

# NORTH EAST

## **RACE EQUALITY FORUM**

### INFORMATION BRIEFING

#### No. 18



### ***Tackling Racial Harassment: Universities Challenged***

The Equality and Human Rights Commission recently carried out an inquiry into racial harassment in publicly funded universities in Britain to examine staff and students' experiences of racial harassment and to look at the extent to which universities offer available, accessible and effective routes. The report [\[https://www.equalityhumanrights.com/en/publication-download/tackling-racial-harassment-universities-challenged\]](https://www.equalityhumanrights.com/en/publication-download/tackling-racial-harassment-universities-challenged) summarises the findings from: a public call for evidence; a university survey; a student survey; and interviews with universities, students and staff.

**Racial harassment is a common experience for a wide range of students and staff at universities across England, Scotland and Wales.**

Around 1 in 8 students (13%), and a quarter from ethnic minority backgrounds (24%), said they had experienced racial harassment since starting their course. More than half of students who had been racially harassed had experienced racist name-calling, insults and jokes. Other common experiences included: subtle and nuanced acts, often known as microaggressions; being ignored or excluded from conversations or group activities; and being exposed to racist material or displays.

International students told us about feeling unwelcome, isolated and vulnerable. 775 of those who experienced racial harassment, said they did not report the incidents.

Over half of staff who responded to us described being ignored or excluded because of their race. More than a quarter said they experienced racist name-calling, insults and jokes. We received examples of anti-Semitic and Islamophobic

slurs, and anti-English sentiment at Scottish and Welsh universities, for both staff and students. We were told that most incidents were part of a pattern of repeated harassment.



**Racial harassment can have a profound impact on an individual's mental health, educational outcomes and career.**

Students who experienced racial harassment said they were left feeling angry, upset, depressed, anxious and vulnerable; 8% said they had felt suicidal. Staff reported experiencing similar impacts. Around one in 20 of students who responded to the call for evidence said racial harassment caused them to leave their studies and around 3 in 20 staff said it caused them to leave their jobs.

**Staff and students are not adequately protected and the higher education sector does not fully understand racial harassment.**

The main source of legal protection from racial harassment for university staff and students is the Equality Act 2010. There are limits to the protection this provides, particularly regarding harassment of staff or students by third parties, including for student-on-student and student-on-staff harassment.

Publicly funded universities are subject to the Public Sector Equality Duty (PSED) but it does not place a positive duty on universities to take all reasonable steps to prevent racial harassment. In the absence of this positive duty, the onus falls on individuals to pursue legal cases, which can be daunting and expensive.

**University staff lack confidence in dealing with race issues**

University staff often lack the understanding, skills and confidence to manage conversations about race effectively. This can lead to anxiety in managing incidents and can undermine fair treatment and the prospect of early resolution. Students and staff gave examples of how this led to poorly handled complaints and, in some cases, complaints being dismissed altogether.

**Most students and staff do not report racial harassment**

The survey found that two-thirds of students who said they had experienced racial harassment during the first half of the 2018/19 academic year did not report it to

their university. Fewer than half of all staff respondents to the call for evidence, who had been racially harassed, reported their experiences. The main reason for not reporting was a lack of confidence that the university would address it.



### **Under-reporting and recording restricts the ability to take action**

Many universities significantly underestimate the prevalence of racial harassment and have misplaced confidence in people's willingness to come forward. In fact, within a six-month period in 2018/19, 8% of all students in the survey (an estimated 180,000 if scaled up to the entire student population) said they had experienced racial harassment. One third of these (equivalent to 60,000) said they reported it to their university. However, the survey of universities found that, across all 159 publicly funded universities in Britain, they had recorded 559 complaints of racial harassment from students over a period of three-and-a-half years. This works out at only around 80 formal complaints every six months.

### **Universities are overconfident in their complaint handling processes**

Universities tended to think they were handling complaints of racial harassment well. Nearly all universities we surveyed who had received complaints felt that they had dealt with them fairly. However, the call for evidence found a much higher level of dissatisfaction with investigative processes than university responses would suggest.

Where sanctions were applied against the perpetrator following a disciplinary process, universities often felt unable to tell the person who made the complaint due to concerns about breaching data protection rules. This left the individual feeling unsupported and that justice had not been served.

### **Leadership and culture**

A lot of recent university action to tackle harassment has focused on sexual harassment. There was not the same confidence in talking about, and tackling, racial harassment.

There was a strong perception that universities too often place their reputation above the safeguarding and welfare of students and staff. University leaders need

to create and maintain environments where racial harassment is not tolerated and where race, and racial inequality, is discussed competently, confidently and constructively.



### **Recommendations are focused on three themes**

1. **Protections, transparency and scrutiny** focuses on increasing university transparency about how they are tackling harassment and creating safe spaces, as well as their progress in building trust in reporting mechanisms.
2. **Effective redress** centres on how available, accessible and effective their routes to redress are, as well as how data is used to build trust and inform a cycle of learning and improvement.
3. **A change in university culture** where leaders understand issues of harassment, set expectations, provide oversight and scrutiny and implement training to embed a culture, which is free from harassment and supports good relations. University governing boards carry out due diligence and, where appropriate, take action on tackling harassment in line with their PSED duties. Higher education institutions (HEIs) take more responsibility for preventing and addressing harassment, drawing on evidence of what works

Detailed recommendations for governments, regulators and funding councils, higher education providers and Universities UK can be found in the full report [\[https://www.equalityhumanrights.com/en/publication-download/tackling-racial-harassment-universities-challenged\]](https://www.equalityhumanrights.com/en/publication-download/tackling-racial-harassment-universities-challenged)

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*The North East Race Equality Forum is a Network of around 300 individuals and organisations in the North East Region committed to promoting racial equality in the context of social justice. No one organisation is necessarily committed to every idea published in the name of the Forum. The Forum is supported by the 'Race', Crime and Justice Regional Research Network, which includes researchers from each University in the region.*