BME people, work, & Scotland’s Universities

performance monitoring of Scotland's public sector in meeting the specific equality duty on gathering, using and publishing data on the protected characteristics of the workforce 2013
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Context

One of the clear measures of equality is to be found in the profile, by protected characteristic, of those in employment.

Being in employment can bring multiple, potentially positive, impacts on the lived experiences of many people who share particular protected characteristics. It can reduce dependence on the less than generous state welfare system and the increasing stigma attached to what little support is provided to people who are jobless for whatever reason. It provides the opportunities for those previously excluded from key areas of society to be able to influence change and the future shape of societal structures from within. Being in work instead of being marginalised, excluded and discriminated against can also help start to slowly foster good relations between those who erect barriers and discriminate, and those who are discriminated against.

Scotland’s specific equality duties, adopted in May 2012, recognised this and set a clear goal for public bodies in Scotland. Amongst other things, the duties required that public bodies gather data on their workforce by protected characteristic and use it to help them better perform their general equality duty to eliminate discrimination, advance equality of opportunity, and foster good relations. April 30th 2013 was the first date by which public bodies were required to publish a report on their efforts in meeting this particular part of the specific equality duties.

This research report aims to construct a baseline from which future performance and progress can be accurately and transparently judged and so inform the considerations by government as to whether Ministers need to use powers available to them to improve the performance of public bodies in this area and so deliver equality which makes a difference to the daily lived experiences of Scotland’s diverse communities.

The scope of this particular report deals with the data published by universities in Scotland on the employment of people from BME communities.

Wladyslaw Mejka
Equality Here, Now

July 2013

1 See Appendix B for specific equality duty extract
Findings

Context

It always helps when looking at data to have a wider context and, in the case of equality, to look at what might be termed some of the key or exemplary performers in relation to delivering equality. In this particular case it seems reasonable and relevant to set out some of the key data on race equality in an employment context as published by the EHRC and the BBC.

<table>
<thead>
<tr>
<th>%age of BME people in workforce</th>
</tr>
</thead>
<tbody>
<tr>
<td>EHRC</td>
</tr>
<tr>
<td>BBC</td>
</tr>
</tbody>
</table>

From the EHRC’s last published workforce report of 2010/11, it is noted that the percentage of BME people employed across the whole public sector is estimated to be 8%.

Core employment data

Against this backdrop of performance by others, the performance of universities in Scotland, drawing from reports published by them, is not good. The table in Appendix A provides a summary comparison of the data for all universities.

Just 1 university, Napier, managed to exceed the standard set by the BBC but not by the EHRC. If all universities were to achieve the employment levels reached by the BBC, there would be 2,779 more BME people working in universities in Scotland. If the UK average of 8% of BME people in work were achieved by universities, this would find 1,121 more BME people working in Scotland’s universities. This is the equivalent of the combined workforce at both Abertay university and Queen Margaret university. That is the scale of BME people missing from the payroll of universities across Scotland.

Based on these figures, it is only reasonable to conclude that Scotland’s universities appear to have more than a few problems with institutional discrimination in the employment of BME people.

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2 Institutional discrimination has been and will be defined in a range of ways. The following definitions relate to race in the UK but can be amended to equally apply to all other protected characteristics.
Quality of data

One area of very good performance by universities which offers a lead to other public sector bodies is in the low level of ‘unknowns’ being returned in their workforce profiling in ethnicity. At 6.72%, when Edinburgh university is excluded from the data\(^3\), this compares very favourably with such as the NHS in Scotland ‘unknowns’ rate of 25.98%. Clearly there are opportunities here for sharing good practice.

The specific duty requires information published on workforce profiling to be ‘accessible to the public’. There appears to be a marked lack of understanding across the universities on how to make reports accessible. In some cases the reports published on line are simply copies of internal papers and reports which universities use as a basis of reporting to the Higher Education Statistics Agency [HESA]. Other universities have used the facility of publishing the required report within other relevant reports. My reading of these suggests that, again, much has to be learned about how to do this while also retaining the standard of accessibility clearly required by the specific equality duty.

One of the real surprises which emerged from scrutinising the reports was the complete lack of any core consistency in presentation of the data between and across all 16 universities and schools which published reports.

Universities across the UK are supported in their work on equalities by the Equality Challenge Unit. It was a surprise to find that it is simply not possible for a member of the public to readily compare and contrast the performance of universities across Scotland on, in this case, race equality in employment. If members of the public are unable to do this, one presumes the same barrier is presented to the Cabinet Secretary for Education & Lifelong Learning and that he is unable to monitor the university sector's performance on equality in employment.

\[^3\] Edinburgh university does not offer easily accessible data on BME status and so all is shown as ‘unknown’ in the table in Appendix A.

"The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people."

The Macpherson report

"If racist consequences accrue to institutional laws, customs or practices, that institution is racist whether or not the individuals maintaining those practices have racial intentions."

The Commission for Racial Equality
Using the data to better perform the general equality duty

A key element of the specific duty is to use the information gathered to ‘better perform the equality duty’.

There is, on a basis of a reading of what has been published by universities, very little evidence that universities have read and understood this key part of the specific duty, or are ready to act on the data they now have to better meet the general equality duty and, for example, eliminate race discrimination in employment in universities.

There appears to be just one university which offered some, limited, evidence in their report of trying to use the data gathered to help them better perform the general equality duty, Napier University evidencing a modest level of meeting the duty. This has to be regarded as a serious gap in the performance of universities generally in Scotland and must also place a question mark against the performance of the Equality Challenge Unit in support of universities.

There does appear to be widespread confusion across most universities around the need to analyse the workforce data in terms of how to then use the insights gained from the analysis to plan action on changes which will help any university to better perform the general equality duty. This may explain why the link between this specific equality duty and the general equality duty was rarely mentioned in any of the published reports.

Conclusion

When performance on equality of opportunity is such that the entire workforce of 2 universities would be needed to house all the BME people missing from the payroll of universities in Scotland, it is possible to conclude that institutional discrimination on the grounds of race contributes significantly to the scale of those estimated to be missing.
<table>
<thead>
<tr>
<th>University</th>
<th>Date when data gathered</th>
<th>Total of workforce employed</th>
<th>Workers identifying as BME</th>
<th>Workers identifying as non-BME</th>
<th>BME status of workers unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glasgow School of Art</td>
<td>2013</td>
<td>351</td>
<td>8 2.28%</td>
<td>333</td>
<td>10 2.85%</td>
</tr>
<tr>
<td>Napier University</td>
<td>2012</td>
<td>1,625</td>
<td>274 16.86%</td>
<td>1,261</td>
<td>90 5.54%</td>
</tr>
<tr>
<td>Glasgow Caledonian University</td>
<td>2012</td>
<td>1,533</td>
<td>84 5.48%</td>
<td>1,413</td>
<td>36 2.35%</td>
</tr>
<tr>
<td>Heriot Watt University</td>
<td>2013</td>
<td>1,789</td>
<td>145 8.11%</td>
<td>1,435</td>
<td>209 11.68%</td>
</tr>
<tr>
<td>Queen Margaret University</td>
<td>2012</td>
<td>429</td>
<td>15 3.50%</td>
<td>398</td>
<td>16 3.73%</td>
</tr>
<tr>
<td>Robert Gordon University</td>
<td>2013</td>
<td>1,460</td>
<td>267 7.38%</td>
<td>3,314</td>
<td>35 0.97%</td>
</tr>
<tr>
<td>Aberdeen University</td>
<td>2013</td>
<td>3,616</td>
<td>25 4.19%</td>
<td>571</td>
<td>0 0.00%</td>
</tr>
<tr>
<td>Abertay University</td>
<td>2011</td>
<td>596</td>
<td>257 7.89%</td>
<td>2,926</td>
<td>74 2.27%</td>
</tr>
<tr>
<td>Dundee University</td>
<td>2013</td>
<td>3,257</td>
<td>0 0.00%</td>
<td>0</td>
<td>9,380 100.00%</td>
</tr>
<tr>
<td>Edinburgh University</td>
<td>2013</td>
<td>9,380</td>
<td>319 5.30%</td>
<td>4,691</td>
<td>1,004 16.69%</td>
</tr>
<tr>
<td>Glasgow University</td>
<td>2012</td>
<td>6,014</td>
<td>4 1.75%</td>
<td>218</td>
<td>6 2.63%</td>
</tr>
<tr>
<td>Highlands &amp; Islands University</td>
<td>2012</td>
<td>228</td>
<td>142 6.03%</td>
<td>2,039</td>
<td>175 7.43%</td>
</tr>
<tr>
<td>St Andrews University</td>
<td>2013</td>
<td>2,356</td>
<td>49 3.45%</td>
<td>1,280</td>
<td>92 6.47%</td>
</tr>
<tr>
<td>Stirling University</td>
<td>2012</td>
<td>1,421</td>
<td>214 6.90%</td>
<td>2,736</td>
<td>151 4.87%</td>
</tr>
<tr>
<td>Strathclyde University</td>
<td>2013</td>
<td>3,101</td>
<td>51 3.65%</td>
<td>1,300</td>
<td>48 3.43%</td>
</tr>
<tr>
<td>West of Scotland University</td>
<td>2013</td>
<td>1,399</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>38,555</td>
<td>1,963 5.09%</td>
<td>25,251</td>
<td>11,341 29.42%</td>
</tr>
</tbody>
</table>
Appendix B

Extract from regulations on specific equality duties

Duty to gather and use employee information

6.—(1) A listed authority must take steps to gather information on—

(a) the composition of the authority’s employees (if any); and

(b) the recruitment, development and retention of persons as employees of the authority, with respect to, in each year, the number and relevant protected characteristics of such persons.

(2) The authority must use this information to better perform the equality duty.

(3) A report published by the listed authority in accordance with regulation 3 must include—

(a) an annual breakdown of information gathered by it in accordance with paragraph (1) which has not been published previously in such a report; and

(b) details of the progress that the authority has made in gathering and using that information to enable it to better perform the equality duty.
Appendix C

Summary overview of each workforce profiling report

Glasgow School of Art

No single report on workforce profiling. Several spreadsheets have to be downloaded and opened to access the data on ethnicity, disability, sexual orientation and religion. The School uses a catch-all ‘Christian’ identity with no breakdown offered of Catholic and Protestant. Some of the data is presented in bar charts with no access to percentages or numbers. Only analysis of what is learned from the data is a very brief section on the web site. No action plan is offered to indicate the School will seek to change the profile of the workforce and so eliminate discrimination, advance equality of opportunity or foster good relations.

Napier University

Provides a comprehensive and accessible workforce data report. Offers a comparison with data from previous years. Analysis offered is brief. Action to change the workforce profile and better perform the general equality duty is brief/vague. The university uses the catch-all ‘Christian’ in the profiling of staff and does not present any data within this on Catholic and Protestant.

Glasgow Caledonian University

The workforce data is subsumed within the Mainstreaming Report. Analysis of the data is minimalist, headed ‘staff trend data’. The report deals only in percentages and in the absence of any overall headcount for the workforce, renders it if little value and certainly not accessible as required by the specific equality duty. The university does not provide any data on sexual orientation or on religion/belief. Another workforce report, difficult to find, provides some data on disability and ethnicity.
Heriot Watt University

The university web site offered nothing which resembles a workforce profiling report and neither the Mainstreaming report nor the Equality Outcomes report provided reference to the data required. Only after some serious searching was a report found, innovatively using PowerPoint slideshow, which offered workforce data on gender, age, ethnicity and disability. Limited analysis of sorts. No action plans linked to better performing the general equality duty.

Queen Margaret University

Data on staff is a sub-set of the Equal Pay Gap data. Not easily/readily accessible. No analysis. No data on religion/belief. No actions planned to change the workforce profile to better meet the general equality duty.

Robert Gordon University

The required data was not readily available on the university web site and a formal request was made for a copy of the workforce profiling report. Unable to find workforce profiling data on characteristics of LGB and Catholics.

Aberdeen University

Limited workforce data published by the university. Little analysis. No overt action plans published to better perform the general equality duty. No data offered on religion or sexual orientation, yet the data is published for the student body.

Abertay University

Unable to readily find the data on the web site. Had to request copy of the report. No data provided on LGB or Catholic profiles of workforce.
Dundee University

Data is accessible directly on the web site. Clear. Accessible. Provides both numbers and percentages. No data offered on religion or on LGB workforce profiles.

Edinburgh University

Staff monitoring data is available. Not accessible. Gender, disability, age and ethnicity is available in one report which is split several times into academic and professional groups making the baseline data on the whole workforce well-nigh impossible to extract. Another appendix provides better, more accessible data on religion and LGB.

Glasgow University

Provides data reasonably accessible. Limited analysis. The university does not provide data on Catholics, using the ‘Christian’ catch-all. No action plans offered which show the university has identified gaps or barriers and wants to change the workforce profile and so better perform the general equality duty.

Highlands & Islands University

A data report is offered in the form of a spreadsheet which is a report to a central organisation [HESA]. It is not readily accessible to the public. No data offered on LGB or religion. No analysis. No action plans linked to better performing the general equality duty.

St Andrews University

Data is reasonably accessible in an appendix to the Mainstreaming report. No data on religion or on LGB. No analysis offered and thus no action plan to change the workforce profile to better perform the general equality duty.
Stirling University

Data report is part of mainstreaming report. Comprehensive. Reasonably accessible. Some analysis, though a tad structured and limited in the context of seeking evidence of discrimination. Very limited actions planned to change the workforce profile. No overt link of any action to change the profile and so better perform the general duty.

Strathclyde University

Separate report. Comprehensive. Plenty of what seems to be analysis but little by way of conclusions reached in the context of discrimination. Useful trends data provides context. No data on religion or on LGB. No actions planned to change the profile and link this to the better performance of the general equality duty.

West of Scotland University

Part of the Mainstreaming report. Data readily available and accessible. Little or no analysis. No action plans to change the profile and so better perform the general equality duty.