment.
- 29 Delgado R, Stefancic J (2017) *Critical Race Theory (Third Edition):an introduction*
- 30 16% of academic staff and 12% of non-academic staff in UK higher education are from Black, Asian and minority ethnic backgrounds. However, at least among academic staff, this proportion falls to just 10% at the most senior levels. Those from Black backgrounds are particularly under-represented, making up less than 1% of professors (UUK & NUS (2019) *Black, Asian and minority ethnic student attainment at UK universities: #closingthegap*)
- 31 Such as degree-awarding gaps; student retention rates; graduate outcomes; under-representation of those from Black, Asian and minority ethnic backgrounds at senior levels; and ethnicity pay gaps across academic and professional services staff. Further information can be found in [Annexe H](#).
- 32 UUK (2019) *Changing the culture: two years on*
- 33 Bhopal K, Henderson H (2019) 'Competing inequalities: gender versus race in higher education institutions in the UK' *Educational Review*
- 34 EHRC (2019) *Tackling racial harassment: universities challenged*

- 35 See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839172/hate-crime-1819-hosb2419.pdf
- 36 See www.copfs.gov.uk/images/Hate%20Crime%20in%20Scotland%202018-19%20PDF.pdf
- 37 See www.ppsni.gov.uk/sites/ppnsni/files/publications/Hate%20Crime%20Infographic%2018-19_4.pdf
- 38 The EHRC inquiry gathered evidence from a wide range of sources, including a statistically representative survey of student experiences, and an online call for evidence that heard from 585 students and 378 staff who had personally experienced racial harassment. Full details can be found at www.equalityhumanrights.com/en/inquiries-and-investigations/racial-harassment-higher-education-our-inquiry
- 39 A sense of being made to feel that you do not belong restricts ethnic minority students' attainment and progression into postgraduate study (UUK & NUS (2019) *Black, Asian and minority ethnic student attainment at UK universities: #closingthegap*) and restricts the career development of Black female academics (Rollock N (2019) *Staying power: the career experiences and strategies of UK Black female professors*).
- 40 Furnham A, Gunter B (1993) *Corporate Assessment*
- 41 UUK (2019) *Changing the culture: two years on* p.26
- 42 Advance HE (2020) *Evaluation of safeguarding students catalyst fund projects: round three – final report*
- 43 Higher Education Statistics Authority Staff Record 2018/19
- 44 Their declaration: 'Racism exists on our campuses and in society. Call it what it is and reject it in all its forms. We stand united against racism.' For more information, see www.advance-he.ac.uk/news-and-views/critical-conversations-critical-action-we-stand-united-against-racism
- 45 See www.bitc.org.uk/race/
- 46 UUK (2016) *Changing the culture*, p.31
- 47 Advance HE (2019) *Evaluation of safeguarding students catalyst fund projects: round three – interim report*, p.37
- 48 See www.bitc.org.uk/fact-sheet/the-business-case-for-diversity/
- 49 UUK (2019) *Changing the culture: two years on*
- 50 Committee of University Chairs (2020) *The Higher Education Code of Governance*
- 51 In Scotland, the Committee of Scottish Chairs (CSC) adheres to the Scottish Code of Good Higher Education Governance. The 2017 Scottish Code includes a core principle that: 'The governing body must provide leadership in equality and diversity across all protected characteristics, assuming responsibility for the Institution's strategy and policy on equality and diversity. This should not only ensure compliance with all relevant legislative and regulatory requirements but also actively promote and facilitate equality and diversity goals across the whole Institution.' (see www.scottishuniversitygovernance.ac.uk/)
- 52 EHRC (2019) *Tackling racial harassment: universities challenged* p.19
- 53 EHRC (2019) *Tackling racial harassment: universities challenged* p.12; Advance HE (2019) *Evaluation of safeguarding students catalyst fund projects: summative evaluation report* p.36
- 54 EHRC (2019) *Tackling racial harassment: universities challenged* p.64
- 55 S109, Equality Act 2010
- 56 BMA (2020) *A charter for medical schools to prevent and address racial harassment*
- 57 See www.fenews.co.uk/fevoices/52439-addressing-systemic-racism-in-further-education
- 58 University and College Union (2016) *Tackling workplace racism: A UCU bargaining guide for branches*
- 59 McGregor-Smith R (2017) *Race in the workplace: The McGregor-Smith review*
- 60 See <http://www.bristol.ac.uk/students/support/wellbeing/services/bame-counselling/>
- 61 UUK (2020) *Stepchange: mentally healthy universities*
- 62 The term 'decolonisation' can also refer to the wider structures of an institution, and not just academic course content.
- 63 UUK & NUS (2019) *Black, Asian and minority ethnic student attainment at UK universities: #closingthegap*
- 64 See www.heacademy.ac.uk/download/winchester-student-fellows-scheme
- 65 For further information, see [Annexe H](#)
- 66 This was also a recommendation of the 2019 UUK & NUS #closingthegap report due to its potential to decrease degree-awarding gaps. See p.45 onwards.
- 67 See also EHRC guidance on positive action at www.equalityhumanrights.com/en/advice-and-guidance/employers-what-positive-action-workplace
- 68 See www.bitc.org.uk/race/
- 69 EHRC (2019) *Tackling racial harassment: universities challenged* p.97
- 70 EHRC (2019) *Tackling racial harassment: universities challenged* p.93

- 71 McGregor-Smith R (2017) *Race in the workplace: The McGregor-Smith review*
- 72 It is intended that these will be published in October 2020, to coincide with Black History Month.
- 73 The definition of ‘harassment’ in the Equality Act 2010: Unwanted conduct related to a relevant protected characteristic that has the ‘purpose or effect’ of either violating dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 74 Sir William Macpherson of Cluny (1999) *The Stephen Lawrence inquiry* p.49; see also [Annexe B](#)
- 75 EHRC (2019) *Tackling racial harassment: universities challenged* p.101
- 76 For further recommendations, please refer to EHRC (2018) *Unconscious bias training: An assessment of the evidence for effectiveness*
- 77 Advance HE (2018) *Evaluation of safeguarding students Catalyst Fund projects: Thematic analysis report 1*
- 78 UUK (2019) *Tackling online harassment and promoting online welfare*
- 79 University of Suffolk (2020) *Increasing safety for those experiencing family and intimate relationship harm within black and minority ethnic communities by responding to those who harm.*
- 80 See www.uos.ac.uk/sites/default/files/Higher-Education-Online-Safeguarding-Self-Review-Tool%202019_0.pdf
- 81 EHRC (2019) *Tackling racial harassment: universities challenged*
- 82 UUK (2016) *Changing the culture*
- 83 EHRC (2019) *Tackling racial harassment: universities challenged* p.9
- 84 EHRC (2019) *Tackling racial harassment: universities challenged*
- 85 Further information on anonymous reporting can be found at p.36 of UUK (2016) *Changing the Culture*
- 86 Universities have an equal duty of care to both the reporting and responding party. Guidance on provision of support for the responding party is covered under Issue 4.2.
- 87 See www.exeter.ac.uk/speakout/campaigns/speakoutguardians/
- 88 EHRC (2019) *Tackling racial harassment: universities challenged* p.9
- 89 EHRC (2019) *Tackling racial harassment: universities challenged* p.10
- 90 This is recommended by the Office of the Independent Adjudicator for Higher Education (OIA).
- 91 Questions from bank B9 or B17 are likely to be most relevant: www.officeforstudents.org.uk/media/d462a46b-0eba-42fd-84a1-c8b6dc883c99/nss-2020-core-questionnaire-and-optional-banks.pdf
- 92 For further information on handling disclosures, see [Guidance for responding to student disclosures of gender based violence in a higher education setting](#) and [Responding to first disclosures](#)
- 93 Recognising that there may be more than one reporting and responding party
- 94 As permitted by the positive action provisions under s.158 the Equality Act 2010 where certain conditions are met.
- 95 EHRC (2020) *Sexual harassment and harassment at work: technical guidance* pp76–77, points 5.66–5.68
- 96 EHRC (2019) *Tackling racial harassment: universities challenged* p.83
- 97 UUK (2019) *Changing the culture: two years on* p.54

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