EQUALITY AND DIVERSITY IN THE FURTHER EDUCATION WORKFORCE

REPORT TO THE SCOTTISH FURTHER EDUCATION FUNDING COUNCIL

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ACKNOWLEDGEMENTS

EXECUTIVE SUMMARY

BACKGROUND

Recent policy shifts have placed an emphasis on the mainstreaming of equality and human rights issues. For example the need to implement European Employment Directives has led to new Regulations in the area of religion and belief, sexual orientation and proposed Regulations on age discrimination. Public and private sector organisations have new duties, in place or planned, to ensure that they do not discriminate against their staff (and students in the case of further education (FE) colleges) on six grounds (gender, race, disability, age, sexual orientation and religion/belief). The Race Relations (Amendment) Act 2000 placed a duty on public sector bodies to positively promote equality in relation to race, and the public sector duty to actively promote equality will apply to disability from 2006 and gender and sexual orientation from 2007. To enforce the new policy and legislation, and ensure that mainstreaming equality takes place across all policy areas, the Government is committed to the establishment of a new Commission on Equality and Human Rights, to replace the former commissions on disability, gender and race and to address the additional three strands.

The Scottish Executive has also taken a pro-active approach in promoting equality through a mainstreaming approach (Breitenbach, 2004). The power to legislate on equal opportunities is reserved to the UK Parliament, but the Scottish Parliament has the power to encourage equal opportunities and to impose duties on public bodies to ensure that they have due regard to equal opportunities in carrying out their function. The Scottish Parliament has a broad definition of equalities, including sex or marital status, race, disability, age, sexual orientation, language or social origin, beliefs or opinions such as religious beliefs or political opinions.

As a result of this new policy, legislation and regulation stemming from the European Union, the UK Government and the Scottish Executive, FE colleges will be expected to monitor and review their equality activities much more closely in order to identify the equality goals they wish to pursue, the progress they are making and the barriers which remain. At the moment, little is known about the extent and comparability of monitoring activities in colleges, and gathering data in relation to sensitive areas such as sexual orientation and religion/belief involves moving into relatively uncharted territory. Furthermore, debates continue about monitoring and target-setting in the field of equalities, with some arguing that the adoption of a managerialist approach quells the radical edge of activism, and may result in minimal compliance (Mackay and Bilton, 2000).

Little research has been conducted on equality issues in Scottish colleges (see Turner et al, 1996 for empirical research on gender issues in FE management). This research investigates how FE colleges are currently monitoring equality in relation to staff employment and the uses to which these data are being put. It also examines the knowledge and awareness of equal opportunities policies and practices amongst FE staff.

THE FURTHER EDUCATION SECTOR IN SCOTLAND

Further education colleges in Scotland were generally founded between 40 and 100 years ago. Their curriculum and working methods originated in a society where greater emphasis was placed on heavy manufacturing industry, and colleges were traditionally well integrated with their communities and local industries. The provision

of further education was the responsibility of education authorities (from 1975 until 1993 these were the nine regional and three island authorities).

During the 1970s and 1980s, FE colleges changed, as the decline in heavy industry led to a need for colleges to diversify. Courses geared to the service sector of the economy, including tourism, retailing, hairdressing and personal care, multiplied. In addition, there were moves to widen access to further education, and also an expansion of higher education provision within the further education sector. These changes resulted in a generally more diverse student body and greater flexibility in course delivery, including outreach centres and twilight sessions.

Colleges received incorporated status on 1st April 1993, when the main provisions of the Further and Higher Education (Scotland) Act 1992 came into effect. As a result of this legislation, the duty of providing further education transferred from local authorities to the Secretary of State for Scotland (and, following the establishment of the Scottish Parliament, to the Scottish Executive). New boards of management assumed responsibility for strategic decision making, college finances, property and personnel. Overall, there was a much greater emphasis on the need to adopt the management practices of the private sector, including target setting and performance management. As a result of the break from local authorities and the assumption of employer liability, the need for improved equal opportunities policies became apparent.

RESEARCH AIMS

Following SFEU's research specification, the research aimed to:

- Assemble a national picture regarding (a) the collection of equalities data by Scotland's colleges and (b) the use of equalities data by Scotland's colleges

- Ascertain, from a sample of colleges, staff knowledge and understanding of equalities legislation and their views on the effectiveness of college equalities policies and practices

RESEARCH QUESTIONS

During the course of this research project, the following research questions have been addressed:

What systems are in place in Scotland's colleges to gather and monitor equalities data in the context of gender, race and disability in relation to:

- recruitment practice,
- pay and grading decisions,
- career progression,
- harassment procedures,
- opportunities for flexible working arrangements, and
- other key areas of policy and procedure?

What procedures (if any) are in place in Scotland's colleges to gather and monitor equalities data in the context of sexual orientation, religious faith and belief and age in relation to the above?

Are staff aware of their rights and responsibilities in relation to equalities legislation and the college policies designed to implement the respective legislative duties?

Do staff consider the equalities legislation and related policies to have had an impact on:

- recruitment practice,
- pay and grading decisions,
- career progression,
- harassment procedures,
- opportunities for flexible working arrangements, and
- other key areas of policy and procedure?

Do staff consider the equalities systems and procedures to be effective?

Do senior staff and HR consider the current policies and practices with regard to equality and diversity as effective?

Do senior staff and HR consider the current policies and practices with regard to equality and diversity to be effective?

In order to address these research questions, the following methods were used:

REVIEW OF LITERATURE

A brief review was conducted of the academic and policy literature on approaches to the promotion of equal opportunities in the workplace and in further education more specifically. The review focused on Scottish and UK literature. Searches of social science databases were conducted and relevant texts obtained. Policy and legislative documents and reports were also gathered.

QUESTIONNAIRE SURVEY

A questionnaire was developed, piloted and sent to human resource managers in 43 Scottish FE colleges to gather data on the following:

- The use of systems to gather and analyse equalities data and monitor trends over time

- The extent to which data are currently being gathered and analysed in relation to race, gender and disability

- The development and use of systems to monitor equalities in relation to the three 'new' strands (age, sexual orientation and religion/ belief)

- The impact of data gathering in relation to policies, procedures and practices.

Thirty four questionnaires were returned after two reminders (approximately 75%). In some cases, information provided on the questionnaire was clarified through follow-up telephone discussions.

MINI CASE STUDIES

Five colleges were selected to participate in further qualitative research, based on identification of key practice issues in the questionnaire survey. A range of institutions in terms of size and geographical location were identified.

In each college, about eight interviews/focus groups were conducted. Interviewees included the senior manager with responsibility for equalities, wherever possible, or the head of HR to expand on information gathered in the questionnaire. A sample of academic and support staff were also interviewed including trade union representatives. Interviews were conducted either face to face or as focus group discussions, and advice was sought within each college about the best way of proceeding.

FOCUS GROUPS WITH COMMUNITIES OF PRACTICE AND CONTACT WITH E-MAIL NETWORKS

Focus groups took place with Scottish Further Education Unit communities of practice, which included the HR managers' network and the Race Equality Forum. In addition, questions were sent via e-mail to networks of BME (black and minority ethnic), LGBT (lesbian, gay, bisexual and transsexual) and disabled staff.

SUMMARY POINTS

Literature Review

- In Scottish FE colleges, men still outnumber women amongst teaching staff, and this is particularly apparent at senior management level, although the gap is narrowing.
- Amongst support staff, men outnumber women in technical support roles (e.g. lab assistant), but women outnumber men in other support roles such as administration and clerical roles.
- Women have fared better in colleges since incorporation than they did under the previous public sector regime. This is despite the negative features of women's experience of managerialism highlighted in the literature
- The inter-linking of the equalities and quality assurance agendas may be problematic in terms of engaging the hearts and minds of staff. However, mainstreaming equality requires audit systems to operate effectively.
- There is a considerable body of literature in relation to the experiences of women in FE, and a small amount of research has been undertaken on BME staff in FE colleges following the implementation of the Race Relations (Amendment) Act 2000. However, there is virtually no research on staff experiences in relation to disability, sexual orientation, age and religion/belief.

Views of HR managers

- The majority of human resource managers appeared to have received internal training on equal opportunities legislation or hold a CIPD qualification.
- In order to keep up to date with developments in equal opportunities in terms of best practice, policy and legislation, the majority of human resource managers appeared to utilise journals and/or HR events such as courses or training days.
- All colleges in the study had an equal opportunities policy, and the majority of colleges reported that their EO policy was formulated by the internal equal opportunities committee and/or the HR department.
- Race, gender and disability were covered by all colleges that responded to this question. The 'new' strands, age, sexual orientation, and religion and

belief, were not covered as frequently. Less than half of the colleges in the study dealt with equal pay, despite monitoring gender.

- Generally, staff were informed about equal opportunities as part of the induction process or through training events. Only a few colleges used departmental or team meetings or trade unions as channels to inform staff about equalities policies. This raises questions of engagement and ownership.
- Although nearly all of the colleges have a written policy statement, only three quarters reported having an action plan and/or an employee complaints procedure.
- The colleges participating in the study had received very few complaints/grievances, and those that had been made referred only to 'traditional' equalities strands. Furthermore, results suggest that most complaints/grievances were handled informally and that investigations were carried out internally.
- HR managers in FE colleges appeared to use a wide range of MIS systems to gather, store and analyse data. Generally, HR seemed responsible for gathering and analysing data; however, the data appeared to be monitored by various bodies at the college including the equality and diversity committee, or equivalent, and senior management.
- FE colleges generally collected data on the traditional equalities strands and age, marital status and previous convictions. More sensitive area such as religious belief and sexual orientation were generally left out. Most of the data appeared to be collected on the recruitment application form at the beginning of employment.
- The majority of the colleges reported that they were able to cross-reference equalities data with grade, full-time/part-time employment, pay and job offers. However, progress appeared to be more difficult to deal with, as neither promotion nor appraisal ratings were cross-referenced to any great extent.
- The equalities data was mainly used by HR when writing reports and, to some extent, when informing on policy decision. Less than half of the colleges took advantage of their collected data when setting new targets.
- The view was expressed that HR managers needed some help and advice with regard to the best ways of communicating with staff about equalities issues which were considered more sensitive, particularly those relating to sexual orientation and religion and belief.

Analysis of equal opportunities policy documents, interviews in case study institutions, focus groups and network questionnaires

- **EO policy.** All the colleges have an EO policy, or equivalent. In four colleges the policy covers all the six equality strands, in the fifth it does not include age or religion. Some colleges also have additional policies, mainly in relation to race and disability. There is also some mention of setting targets in specific areas but there is no evidence of specific target setting, e.g. in relation to increasing the number of BME staff within the colleges.
- **EO policy in the colleges.** All staff were aware that their college had an EO policy and most were aware of the strands that this covered. There was greatest awareness in relation to race and disability and this was seen to be driven by legislation in these areas.
- **Evidence for equality in practice – gender balance.** In two of the colleges the gender balance in senior posts was roughly half female and half male; in one college the balance was shifting in that direction; in the remaining two colleges the promoted posts were still male dominated. There was considerable gender stereotyping in particular areas of all the college with

social care and health being predominantly female and construction and engineering being mainly male.

- **Evidence for equality in practice – black and ethnic minority staff.** There was little evidence of BME staff in promoted posts and overall the low numbers of BME staff was concerning staff at all levels.
- **Evidence for equality in practice – sexual orientation.** Whilst most people suggested that there was no discrimination on grounds of sexual orientation there was an indication that this is a sensitive area and some felt it was a private matter that should not necessarily be discussed.
- **Evidence for equality in practice – disability.** Most felt that this area was dealt with effectively and that there was little discrimination, although a small number of disabled interviewees felt that they encountered many difficulties. It was noted in one college that the practical nature of some work would make it unsuitable for people with certain types of impairments, although it was not evident that reasonable adjustments had been fully considered. Most staff felt that access had improved considerably though there were some concerns in relation to specific buildings.
- **Evidence for equality in practice – religious beliefs.** This was seen as being catered for effectively with allowances made for the needs of specific individuals. However, this view may reflect a lack of knowledge and awareness of the issues encountered as it tended to focus on one particular religion.
- **Staff involvement in formulation of policy.** On the whole staff, except those with an EO remit, were not involved in policy formulation. There was a suggestion from some that there were opportunities for more active engagement, though others felt they had not had the opportunity to be involved. There was evidence of union involvement and this was particularly strong in one college.
- **Channels for communicating EO policy.** A range of modes of communication were used with website followed by induction, training sessions and staff handbook being the most commonly used. Most staff felt that this range of communication channels worked well.
- **Data collection and monitoring.** Most staff were aware that data was being collected but they were not clear about how this was analysed, reviewed and incorporated into action plans.
- **Equality in appointments and promotion procedures and practices.** There were some differences of opinion in terms of the fairness of the procedures. It was generally felt that the recruitment process was acceptable but it was suggested that the promotion process was not always entirely fair.
- **Equality in access to CPD and access to equalities training**. All colleges operated a system of annual staff review and most felt that this offered the majority of staff fair access to further development. However, there was a suggestion that part-time members of staff and, especially those on short-term contracts might not get the same access. Equality training was available to all, some of it compulsory but it was sometimes poorly attended. However, most of those that had attended commented favourably on the quality of the courses.
- **The complaints procedure**. All staff indicated that they knew who to contact if they had a grievance and most said they would feel comfortable to do so. However, there were also suggestions that there were staff who would not wish to complain and that the process was not entirely fair.
- **Suggestions for future developments**. The main ones were:
  - More awareness raising and training
  - More proactive work in monitoring the culture of departments and the actions of individual staff members

- Encouraging people to complain and make sure that people feel comfortable about complaining
- Ensuring that policy is transparent and workable
- Listening to staff and ensuring equality in all areas including pay
- **Attitudes of others to equal opportunity principles**. Both senior management and other staff felt that there were varying levels of acceptance and that it was not a priority area for many. There were also different degrees of acceptance of the different strands, with disability seen as generally unproblematic whilst race and sexual orientation were seen as areas that some people had difficulties with.

EMERGING THEMES

The nature of equal opportunities policies

Findings from the questionnaire completed by HR managers revealed that equality policies were well established in Scottish colleges, and that legislation has provided an impetus for their development. Colleges knew of the need for separate race equality policy. Whilst not all colleges had this in place, they were aware of their duties to positively promote racial equality and to have action plans in place to monitor progress. Carter et al's (1999) study of ethnicity and employment in higher education revealed that a third of higher education institutions lacked race equality policies in place. Assuming that there are some similarities between FE colleges and HEIs, it is evident that significant changes have already taken place. Given the new duties in relation to gender, disability and age, it is evident that the need for new and updated policies will continue.

The treatment of different equality strands

It was evident from questionnaire findings, analysis of policy documents and interviews that different weight was given to the six equality strands. Colleges generally had less to say about age, religion/belief and sexual orientation, and indeed there was some degree of uncertainty as to how the latter areas should be tackled. Staff comments revealed some degree of unease, suggesting that sexual orientation and religion and belief were part of an individual's private, rather than public life. There was a lack of understanding of the way in which religion/belief and sexual orientation underpin structural inequality, and overall it appeared that social categories tended to be understood in individual rather than social terms. Clearly this is an area where raising staff awareness is of great importance.

Monitoring, action planning and target setting

Monitoring of staff characteristics in relation to gender, race, disability and age was fairly routine in most colleges, and this tended to happen at the point of recruitment. Fewer colleges were recording information in relation to religion/belief and sexual orientation, and some HR managers said they needed advice on how to request what might be construed as quite sensitive and private information from staff. There were different practices with regard to how the information collected was used; sometimes it was presented to both the equal opportunities committee and the senior management team, but overall it did not appear that staff were kept well informed of the current position in the college and plans for the future. Colleges varied with regard to their approaches to action planning. Only some appeared to have clearly specified equality goals and milestones. Furthermore, it did not appear that any colleges had targets for the employment of particular groups. In addition, it was evident that most colleges were not conducting inter-sectional analyses, for example,

considering employment patterns by age and gender or race and gender. Overall, it appeared that the use of equalities data, including its accessibility, merits further thought.

Engagement of staff

In most colleges efforts were made to inform staff about college equality policies, but few staff appeared to be actively engaged in contributing their ideas for future priorities and there did not appear to be mechanisms for accessing grassroots staff opinion. Posting information on the internet was a common way of informing staff about college policy, but whilst this may be an efficient means of communication, it does not necessarily engage people's interest. E-mail messages about new developments may reach a large number of staff, but may be swiftly deleted as staff struggle to deal with the work they have to prioritise. It was evident from the college interviews that staff felt reasonably positive about equalities issues and the way they are being dealt with in colleges, but their passions were not stirred. Equalities policies were seen as possibly more geared to students' needs, the consumers of education, than those of staff.

There was also a degree of complacency reflected in staff views. The majority of staff we interviewed were white, and in the case of academics and managers, in middle class occupations. They generally felt comfortable that the equalities agenda was being adequately addressed, and, for example, difficulties faced by disabled staff members had been solved by physical adjustments. Some disabled staff members presented a less rosy picture, referring to particular difficulties such as cold workrooms. The fact that the majority of disabled staff was likely to have invisible impairments, such as mental health difficulties, did not appear to have been considered. There was also some degree of complacency with regard to recognizing the potential difficulties faced by BME and LGBT staff. Mirza (2005), for example, has noted that despite black women's desire to use education as a source of social transformation, they continue to be under-represented, particularly in elite higher education institutions and in the most prestigious jobs (whilst being used extensively in publicity material to capture the global student market). Amongst our interviewees, the view that race is not a problem in the college because of a predominantly white indigenous population was still apparent.

Managerialism and equalities

A bubbling issue arising from the various strands of data in the study was the tension between the task of promoting equalities and managerialism both as an implementation vehicle and as a discourse underpinned by values of rationality and institutional efficiency. Mainstreaming equalities inevitably demands bureaucratic structures to work effectively. Equality policies relating to a range of strands have to be implemented across all aspects of institutional activity, targets have to be set and progress monitored. However, there are both gains and losses of adopting this approach. The activity of institutional audit may concentrate responsibility in the hands of managers, who are not necessarily the individuals within the institution with the strongest commitment to and understanding of equality issues (although of course some senior managers have a serious commitment to equalities). Those who speak with the voice of authority as a result of their lived experience may not wish to be defined by a particular aspect of their identity, such as their sexual orientation or disability status. Furthermore, the business of academic or support work in a college may preclude active engagement in additional committees and strategy groups. Finally, within some colleges there may be an unwillingness to allow staff to control

the equalities agenda, indeed in this study it was evident that the involvement of trades unions varied across institutions.

Developing the equalities agenda

It is evident from the evidence presented in this report that much progress has been made in relation to embedding the equalities agenda in Scottish FE colleges. The examples of good practice in Section 5 illustrate the way in which certain colleges are attempting to ensure that equal opportunities principles are inter-woven into all aspects of college life, and a positive institutional ethos lies at the heart of this. However, there is still much progress to be made, a point underlined by the recent report published by the Commission for Black Staff in Further Education. The steps which the most forward-thinking colleges are likely to be taking to promote racial equality are outlined. These include the following:

Leadership – the college will provide clear leadership and commitment to promote racial equality. This commitment will be highly visible and feature prominently in the college prospectus, annual report (including the results of monitoring information) and other key documents.

Policy – the institution will consult widely with representatives of different ethnic groups in the college to develop a race equality policy and action plan, including discussions with trade unions.

Accountability – the college will ensure that everybody (governors, staff and students) understands their responsibility for promoting race equality.

Mainstreaming – the race equality action plan will be integrated into the college's strategic plan. Each department will have its own race equality objectives and managers at all levels will have measurable race and equality targets built into their personal appraisal plans.

Marketing – positive multi-cultural/racial images will promote the college, regardless of its ethnic composition or that of the locality.

Ethnic monitoring – the college will collect, analyse and monitor data by ethnicity annually, in a uniform way, and present this in a clear and accessible form.

Target setting – targets for race and equality will be set as part of the college's strategic plan, using key benchmarks such as the size of the local minority ethnic population and the national minority ethnic population.

Positive action – positive action will provide facilities or services to meet the special needs of people from particular racial groups (for example, English language classes); job training will target particular racial groups that are under-represented in an identified area of work; and applications from racial groups under-represented in identified work area will be encouraged.

Reviewing progress – the college will achieve steady progress by regularly reviewing and evaluating policy and progress.

On the evidence of this report, most Scottish colleges have moved some way to achieving many of these goals. However, areas for further thought and progress are clear. These include more effective and comprehensive monitoring, action planning and target setting. Furthermore, job training targeted at particular groups is an area

which has not been used extensively in Scottish colleges to date. Bearing in mind that such rigorous policies would need to be developed in relation to other equality groups, then it is clear that the task of creating FE colleges which truly reflect the diversity of modern Scottish society has only just begun.

SECTION 1: BACKGROUND

Recent policy shifts have placed an emphasis on the mainstreaming of equality and human rights issues. For example the need to implement European Employment Directives has led to new Regulations in the area of religion and belief, sexual orientation and proposed Regulations on age discrimination. Public and private sector organisations have new duties, in place or planned, to ensure that they do not discriminate against their staff (and students in the case of further education (FE) colleges) on six grounds (gender, race, disability, age, sexual orientation and religion/belief). The Race Relations (Amendment) Act 2000 placed a duty on public sector bodies to positively promote equality in relation to race, and the public sector duty to actively promote equality will apply to disability from 2006 and gender and sexual orientation from 2007. To enforce the new policy and legislation, and ensure that mainstreaming equality takes place across all policy areas, the Government is committed to the establishment of a new Commission on Equality and Human Rights, to replace the former commissions on disability, gender and race and to address the additional three strands.

The Scottish Executive has also been proactive in promoting equality (Breitenbach, 2004). The Scottish Executive Equality Unit deals with all equality issues that might be addressed under Schedule 5 of the Scotland Act 1998. Under this legislation, the Scottish Executive is empowered to impose duties on any public authority to ensure that its functions are carried out with due regard to equality issues. The Scottish Executive is committed to mainstreaming equality throughout its work, defining mainstreaming in the following way:

> The systematic integration of an equality perspective into the everyday work of government, involving policy makers across all government departments, as well as equality specialists and external partners. (Scottish Executive, 2000)

Definitions of equalities vary for different administrative purposes and across different jurisdictions. The power to legislate on equal opportunities is reserved to the UK Parliament. There are two exceptions to this reservation listed under Schedule 5 of the Act, which states that the following matters may be undertaken by the Scottish Executive:

- The encouragement (other than by prohibition or regulation) of equal opportunities.

- The imposition of duties on any office holder in the Scottish administration or any public authority, to make arrangements with a view to ensuring that their functions are carried out with due regard to the need to meet the equal opportunities requirements.

The Scotland Act 1998 defines equal opportunities as:

> The prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes including beliefs or opinions such as religious beliefs or political opinions.

As a result of this new policy, legislation and regulation stemming from the European Union, the UK Government and the Scottish Executive, FE colleges will be expected

to monitor and review their equality activities much more closely in order to identify the equality goals they wish to pursue, the progress they are making and the barriers which remain. At the moment, little is known about the extent and comparability of monitoring activities in colleges, and gathering data in relation to sensitive areas such as sexual orientation and religion/belief is moving into relatively uncharted territory (see McLean and O'Connor (2003) and McManus (2003) for discussion of issues in relation to engaging the LGBT community in research). Furthermore, debates continue about monitoring and target-setting in the field of equalities, with some arguing that the adoption of a managerialist approach quells the radical edge of activism, and may result in minimal compliance (Mackay and Bilton, 2000).

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STRUCTURE OF THE REPORT

Sections 2 and 3 of this report outline the methods used and provide a brief overview of the policy and research literature. Section 4 provides a national picture of systems in place to monitor equality among staff employed in Scotland's FE colleges, based on a questionnaire survey administered to Human Resource staff. Section 5 draws on mini-case studies to provide an overview of staff knowledge and experience in relation to equal opportunities and their views of the effectiveness of current policy

and practice. In section 6, the conclusion, we provide recommendations for the sector regarding good practice as well as further action on managing equality and avoiding discrimination.

RESEARCH AIMS

Following SFEU's research specification, the research aimed to:

- Assemble a national picture regarding (a) the collection of equalities data by Scotland's colleges and (b) the use of equalities data by Scotland's colleges

- Ascertain, from a sample of colleges, staff knowledge and understanding of equalities legislation and their views on the effectiveness of college equalities policies and practices

RESEARCH QUESTIONS

During the course of this research project, the following research questions have been addressed:

What systems are in place in Scotland's colleges to gather and monitor equalities data in the context of gender, race and disability in relation to:

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- pay and grading decisions,
- career progression,
- harassment procedures,
- opportunities for flexible working arrangements, and
- other key areas of policy and procedure?

What procedures (if any) are in place in Scotland's colleges to gather and monitor equalities data in the context of sexual orientation, religious faith and belief and age in relation to the above?

Are staff aware of their rights and responsibilities in relation to equalities legislation and the college policies designed to implement the respective legislative duties?

Do staff consider the equalities legislation and related policies to have had an impact on:

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In order to address these research questions, the following methods were used:

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Thirty four questionnaires were returned after two reminders (approximately 75%). In some cases, information provided on the questionnaire was clarified through follow-up telephone discussions.

MINI CASE STUDIES

Five colleges were selected to participate in further qualitative research, based on identification of key practice issues in the questionnaire survey. A range of institutions in terms of size and geographical location were identified.

In each college, about eight interviews were conducted using semi-structured interview schedules. Interviewees included the senior manager with responsibility for equalities wherever possible, or the head of HR to expand on information gathered in the questionnaire. A sample of academic and support staff were also interviewed including trade union representatives. Interviews were conducted face to face.

Each of the case studies reported in Section 5 includes key characteristics of the staff interviewed.

**FOCUS GROUPS WITH COMMUNITIES OF PRACTICE AND CONTACT WITH E-MAIL NETWORKS**

Focus groups took place with Scottish Further Education Unit communities of practice, which included the HR managers' network and the Race Equality Forum. In addition, questions were sent via e-mail to networks of BME (black and minority ethnic), LGBT and disabled staff. Findings from these sources have been incorporated into sections 4 and 5.

SECTION 3: POLICY AND LITERATURE REVIEW

COMPOSITION OF THE FURTHER EDUCATION WORKFORCE

Scottish further education colleges provide the Scottish Funding Councils for Further and Higher Education (now the Scottish Funding Council) with information on the social profile of their staff on an annual basis (see tables A1 – A5 in the Appendix). Information is published on the number of staff by type of employment (permanent/temporary), the mode (full-time/part-time) and the type of staff (teaching/support) (Table A.1). Data are also published in relation to qualification by type of employment (Table A.2) and by grade of the post, mode and gender (Table A.3). Table A.4 contains information on age by type of staff and gender, and Table A.5 includes data on ethnic group by type of staff.

Figure 3.1: Staff FTE by departmental grade of post and gender
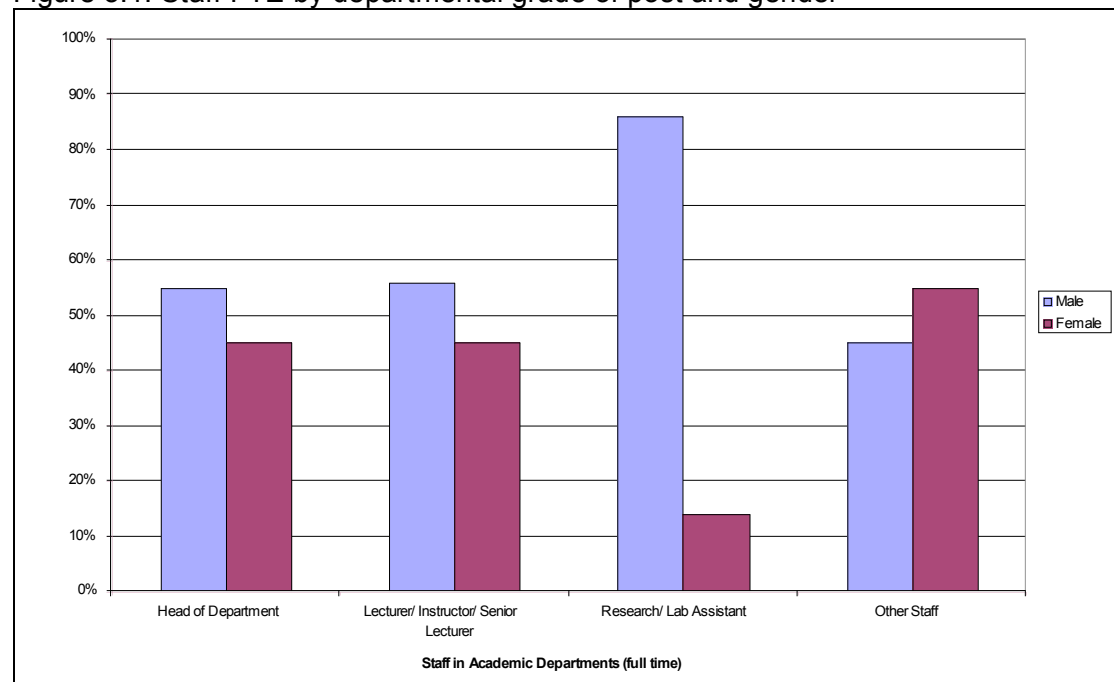
Source: Statistics Branch, Scottish Funding Councils for Further and Higher Education (2003-2004, some colleges have since merged)

Figure 3.2: Staff FTE by cross-college grade of post and gender
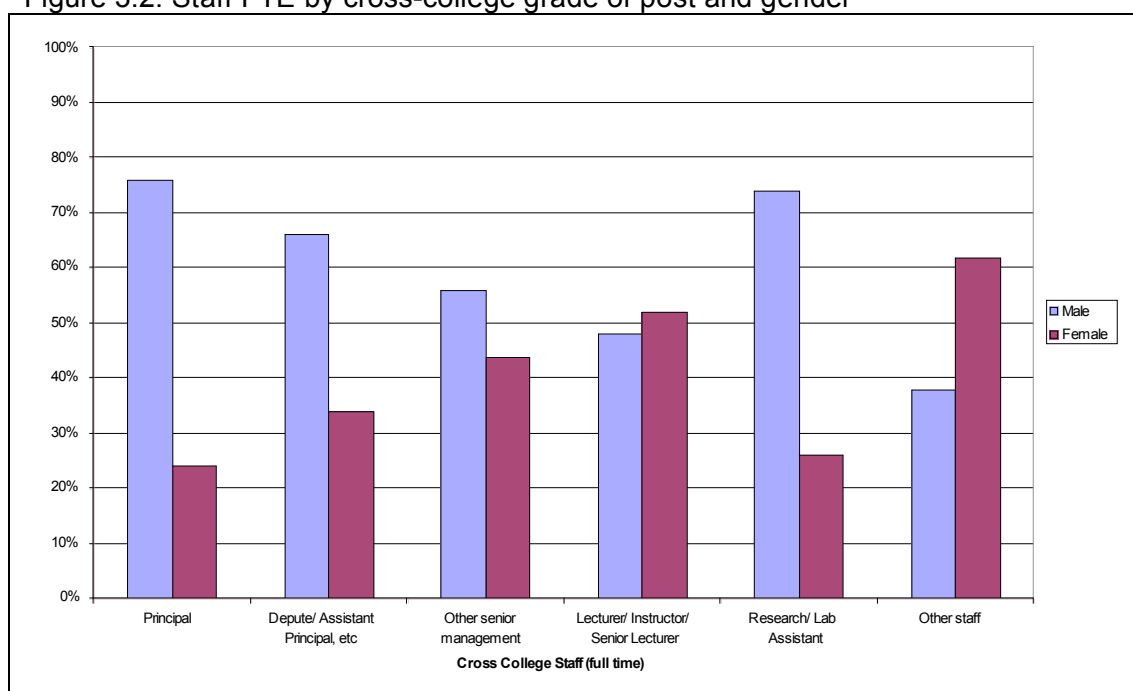
Source: Statistics Branch, Scottish Funding Councils for Further and Higher Education (2003-2004, some colleges have since merged)

Figure 3.1 shows that men outnumber women among heads of department and teaching staff (approximately 55% male), but the disparity amongst technical support staff (research and laboratory assistants) is much greater (86% male). Women make up almost a quarter of college principals. This represents a major change vis a vis the situation in 1993, when there was only one female principal in the 43 further education colleges which existed in Scotland at that time (Turner et al, 1996). Given the fact that women make up about 45% of lecturers and middle managers in further education colleges, it is possible that the proportion of female principals will increase even further in the future. In secondary schools, about two thirds of staff are now female (Riddell et al, 2005); however, the extent to which women will, in the future, outnumber men in further education is uncertain, given the vocational nature of much of the further education curriculum and its mirroring of gender divisions in the external labour market.

Data in Table A.5 shows that about 95% of both teaching and support staff in Scottish further education colleges are white. This is approximately in line with the proportion of black and minority ethnic people (BME) in the general Scottish population. However, the 2001 Census revealed that a higher proportion of children and young people in Scotland are from black and minority ethnic groups compared with older age groups, and therefore a steady increase in the proportion of BME staff in further education colleges would be expected in the future. In 2003, there was no BME principal of a further education college in Scotland, and the representation of BME staff at the most senior levels clearly needs to be addressed in colleges' action plans.

Data are not currently published in relation to religion/belief and sexual orientation.

FURTHER EDUCATION COLLEGE CULTURE

As noted above, FE colleges were originally dominated by traditional male trades and, as they changed to reflect the new service sector, sex-stereotyping continued. For example, courses in care, hairdressing and beauty therapy were taught almost exclusively by women, whilst the building and engineering areas continued to be male-dominated (Deem, 1980). The adoption of faculty structures went some way to blurring these departmental divisions, although particular vocational fields still tended to reflect wider gender divisions within the labour market.

Prior to incorporation, further education colleges tended to be managed in a linear and hierarchical manner, and almost all senior managers were men. According to Nicholson (1992), the culture of further education was extremely male-dominated, in part reflecting the traditional client group.

Since incorporation, there has been an increasing emphasis on running FE colleges according to the principles of New Public Management. According to Newman (1998; 2000):

> New Public Management was a term used to describe a series of reforms which reshaped the relations between public and private sectors, professionals and managers, and central and local government. Citizens and clients were recast as consumers, and public service organizations were recast in the image of the business world (Newman, 2000).

The growth of managerialism in FE colleges has coincided with an increase in the number of women in middle and senior management positions in both England and Scotland. In England, for example, the proportion of principals who were women increased from 5.5% in 1988 to 17% in 1997. This represents something of a paradox, since managerialism, with its emphasis on targets and deliverables, has sometimes been described as requiring a modus vivendi which is intrinsically more suited to traditionally male ways of working. For example, Mahony (2000), discussing the growth of managerialism in school settings, suggests that women's psychological well-being may be compromised by the demands of managerialism:

> If successful management is defined in masculinist terms, then women will be pressured to conform to its dictates in ways which may create tensions between their values and their power to act in collaborative ways (Mahony, 2000: 238).

Other writers; however, have warned against the over-simplified dualism which may be implicit in this analysis, suggesting that women may find ways of operating within managerialist cultures which may be subversive (Sachs and Blackmore, 1998).

In relation to further education, a number of writers have discussed the ways in which women adapt to managerialist cultures. This may involve some acceptance of managerialist values but also some degree of subversion, since women are particularly likely to inject some degree of humanity into the more severe forms of performance management (Hughes, 2000; Prichard and Deem, 1999). Deem et al (2000) argue that, whilst some social and cultural as well as demographic feminization of FE management is taking place, this is much more marked at the middle management level whilst senior management remains more men's work than women's, albeit tinged with changing notions of masculinities. Halford and Leonard (1999) studied the way in which managers across the public sector adapted to new

managerialist ways of working, and suggested that although the influence of these discourses was undeniable, individuals did not passively accept these new identities, but were able to subvert, interrupt or disturb their transmission. Hughes (2000) presents a less optimistic view, suggesting that the widespread incorporation of an 'ethics of care' into organisational life is not possible within contemporary further education because of its commercially driven value system. Shain (2000) argues that women have been more successful so far in obtaining middle management, rather than senior management posts within further education, and as a result carry a disproportionately heavy burden of responsibility for the day to day running of college affairs. With regard to current changes within the sector, Gleeson (2001) suggests that immediately post-incorporation, a particularly macho form of management tended to be encouraged, as the sector adapted to a new financial stringency and posts were stripped out. The next wave of managers, by way of contrast, have reflected a more   feminised culture. In an ESRC funded study investigating staff responses to managerialism in further education, Shain and Gleeson (1999) identified three distinct responses: resistance, compliance and strategic compliance. Whilst many lecturers complied to some extent with the demand for flexibility, reliability and competence, there was also evidence of a continued adherence to 'public sector' or 'old professionalism'. In general, there would appear to be something of a paradox between the advent of managerialism as a predominant mode of operation within further education, and the greater success of women in obtaining middle and senior management posts. Whilst some feminists saw managerialist ways of working as inimical with the values held by many women, it is evident that many have found ways of colonising these new systems, however uncomfortable this might be. Arguably, managerialist regimes may actually offer more opportunities to women than the old forms of professionalism operating in colleges, characterised by rigid hierarchical structures rather than more flexible ways of working and flatter management arrangements.

QUALITY ASSURANCE AND EQUAL OPPORTUNITIES

Equal opportunities policies in further education have tended to be promoted through managerialist practices, engendering both opportunities and challenges. As noted above, incorporation provided an initial impetus for further education colleges to develop equality policies, since they were no longer protected as employers by local authority policies and practices. Initially, the introduction of the Scottish Quality Management System, the development of new Performance Indicators and the Investors in People initiative provided the broad framework for equality policies. Subsequently, colleges worked to the SFEFC/HMIE Quality Framework (2004) (www.hmie.gov.uk/publications.asp). The Scottish Further Education Unit website included a section on Equality, Diversity and Inclusion, which provided colleges with guidance on their legal duties and a self evaluation tool (see www.sfeu.ac.uk/edi.asp). A link can be followed to other web sites and publications containing more detailed information and advice, such as the Commission for Racial Equality's publications entitled A Guide for FE/HE Institutions (Scotland) and A Guide for Public Authorities (Scotland) (www.cre.gov.uk/scotland/public_policy.html).

Drawing on research into the nature and use of equality policies in higher education, Deem and Morley (2005) point out some of the tensions which may arise when managerialist approaches are used to implement equality policies. A danger is that:

> Equality can be construed as another form of regulation and surveillance in the managed university, alongside quality audit (Morley, 2003).

When information about equal opportunities is conveyed via e-mail alongside a mass of other information, there is a danger that it can be ignored or neutralised, rather than associated with radical and inspirational social movements. Furthermore, the policy of mainstreaming equality demands that all policy makers and practitioners incorporate equal opportunities policies into all aspects of their work. However, it is quite unlikely that all will have an equal commitment to and understanding of the principles of equal opportunities, grounded as these are in an analysis of structural forms of social oppression and discrimination. Some of those charged with implementing equalities policies may have little personal commitment to the achievement of a more socially just society. The idea underlying mainstreaming equality is that individuals' personal beliefs are less important than the way in which institutions require them to behave. However, there is clearly a 'hearts and minds' issue which goes well beyond formal compliance. Deem and Morley (2005) noted that higher education institutions' equal opportunities policies had more to say about policy for students than staff, and surmised that this might reflect the prioritisation of the customer over the provider in managerialist discourse. Overall, their work on equal opportunities in higher education demonstrates both the strengths and weaknesses of harnessing the implementation of equal opportunities to the managerialist agenda.

THE PUBLIC SECTOR DUTY IN RELATION TO RACE

As noted above, there is a cluster of studies on the experiences of women managers in further education, with researchers questioning whether women's preferred management style is different from that of men (see Turner et al, 1996 for review). Much less has been written about the experiences of black and minority ethnic staff and managers in Further Education Colleges. However, as a result of the Stephen Lawrence enquiry and the public sector duty to actively promote equality under the Race Relations (Amendment) Act 2000, the Commission for Black Staff in Further Education was established south of the border. The Commission published a report entitled *Challenging Racism: The Way Forward* (Commission for Black Staff in Further Education, 2005) which included quantitative and qualitative data on the position of black staff in the sector.

Amongst its findings were that black staff constituted just under 7% of the total staff population in further education, with under-representation in London, the North West and the West Midlands. They were better qualified than their white counterparts, but a slightly lower proportion held full-time teaching posts. Black staff were concentrated in particular areas of the curriculum, specifically continuing education (including literacy and numeracy for speakers of other languages) and, to a lesser extent, maths and science. Six per cent of colleges did not have an equal opportunities policy, and fewer than half used formal recruitment practices for hiring hourly paid staff. Fewer than one in five colleges used target setting to address the under-recruitment of black staff, and 15% of colleges set targets for the employment and progression of black staff. Ethnic monitoring data was used by 53%, but most did not set targets for recruitment of black people onto governing bodies or key college committees. Fewer than half of colleges had specific equality training programmes for staff and the majority of colleges did not have black staff support or development groups (only 8% of institutions had these groups and 1% had a mentoring programme for black staff).

SUMMARY

- In Scottish FE colleges, men still outnumber women amongst teaching staff, and this is particularly apparent at senior management level, although the gap is narrowing.
- Amongst support staff, men outnumber women in technical support roles (e.g. lab assistant), but women outnumber men in other support roles such as administration and clerical roles.
- Women have fared better in colleges since incorporation than they did under the previous public sector regime. This is despite the negative features of women's experience of managerialism highlighted in the literature.
- The inter-linking of the equalities and quality assurance agendas is seen as problematic in terms of engaging the hearts and minds of staff. However, mainstreaming equality requires audit systems to operate effectively.
- There is a considerable body of literature in relation to the experiences of women in FE, and a small amount of research has been undertaken on black staff in FE colleges following the implementation of the Race Relations (Amendment) Act 2000. However, there is virtually no research on staff experiences in relation to disability, sexual orientation, age and religion/belief.

SECTION 4: HUMAN RESOURCE MANAGERS' VIEWS OF COLLEGE EQUAL OPPORTUNITIES POLICY AND PRACTICE

INTRODUCTION

As noted at the start of this report, there are growing expectations that public sector bodies will take positive action to promote equality. Clearly, monitoring of staff characteristics and experiences is a vital precursor to taking effective action to rectify inequalities. HR managers were therefore asked a range of questions about the nature of equal opportunities policies and procedures in their colleges, as well as monitoring and action planning. It should be noted that some public sector bodies have taken considerable steps to investigate the social profile of their staff across a range of dimensions, and the Scottish Parliamentary Corporate Body has particularly well developed procedures (SPCB, 2003). However, such in-depth monitoring is at an early stage in many organizations.

KNOWLEDGE AND EXPERIENCE OF EQUAL OPPORTUNITIES

Human resource managers were asked what experience and/or training they had in relation to equal opportunities legislation. Eighty five per cent (n=29) of the HR managers had received internal training and nearly 80% (n=27) mentioned that they held a CIPD qualification. Around 70% mentioned CPD (n=25) and/or being self taught/informed (n=23). However, nearly half of the participants stated other HR training or qualification. These included external training, e.g. training from employment lawyers, SFEU events, and links to ethnic minority organisations.

Human resource managers used a variety of ways to keep up with developments in equal opportunities in terms of best practice, policy and legislation. Around 90% (n=32) of the HR managers participating in the study stated that they used journals, newsletters and/or HR professional events (n=31), such as courses and training. Seventy five per cent (n=26) had participated in CPD and nearly 70% (n=23) mentioned that they were self taught/informed in terms of EO developments. Other means of keeping up to date with recent developments in the field included:

- Membership of SFEU Race Equality Policy Group

- Attendance at external training events.

- Attendance at various Ethnic Communities events

- Appointment of an Equality and Inclusion Officer to advise academic and support staff and liaise with SFEU

EQUAL OPPORTUNITIES POLICIES FOR EMPLOYEES

All thirty four of the colleges participating in the study reported having an equal opportunities policy for staff. The equal opportunities policies were most frequently formulated by an internal college equal opportunities committee and/or the HR department (around 70%). Approximately 60% of the respondents stated that the senior management team (SMT) and 35% that the Board of Management was responsible for formulating the equal opportunities policy. One college reported being too small a college to have an HR department. Other bodies that were reported as responsible for formulating the equal opportunities policy included the union, although many respondents reported having a joint consultative committee that combined several bodies at the college e.g.;

- A working group comprising several college staff (support, academic, management) developed policy which was then authorised by SMT and Board of Management.

- Joint consultative committee for all staff, senior management, internal/college equal opportunities committee and HR department, with papers forwarded to the Board of Management.

Generally, all six strands of equal opportunities (race, gender, disability, age, sexual orientation, religion and belief) were covered in equal opportunities policies by most of the colleges, as shown in figure 4.1.

Figure 4.1   Areas covered by equal opportunities policies in FE colleges
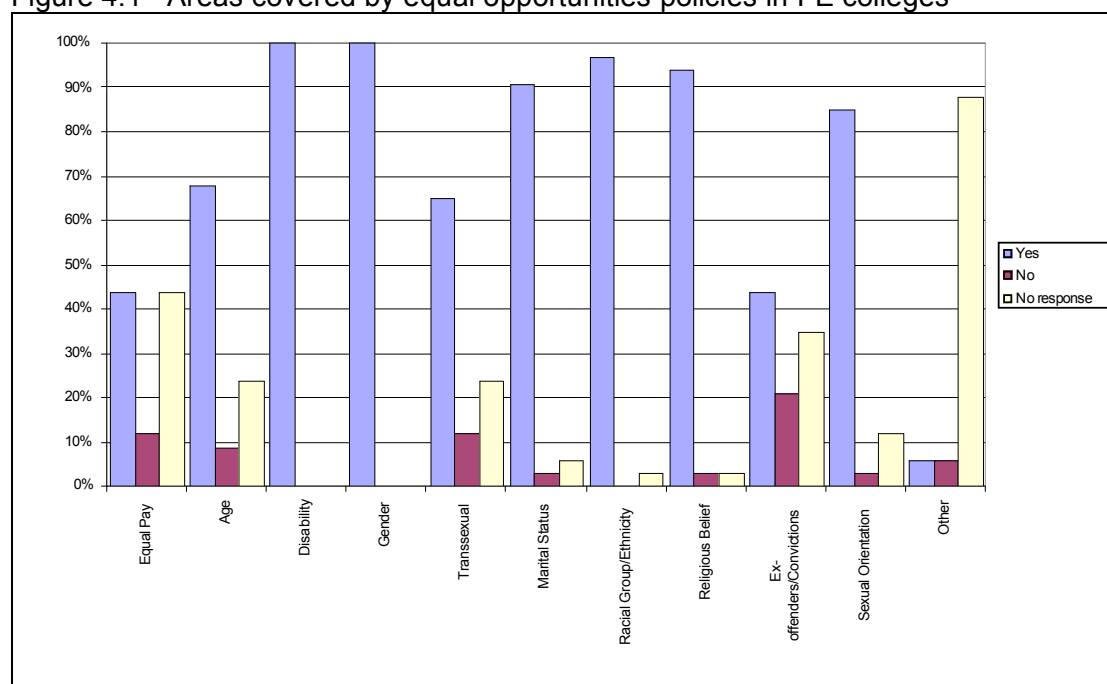
As can be seen gender, disability and race were covered by virtually all participating colleges. However, only 44% of policies dealt explicitly with equal pay. Around 95 % included religious belief, whereas only 85% of the colleges dealt with sexual orientation. Age was included in equal opportunities policies in about 70% of the colleges.

Additional areas covered by some colleges included rehabilitated offenders, socio-economic group and rurality. One college stated that transsexuality is covered by the umbrella term sexual orientation.

Equal Opportunities Practice for Employees

The HR managers were also asked about the way that colleges inform employees about college equal opportunities policies. The distribution of sources of information is illustrated in table 4.2 and figure 4.2.

Table 4.2 Ways employees are informed about equal opportunities in their college.

	Yes	No	No	Total

|			Response	
Staff Handbook	25 (74%)	3 (9%)	6 (18%)	34 (100%)
Induction	32 (94%)	0	2 (6%)	34 (100%)
Training	29 (83%)	3 (9%)	3 (9%)	35 (100%)
Trade unions	17 (50%)	3 (9%)	14 (41%)	34 (100%)
Dept/Team Meetings	16 (47%)	6 (18%)	12 (35%)	34 (100%)
Website	24 (71%)	0	10 (29%)	34 (100%)
Newsletters/Briefings	19 (56%)	2 (6%)	13 (38%)	34 (100%)
Other	6 (18%)	2 (6%)	26 (76%)	34 (100%)

Figure 4.2 Ways employees are informed about equal opportunities in their college.
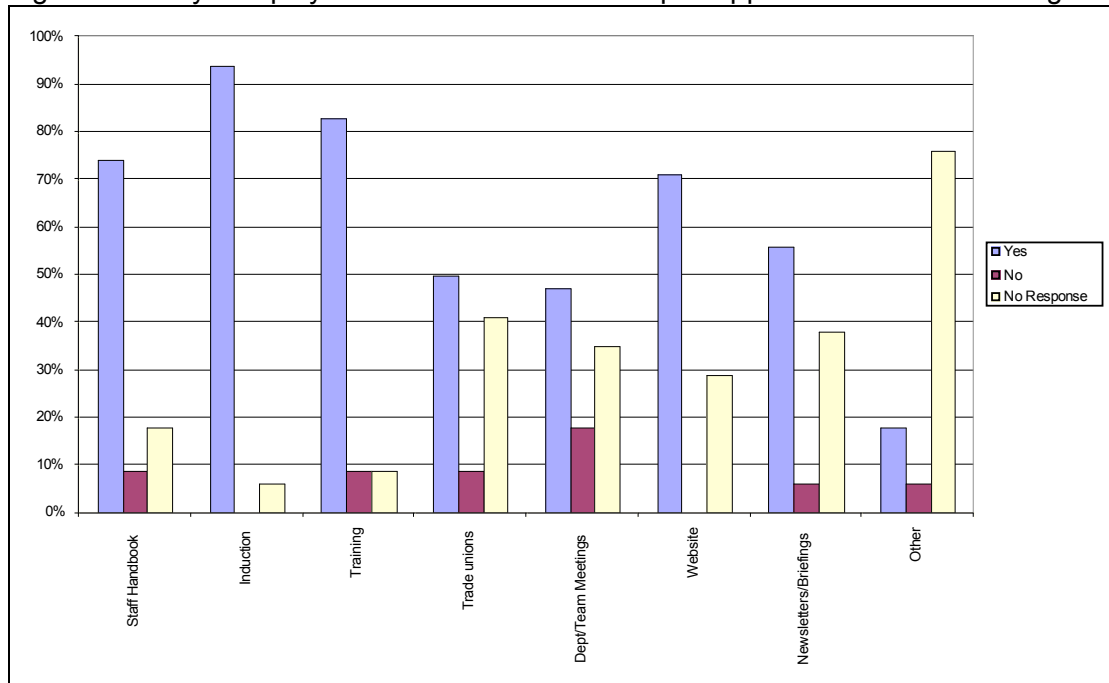
Most colleges conveyed information about equal opportunities policies at the beginning of employment as part of induction or training. This raises questions about how much information is retained by staff for future reference and how long-established members of staff refresh their knowledge. Only a few colleges used departmental or team meetings or trade unions as channels to inform staff about equalities policies.

Training was by far the most commonly used way for employees to be kept informed about changes to equal opportunities policy or legislation. Just over 60% of the employees were said to use the staff handbook and/or the website for this purpose, and around half of the colleges seemed to utilize newsletters, meetings and/or trade unions to inform staff about changes to equal opportunities policy or legislation.

IMPLEMENTING EQUAL OPPORTUNITIES POLICIES

The methods used by colleges to implement their equal opportunities policies were also explored. The distribution is displayed in Figure 4.3.

Figure 4.3   Methods used to implement EO policies in the colleges
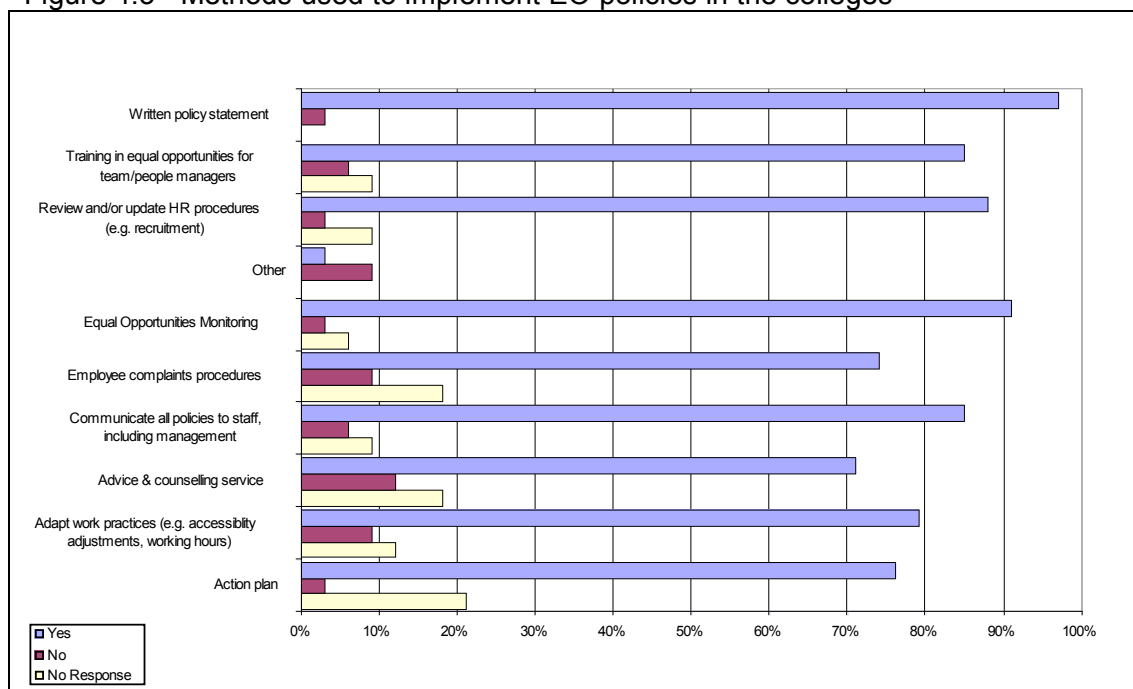
The majority of respondents stated that their college had a written policy statement; however, only around three quarters mentioned they had an action plan and/or an employee complaints procedure.   Most also reported that they monitored equal opportunities in terms of staff recruitment and promotion and that they reviewed and/or updated HR procedures, e.g. with reference to recruitment practices (around 90%). Eighty five per cent of the colleges said that they communicated all policies to staff, including management, and/or provided training in equal opportunities for team/people managers. Many of the colleges, around 80%, stated that they would adapt work practices (e.g. accessibility adjustments, working hours). Around 70% of colleges reported being able to offer an advice or counselling service.

THE MANAGEMENT OF COMPLAINTS AND GRIEVANCES

Very few complaints/grievances had been reported to the colleges (as the employer) in relation to any of the equality strands in the past three years. All the employee complaints/grievances that had been reported covered aspects of "traditional" equal opportunities legislation. Four complaints/grievances related to racial group/ethnicity, three related to gender, and only one complaint/grievance related to disability. The colleges had experienced no employee complaints/grievances relating to age, sexual orientation, religious belief, marital status, ex-offender/convictions. One HR manager declared that 'most complaints are raised by students'. This suggests that the notion of the student as customer has percolated into general awareness, but staff are rather less likely to see themselves as having rights in this regard.

It appeared that most complaints and grievances were handled informally and that investigations were carried out internally. Only one college reported that formal

grievances had been increasing. Internal employment tribunal, external investigation and external tribunal (e.g. ACAS) had been used only once or never.

EQUAL OPPORTUNITIES MONITORING

The questionnaire also explored the extent to which data are currently being gathered and analysed in relation to race gender and disability and the development and use of systems to monitor equalities in relation to the three 'new' strands (age, sexual orientation and religion/belief).

The FE colleges in the study used a wide range of different MIS systems to gather, store and analyse the data. Table 4.3 reveals that although HR was generally responsible for the gathering and analysis of data, the information appeared to be utilised by other bodies at the college, e.g. equality and diversity committee, senior executive team, and board of management (as labelled under "HR plus" and "Other"). One college reported a widespread use of the data indicating that users included the 'personnel team, equality and diversity group, union and college executive and board'.

Table 4.3   Numbers and roles of those responsible for data handling at colleges.

	HR staff	HR plus	HR Director	Head of Quality	Other	No Response	Total
Gathering the data	25	3	0	1	1	4	34
Analysing the data	19	5	1	1	4	4	34
Using the data	10	13	1	0	7	3	34

Information on what equalities data colleges collect about their employees was also sought. As shown by table 4.4 and figure 4.4, nearly all colleges collected data on the traditional equality strands (disability (94%), gender (97%) and racial group/ethnicity (94%)). Interestingly, although a large proportion of the colleges also collected data on age (88%), the other two of the new equalities strands were not covered to the same extent. Only 9% of colleges collected data on religious beliefs, sexual orientation and/or transsexual status. The areas of marital status and/or ex-offenders/convictions were both covered by 74% of the colleges.

Table 4.4 Equalities data collected on employees.

	Yes	No	No Response	Total
Age	30 (88%)	2 (6%)	2 (6%)	34
Disability	32 (94%)	2 (6%)	0	34
Gender	33 (97%)	1 (3%)	0	34
Transsexual	3 (9%)	19 (56%)	12 (35%)	34
Marital Status	25 (74%)	6 (18%)	3 (9%)	34
Racial Group/Ethnicity	32 (94%)	1 (3%)	1 (3%)	34
Religious Belief	3 (9%)	18 (53%)	13 (38%)	34
Ex-	25 (74%)	3 (9%)	6 (18%)	34
Sexual Orientation	3 (9%)	17 (13%)	14 (41%)	34
Other	3 (9%)	3 (9%)	28 (82%)	34

Figure 4.4 Equalities data collected on employees
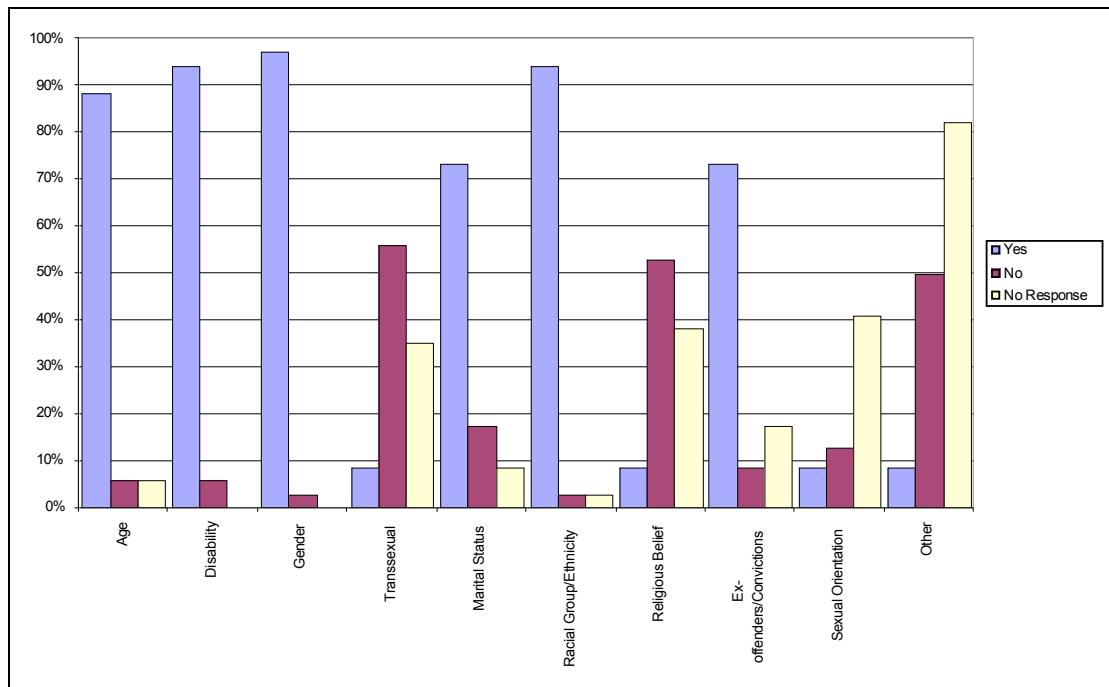
Timing of collection of equalities data

The questionnaire also examined what equalities data the colleges collected in relation to recruitment, development and training, promotion, and leaving. Most equality data appeared to be collected at the time of recruitment. The distribution is displayed in figure 4.5, and is discussed in detail below.

Figure 4.5 Timing of collection of equalities data
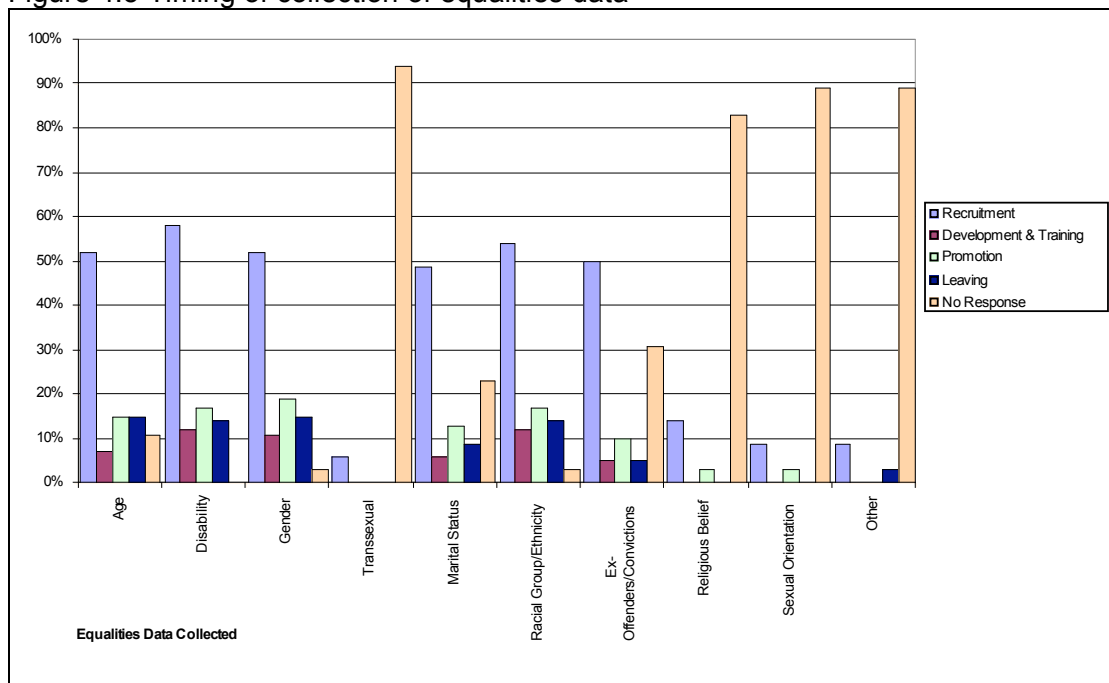
Recruitment

In relation to recruitment nearly 60% of the colleges collected data on disability and around 50% of the colleges collected data on gender and/or race. Of the new equalities strands around 50% of the colleges collected data on age; however, only 14% of the colleges collected data on religion and 9% on sexual orientation. Around 50% of the colleges collected data on marital status and whether the applicant is an ex-offender or has any previous convictions.

Development and training

Less data was collected in relation to development and training. Around 12% of the colleges collected data on the traditional equalities strands, and around 7% collected data on gender. None of the colleges collected any data on the other new equalities strands religious beliefs and sexual orientation. Around 5% of the colleges collected data on marital status and/or whether the employee was an ex-offender or has any previous convictions.

Promotion

Around 20% of the colleges collected data on the traditional equalities strands in relation to promotion. Fifteen per cent of the colleges collected age related data in relation to promotion but only 3% of the colleges collected any data on religious beliefs and/or sexual orientation. Around 10% of the colleges collected data on marital status and/or whether the employee was an ex-offender or has any previous convictions.

Leaving

Around 15% of the colleges collected data on disability, gender, race and/or age in relation to an employee leaving the college. No information regarding religious beliefs and/or sexual orientation was collected. Around 10% of the colleges collected data on marital status and/or whether the employee was an ex-offender or had any previous convictions.

At nearly all the colleges, equalities data was collected on the recruitment application forms (97%, n=33), and at about half of the colleges in the form of a joiners/new start questionnaire (44%, n=15). Thirty five per cent of the colleges (n=12) reported that they conduct employee surveys/censuses. Only a quarter of the colleges (26%, n=9) reported collecting equalities data in a leaver's questionnaire. There were a number of other ways used to gather data. The following quotes from the questionnaires indicate some of these other types of information that were collected by a number of the colleges:

- Annual data form to all staff, done to verify existing data under terms of Data Protection Act.
- Separate equal opportunities form is completed at application stage.
- Recruitment form – questions not included on application form but on a separate page
- Training and development request form
- Equal opportunities form handed in with application.

Cross-referencing of equal opportunities data

In order to investigate the impact of data gathering in relation to policies, procedures and practices, respondents were asked what other data sources they were able to cross-reference with equal opportunities data. The majority of the colleges appeared to be able to cross-reference equal opportunities data with grade (79%, n=27), full-time/part-time staff (76%, n=26), pay (74%, n=25), and job offers (71%, n=24). About half of the colleges were able to cross-reference equal opportunities to promotion (53%, n=18), and only a few reported being able to cross-reference with appraisal rating (12%, n=4). Comments on the questionnaires also indicated the following in relation to cross-referencing data:

- appointment decisions
- only by manual calculations.

Respondents were also asked how the colleges used their equal opportunities data. The distribution is displayed in figure 4.6.

Figure 4.6   Colleges' use of equalities data shown in percentages
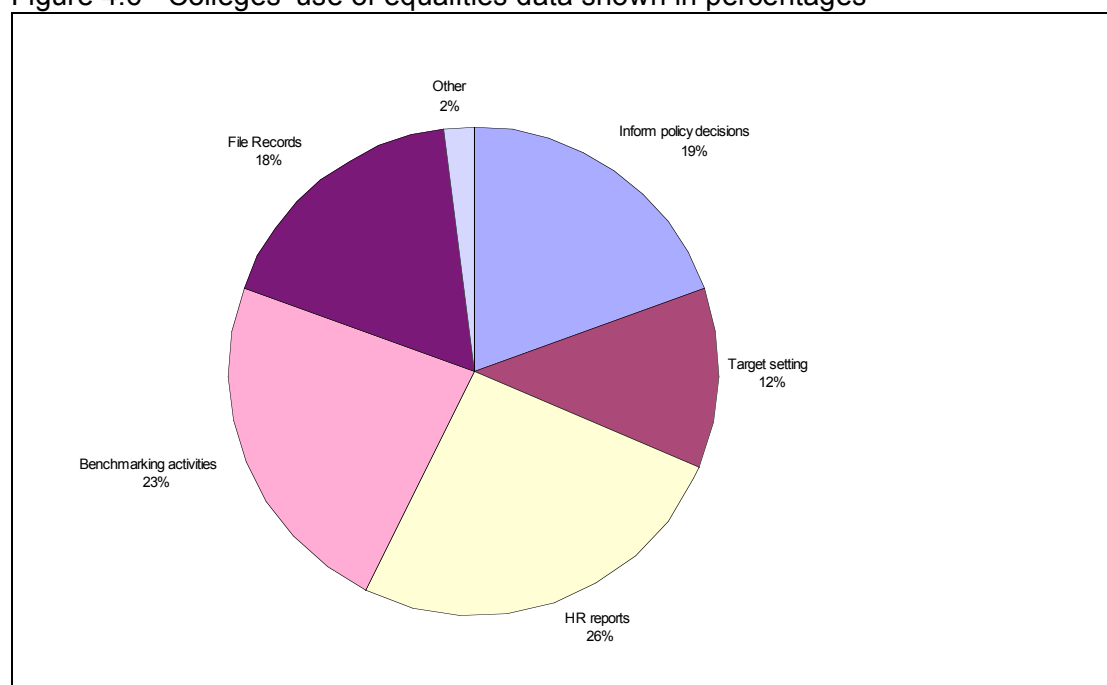
As shown in figure 4.6, the majority of the colleges appeared to use the data collected when writing HR reports (82%, n=28), for benchmarking activities (74%, n=25) and/or informing policy decisions (62%, n=21). Around half of the colleges reported filing their equalities data and a third used information when setting targets for employment of under-represented groups (38%, n=13). One comment reported using their equalities data when assessing 'actions passing and impact'.

HR managers were also asked for suggestions and recommendations for best practice in equal opportunities policies and practices. Two responses were provided, and these indicated the need for the equalities to be under one single heading and also for further advice and guidance in this area:

- The six 'equalities' need to come under a group, e.g. umbrella. Constant reminder by staff development experiences, articles, newsletters, to reinforce the message.

- I think this is a very difficult and sensitive area and welcome any advice/support which may be available. The equalities unit at SFEU will be very valuable to colleges in this respect.

SUMMARY

- The majority of human resource managers had received internal training on equal opportunities legislation or hold a CIPD qualification.
- In order to keep up to date with developments in equal opportunities in terms of best practice, policy and legislation, the majority of human resource managers used journals and/or HR events such as courses or training days.
- All colleges in the study had an equal opportunities policy, and the majority of colleges reported that their EO policy was formulated by the internal equal opportunities committee and/or the HR department.
- Race, gender and disability were covered by all colleges that responded to this question. The 'new' strands, age, sexual orientation, and religion and belief, were not covered as frequently. Less than half of the colleges in the study dealt with equal pay, despite monitoring gender.
- Generally, staff were informed about equal opportunities as part of the induction process or through training events. Only a few colleges used departmental or team meetings or trade unions as channels to inform staff about equalities policies. This raises questions of engagement and ownership.
- Although nearly all of the colleges have a written policy statement, only three quarters reported having an action plan and/or an employee complaints procedure.
- The colleges participating in the study had received very few complaints/grievances, and those that had been made referred only to 'traditional' equalities strands. Furthermore, results suggest that most complaints/grievances were handled informally and that investigations were carried out internally.
- HR managers in FE colleges appeared to use a wide range of MIS systems to gather, store and analyse data. Generally, HR seemed responsible for gathering and analysing data, however the data appeared to be monitored by various bodies in the colleges including the equality and diversity committee or equivalent and senior management.
- FE colleges generally collected data on the traditional equalities strands and age, marital status and previous convictions. More sensitive areas such as religious belief and sexual orientation were, on the whole, left out. The majority of the data appeared to be collected on the recruitment application form at the beginning of employment.
- The majority of the colleges reported that they were able to cross-reference equalities data with grade, full-time/part-time employment, pay and job offers. However, progression appeared more difficult to deal with, as neither promotion nor appraisal ratings were cross-referenced to a great extent.
- The equalities data was mainly used by HR when writing reports and, to some extent, to inform policy decision. Less than half of the colleges took advantage of their collected data when setting new targets.
- The view was expressed that HR managers needed some help and advice with regard to the best ways of communicating with staff about equalities issues which were considered more sensitive, particularly those relating to sexual orientation and religion and belief.

SECTION 5: INSTITUTIONAL CASE STUDIES

INTRODUCTION

Case studies were carried out in five colleges and this section will give a brief description of each of the colleges, a limited analysis of institutional policies followed by the findings from the interviews in each of the institutions.

THE COLLEGES

Colleges A, C and D are large, traditional FE colleges located in three different Scottish cities. College E, whilst in a city, is slightly smaller than the other three colleges. Its curriculum was initially specialised but has now broadened to offer a wider range of courses. College B is small, rural and offers mainly land-based courses.

THE POLICIES

Table 5.1 Policies and committees in the five colleges

College	Policy/policies	Committees, special interest groups
A	EO policy, Disability Statement and Race Equality policy. Milestones and targets are set annually in operational plan	EO group
B	EO policy including a detailed section on SENDA implementation	EO committee, Staff consultative committee
C	Equality & Inclusiveness policy, Race Equality policy, Disability policy. Refers to the aim to set targets in certain areas including staffing	EO committee, Equality Challenge panel, Equality Officer
D	EO policy, Dignity at work policy, Race Equality policy and action plan	EO committee, Equality group
E	EO policy, Multicultural and Race Equality policy with an action plan, For students: Support for learning policy, Inclusiveness policy	EO committee, Race Equality Officer

The policies in all the colleges apart from B refer to all six equality strands. Religion and age are not included in the policy at college B. In addition to the six strands, most also have additional categories such as nationality, language and trade union membership.

Four out of the five colleges state that they have an action plan in relation to race and ethnicity and one of these also has an action plan in relation to disability. However, there is no evidence of specific targets, for example, in relation to employment of a certain percentage of ethnic minority background staff. In addition, the policies seem to focus more on students than on staff.

INTERVIEW FINDINGS

A total of 39 members of staff were interviewed, including senior managers, lecturing and support staff. Support staff included those in a wide range of positions from senior support staff, library, administrative, clerical and janitorial. Specific roles have

not been included in order to retain anonymity. The key characteristics of staff interviewed are shown in Table 5.2 below.

Table 5.2 Key characteristics of staff interviewed in each of the colleges

College	Senior management			Support			Lecturing		
	Post	Male/ Female	Years in College	Support Post	Male/ Female	Years in post	Lecturer Post	Male/ Female	Years in College
A	APT	F	9 (4)*	1	F	8 (3)*	1 Senior	F	13 (6)*
				2 TU rep	M	5	2	M	19
				3	M	8	3	M	4
				4	M	2	4 TU rep	M	16
B				5	F	2 months p-t	5	F	2 months
				6	F	8	6	F	
C	Dir. HR	M	5 (3)*	7	F	7	7	M	11
				8	F	2	8	F	10
				9 TU rep	M	23	9	F	15
							10	F	18
D	DP	Not known	24 (12)*	10	F	4	11	F	10
				11	F	17 (4)*	12	F	3
				12	M	10	13	M	10
				13 TU rep	M	8 (2)*	14 TU rep	M	16
E	AP	M	1	14	F	3	15 Senior	M	9 (7)*
				15	F	3	16	M	2
				16	F	7 (4)*	17 Senior	F	16 (6)*
				17 TU rep	F	14	18 TU rep	M	20

* shows number of years in current post (rounded to nearest whole number)

The majority of those interviewed were aged between 30 and 59, with only two under 29 and one over 60. All apart from two were white, and specified that they were either British or Scottish.   The remaining two were both from the African subcontinent. Twenty respondents indicated that they had no religion, fourteen that they were Church of Scotland, two Roman Catholic and three that they were Muslims.

The following section explores the knowledge and awareness of equal opportunities policies and practices of the interviewees.

Knowledge and awareness of Equal Opportunities policies in the colleges

Staff in all colleges were generally aware that their college had an EO policy. In most cases they also knew what it covered. The two new members of staff at college B were not entirely sure if the policy covered the new strands.

> *All were mentioned in the workshop but are not necessarily in the policy but I was directed to the website. (College B, Lecturer 5)*

In the same college the lecturer who was also a quality manager with a particular remit for EO mentioned that the policy existed but that it was in the process of being rewritten.

> *The college has a policy …it covers both staff and students. However, it is currently being revised and the intention is to create an overarching EO policy that mirrors the CHRE which will include all strands. (College B, Lecturer 6)*

In general the four larger colleges were more advanced in terms of development of policy as they all had a separate race equality policy. College B had noted the need to develop policy in this area and, as stated above, was working to rectify this.

Respondents were also asked if they felt that the college saw equal opportunities issues as a priority and if any of the strands were emphasised over others. In terms of prioritising particular strands, a number of interviewees initially responded that this was not the case; however, further questioning revealed that in most cases the emphasis was on race and disability.

> *Although there is no particular prioritising/neglecting of any area, I am more aware of disability and race. With regards to the other areas, the policies are there on the internal internet, but I don't know …People need some training on these areas. It is necessary to raise awareness here too. (College A, Lecturer 2)*

This emphasis was also noted by one of the other members of staff in that college, and she also commented that this was driven by legislation.

> *New legislation on race and disability makes it necessary for the college to develop policies about it. Age, it's there, but it's not high on the agenda. From the college's point of view the EO policy includes all strands, but the people awareness of these strands may not be high. (College A, Lecturer 1)*

In college D, one of the senior managers and a member of support staff both felt that the college saw equal opportunities as of high priority.

> *Very active HR department, it actively advises and supports the implementation of the EO policy. There is a commitment from the college management and a willingness and desire to implement it. (College, D, SM 3)*

> *Very much so. They're always very good with staff … everyone is treated equally. The college also organises sessions. We had one on race discrimination last week. It was really good. (College D, Support 10)*

However, one of the respondents in another college, in an honest response, felt that the college's main priority was likely to be focused on the students and their learning needs.

> *Difficult to answer … the main priority is delivering the curriculum to the students – but in doing so you have to ensure that you are not discriminating against either staff or students. The priority is getting students in [to the college] to teach … we are not actively recruiting minority groups, there is no targeting of specific groups. (College B, Support 6)*

Whilst, overall there was a sense that the colleges were moving forward in creating policies in this area, there were some who doubted that this led to changes in practice.

> *Yes in terms of policies but there is the issue of implementing the policies. (College, C, Support 9, Trade Union Representative)*

The issue of implementation and evidence of progress is explored in the following section.

Evidence for equality principles in practice

In addition to the more general questions on the policies and the priorities, interviewees were also asked if they had felt that equality principles were being adhered to within the college. They were asked to consider whether there was evidence for:
- gender balance in promoted posts
- less gender-stereotyped jobs
- black and minority ethnic staff at different levels
- staff able to be open about their sexuality
- religious beliefs being respected
- the needs of disabled staff being anticipated and reasonable adjustments being made

In colleges A and C there was evidence for gender balance in promoted posts with a roughly 50/50 split.

> *Higher level positions are mainly female, e.g. Principal and Vice Principal. Support staff is pretty equally distributed male/female (College C, Support 7)*

In college D the situation was slightly different in that the gender balance was not quite equal but it was mentioned that this was changing.

> *Looking at our figures there are slightly more males in promoted posts, but more and more females. CPD has enabled women to get into promoted posts. Family friendly policies help. (College D, SM 3)*

However, the other two colleges, which traditionally have delivered a more 'male dominated' curriculum did not demonstrate such gender balance. This was commented on by one of the senior managers in one of the colleges.

> *In some senses … it is very male dominated. Few female staff and students, an issue we need to address. (College E, SM 4)*

All of the respondents noted that there was still considerable gender stereotyping in a number of specific areas.

> *In our department, Childcare and Health, yes there are stereotypes. Of my generation, employees all tend to be women. But the Head of Department is male … things are changing, there are two young men in Communications. We have had a male lecturer in Health. (College E, Lecturer 17)*

> *Stereotypes in vocational areas are still there, limited change. There are no male teachers in care, no female teachers in construction. (College D, SM 3)*

Interestingly though there was also a suggestion that, overall, teaching was becoming stereotyped as a female profession.

> *The stereotype is female. Teaching is increasingly becoming stereotyped. There is only one male lecturer in the child care department. (College C, SM 2)*

The overall impression was that the gender balance in promoted posts had changed in two of the colleges to approximately half of the promoted staff being female. There had been less change in the other three colleges but there was a suggestion in one that there were moves towards greater equality. There was still considerable gender stereotyping in relation to particular subject areas with only minor changes.

Whilst there was an increase in the gender balance in promoted posts, there was little evidence of an increase in black and ethnic minority staff in promoted posts.

> *No, there is massive room for improvement here. We have only one senior lecturer who is BME. Personally I think that is shocking. (College A, Lecturer 2)*

Generally there was a sense that BME staff were underrepresented within the college. This view was reinforced by respondents in the other colleges and there was also a suggestion that this was a sector wide problem.

> *Number of BME staff is low in all of FE …*

However, this interviewee felt that this was not necessarily the fault of the college

> *We encourage, promote through advertising … Many of them tend to apply to HE. (College D, SM 3)*

The suggestion that BME people did not apply for posts in the colleges was also mentioned by a respondent in another college.

> *There is not a good representation of BME staff. But …the BME population in this city is around 4%, that is more or less the same percentage of BME staff that are employed in the college. BME staff are better represented in particular posts but not at different levels. We tried to address this by asking BME staff how they perceive the college. We also send recruitment information to all ethnic minority organisations in the city.*

> *We do try to promote the college to different communities. (College C, Lecturer 10)*

In only one college was the representation of BME staff seen as good:

> *Yes definitely [BME employees] … Three came in this year, five came in two years ago. There are thirty of us in total, so the balance is quite good, there is a good mix of people in my sector. (College E, Lecturer 15)*

However, in the same college it was noted that they were not necessarily represented at all levels:

> *There is, I think, quite good representation of BME teaching staff, but we don't have anyone above middle manager. (College E, SM 4)*

The issue of employment and promotion of BME staff is clearly seen as problematic by many and evidence for this was provided. However, as mentioned above, at least some of the colleges felt that the problem was because this group did not apply for posts in FE, and that they (the colleges), were addressing this issue by trying to target advertising in certain areas. Attitudes towards BME staff were not mentioned at this stage but did emerge in relation to suggestions for future action. This point will therefore be returned to in that section; however, some evidence of attitudes amongst staff is evident in the following two comments.

> *I feel that people should be employed based on ability. Maybe it is coincidence that people with the jobs are white and there were no 'good ones' under BME applicants. It is probably not very helpful to push without justification. It has the adverse effect if you hire someone just for their colour. (College E, Lecturer 16)*

> *A few [BME staff] there are not that many, but that's not necessarily a bad thing. (College A, Support 1)*

In contrast with the issues around employment of BME staff, most of the interviewees felt that issues around disability were dealt with effectively and that much had been done in this area. Examples of adjustments were noted.

> *The college has responded well to the DDA, toilets, lifts and evacu- chairs in case of fires etc. for disabled staff. One member of staff has a hearing impairment. (College E, Lecturer 18, Trade Union rep)*

> *We have the facilities and would anticipate it. Sometimes adjustments are not made for me (I have arthritis), I have to go and ask and then it will get done, e.g. coldness of room, etc. (College E, Support 15)*

> *Yes, from what I can see. There is one blind lecturer for whom they have changed things in the lift. There is good awareness in the college. On the ground floor there is a department for people with physical disabilities. There is also care staff around to help. (College C, Lecturer 8)*

However, there was also mention of some difficulties in terms of the estate being unsuitable, especially for mobility impaired people and that in certain posts a physical disability was problematic.

> *Not aware of anybody [disabled]. The stairs are not very good as there are lots of them. There is probably no disabled access (College B, Lecturer 5)*

> *There are problems with taking on physically disabled staff because of the practical tasks part. (College B, Support 6)*

Overall there was also a sense that issues around religion were seen as non-problematic with allowances seen to be made where necessary.

> *Yes, the Racial Equality Officer is Asian Muslim, he brings religious events to the attention of the management. No prayer room, staff would get leave, lecturers as well. (College E, SM 4)*

> *The college is situated near a mosque where staff [can go along]. There is also the possibility to get a room for praying. There is a good atmosphere here. (College E, Lecturer 17)*

There was some limited qualification of this:

> *Yes and no, staff don't really talk about religion, there is a high level of Asian population of students and staff. At Ramadan they are allowed to go to the mosque. What people feel privately is another thing. This part of the country has a lot of the Catholic/Protestant thing. (College E, Lecturer 18, Trade Union Rep)*

In another college, there was a sense that race and religion were not seen by anyone as an issue.

> *I am aware that staff and students are all white and from particular areas. There are no foreigners, except perhaps for one student from South Africa … I haven't noticed any discrimination. (College B, Lecturer 5)*

It was clear though that sexual orientation was an area that was seen as potentially problematic by some.

> *Staff have problems with sexual orientation. (College E, Lecturer 18, Trade Union rep)*

Others, however, felt that this could be discussed openly or that it was a private matter and therefore should perhaps not be on the agenda.

> *Yes, as far as Scottish people can be. There have never been any issues. (College D, SM 3)*

> *It is not so much a suppressed issue as a non-issue. Tolerance is on the increase. (College D, Lecturer 14, Trade Union rep)*

> *Not aware of any member of staff being openly gay, haven't been here very long. Leads me to suspect that it's not something they chat about in the college. (College E, SM 4)*

For some it was clearly a private matter that should not impinge on professional life:

> *I don't think the workplace is the right place to talk about sexuality, it doesn't strike me as a topic that people would discuss in the workplace. But I've never come across an issue. There are homosexuals in this college and it has never caused any problems. (College D, Lecturer 11)*

It was felt by some that whilst, on the surface people may sound as if they are tolerant, there may still be some way before private opinion is changed.

> *There are stereotypes and people have their own opinion on the matter. It would appear that academics attach less of a stigma to sexual orientation than support staff. (College A, Support 2, Trade union rep)*

Summary

In most cases, gender balance in promoted posts has improved but there is still gender stereotyping in relation to specific areas of the curriculum. Disability issues were seen as being addressed, although these were construed as relating primarily to physical impairments rather than areas such as mental health difficulties. Comments also indicated that disabled staff still encountered difficulties in many areas of their work. The employment and, especially, promotion of BME staff was seen as problematic. There were not considered to be any particular difficulties around staff being able to practice their religion, although the staff interviewed may well not have been aware of particular issues such as Islamaphobia. Sexual orientation was regarded as a sensitive topic and one which people did not feel particularly comfortable discussing in the context of equal opportunities. It was seen by some as pertaining to the private sphere of people's lives, and should not impinge on work activity.

The following section will examine the views on negotiation and communication of equal opportunities policies.

NEGOTIATION AND COMMUNICATION OF EQUAL OPPORTUNITIES POLICIES

One aim of this study was to find out the extent to which staff were engaged with the formulation of equal opportunities policies.

Senior staff in the colleges outlined slightly different processes:

1. The equality group, including trade union representatives from teaching and support staff, formulates policy to be approved by college management.
2. The equality and inclusiveness committee, the HR department and the EO officer formulate policy which is then sent to trade union representatives for comment.
3. The personnel team leader and assistant principal formulate the policy, which then goes to the staff consultative committee, which includes union representation, before going to the board of management for approval.
4. The board of managers, senior management team, trade union representatives and HR department together formulate policy.

There was clearly some opportunity for union involvement in formulation of policy and, in some of these cases, staff committees were involved. In all, the policy was finally approved by the board of management and senior management team. It is not clear how changes to the draft policy were dealt with in terms of staff consultation. In some colleges there was definitely an opportunity for staff to comment during the process of developing policy.

Draft policies come up in the shared drive and you can voice your opinion on it. You can be involved if you want to be … As a member of staff you would have an input through your Head of School. (College E, Lecturer 15)

However, there was also a sense that formulation of policy in this area was not necessarily top priority for all staff.

No, not personally. But we are frequently asked to express our views on different aspects of the college. Personally I don't find the need to do this. …The point is, the work we have with the students takes up a lot of time, so there is not much time for us to be involved in issues such as EO policy, because there are no issues and therefore it is not a priority. (College E, Lecturer 16)

In one of the other colleges there was a mixed response in relation to the opportunity to participate in the formulation of policy.

No [not involved]. I think there is a committee …if I was interested in it, I could join the EO committee that deal with this. (College C, Lecturer 7)

However, another member of staff felt that she had not had the opportunity to participate though she had wanted to do so.

Not at the moment. I put myself forward to look at governance, including equal opportunities policies. I don't know if they'd let me be part of the formulation process, I just don't know. Sometimes they tend to involve more senior members of staff and not always look at the expertise in the college. They don't always recognise expertise that individual members of staff have. (College C, Lecturer 8)

There are clearly differences in the extent to which people want to get involved in policy formulation and have opportunities to get involved. Trade union involvement is in evidence but was more strongly emphasised in one particular college.

Union officials regularly take part in looking at and improving all the policies. They are actively involved. (College A, Lecturer 1)
And

Unison forums ensure that EO policies are kept up to date, the union negotiates with the college management. A union rep is always invited to meetings and attends if possible. (College A, Support 2, Trade union rep)

In addition to being asked about formulation of policy, interviewees were also asked about the ways that the college informed its staff and kept them up to date about equality policies. The modes of communication are shown below in Figure 5.1.

Figure 5.1: HR managers' accounts of how staff are informed of college equal opportunities policies
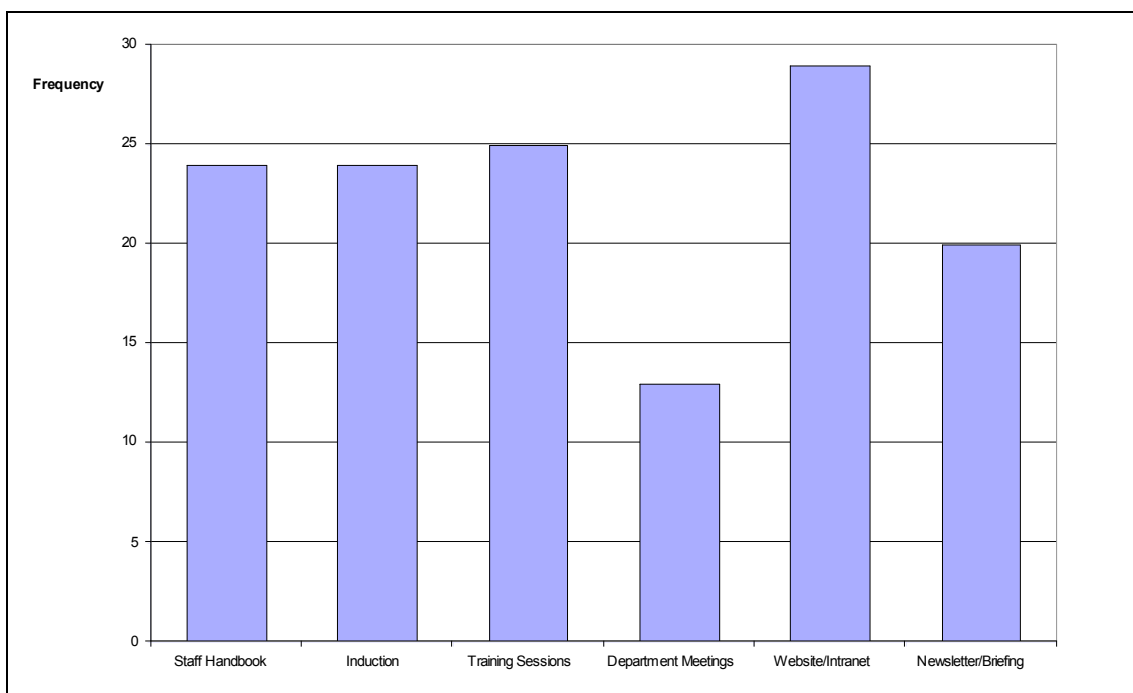
As can be seen, the most common way for staff to find out about EO policies and developments is via the website. However, most of the colleges used a range of channels including training sessions, induction, staff handbook and/or a newsletter or briefings. Departmental meetings were used less frequently. Overall respondents felt that this was an effective way of providing information for staff and this view is summed up in the following quote:

> *It is as effective as it can be. Information is available in different formats, the website functions as a back up if the information was not communicated face-to-face or if people can't remember. Intranet is also good, as there is so much information that it becomes difficult to keep up … (College C, Support 7)*

Staff were also asked if they were trade union members and 24 (out of 36 non management staff) stated that they were union members. This means that around 67% of staff interviewed were members of a union. The main unions represented were EIS and Unison.

DATA COLLECTION AND MONITORING

HR managers' accounts of data collection and monitoring were discussed in section 4. In this section the emphasis is on the knowledge that non-HR/management staff have of the data collection and monitoring in the college.

The majority of staff were not clear about the equal opportunities data that was gathered and monitored by the colleges. When they did offer an answer they stated that they expected data to be gathered mainly during the recruitment process. The main areas which they thought were monitored were race, gender, and disability. This is summed up in the following quote:

> *They must monitor applications and progress. The areas of gender, age, disability and race will be covered. About sexual orientation I don't know.*

> *I don't think that would matter. About religion and belief, I don't think that would affect the application, so I don't think they collect information in that area. (College A, Support 1)*

None of the interviewees were aware of how the data was analysed and then reviewed.

The following section explores equal opportunities in relation to equality in relation to appointment and promotion.

EQUALITY IN APPOINTMENTS AND PROMOTION PROCEDURES AND PRACTICES

Interviewees were asked whether they considered the appointments and promotion procedures to be fair and about areas for improvement. Most respondents felt that the appointments and promotion procedures were fair and operated according to equality principles. One interviewee commented:

> *Yes, experience and qualification, but not age and race are taken into account …Yes, a monitoring system is in place. HR is working. I experienced ageism when applying for other jobs but not here. (College E, Support 15)*

Another respondent also offered an example in relation to age.

> *Yes, people selected for interview were selected on qualifications. A 74-year old was recently taken on because of qualifications. (College D, Lecturer 12)*

Whilst the majority expressed this view there was some dissension. One interviewee quoted an example of a post being created for a particular individual and a small number, mainly trade union representatives, suggested that matters could be improved.

> *No, they promote who they want. (College E, Lecturer 18, Trade union rep)*

> *Recruitment – fair. Promotion – limited. (College D, Lecturer 14, Trade union rep B)*

A second respondent from that college also admitted that the procedures were not entirely fair but felt that there had been improvements.

> *Not really been involved in recruitment. Things are moving, but I still hear things in the college that people on the same contract do different things. Sometimes having connections can get you into the job. But it's the minority of cases. (College D, Lecturer 11)*

There were a number of suggestions made to ensure a fairer recruitment and promotion process. These included ensuring that the criteria for a job are clearly specified and that no information that identifies a person's age, gender or race are included in the shortlisting process.

> *Application, you shouldn't state whether you are male or female. I am not saying people discriminate but people should select based on qualifications until the interview process. (College D, Support 10)*

> *There should be stronger criteria with regards to qualification requirements …setting strict criteria helps. (College D, Lecturer 11)*

Finally, one respondent returned to the issue of low representation of BME staff. She felt that the procedures were fair but was still concerned about under-representation of BME staff:

> *They [the procedures] are fair. But I still wonder about the low number of black and ethnic minority staff. But there is nothing that jumps out … in this college, recruitment and promotion never depends on having connections. (College A, Lecturer 1)*

The review process is another area where inequalities may occur. It will be explored in the following section.

CONTINUING PROFESSIONAL DEVELOPMENT AND EQUALITY

Respondents were asked about the availability of individual staff reviews within their college and the extent to which there were inequalities in access to such a review and to staff development. In addition, they were asked about opportunities to participate in specific training in relation to equality issues.

All the colleges have a system of annual staff review. There was only one person who was unsure about this process but she had only been in post for two months.

> *Yes, annual at least and it includes awareness of policies and you can request further training. (College B, Support 5)*

This member of staff was part-time but felt included in the review process. There was a suggestion, by a respondent from another college, that access to review and CPD was sometimes more problematic for certain categories of staff:

> *I don't know about everyone but certainly the college has invested real money twice in my CPD for major teaching qualifications. It does help to be full-time and permanent I think. I have heard complaints from part-time temporary staff that it is different for them. (College A, Lecturer 3)*

Another interviewee highlighted a different constraint on provision of CPD:

> *If requested it will be fulfilled in terms of staff development but according to budgeting … the staff development officer monitors progress and controls equal distribution of training. (College C, Support 7)*

Respondents were also asked whether the review took equality issues into account. There were mixed responses to this:

> *Yes it should do. The manager would meet with staff to make sure that everyone knows about EO policy. (College A, Lecturer 1)*

And

> *Yes it takes EO issues into account. [In the] career reviews you can put in complaints into the career plan and say what training you require (College A, Support 4)*

In contrast, still from the same college:

> *Yes [there is review], an annual 60 minute interview. It does not take equalities issues into account. It tends to lean more towards your career review, so it is not relevant to take EO issues into account. (College A, Lecturer 2)*

And

> *I have had it once, a few years ago. But equalities issues are a separate matter, so it's not relevant to staff review. (College A, Support 1)*

There is a suggestion here that there are different interpretations of what counts as 'equalities issues' and how this relates to overall continuing professional development. The second quote seems to indicate that it is an opportunity for the member of staff to ensure that s/he is treated according to equality principles, whilst in the last two quotes equalities issues are seen as divorced from personal development. This view might also suggest that equalities issues are dealt with separately as part of specific training events.

EQUALITIES TRAINING

It was clear that all colleges had offered training in relation to certain equalities areas, particularly race and disability. In some colleges, attendance had been compulsory. However, it was also noted that attendance at some of these events had been poor:

> *EO training is mandatory, e.g. DDA and RDA and new legislation. There is a training day on child protection coming up which is age related. (College, C, Support 7)*

> *They have done so in the past [provided training]. A lot of people don't seem to be interested … for example, race equality training. I went, but only six others attended. The college could raise awareness by putting it on the internet, but the college does everything in its power to get people involved. (College D, Support 10)*

There is a sense in the quote above that people 'can't be bothered'; however, another reason why staff may find it difficult to attend is hinted at in the next quote – teaching commitments:

> *Yes they do [provide training]. There are regular training sessions. The difficult thing is to get staff to go when they have teaching commitments. The SFEU provide training …and the College has been asked to cancel all the classes so all staff can attend training. (College, E, Lecturer 17)*

The majority of those that had attended training events had found them very useful, especially the ones dealing with race.

> *Yes, training on race is very good. There are lots of little workshops. The new principal is very pro-active and has regular meetings for college staff. Training opportunities are good. We're asked to do a certain number of hours. Staff development is being checked on an annual basis. (College E, Lecturer 17)*

And

> *Majority of the training sessions are very good. There was one session on disability that was not good. It was a poorly delivered course. I attended approximately 4 courses in the last 3 years. (College E, Lecturer 15)*

Another respondent highlighted a different aspect of the training that had been useful:

> *Yes, useful to know what you're supposed to say/do. I come from a different background with different standards, so it's good for me to see. People need to understand that they can't always make jokes that they might find funny, because other people may not appreciate them. (College D, Lecturer 11)*

One of the union representatives stated that he had relied on union training and one of the student advisors felt that the training had not dealt with general issues adequately. One further issue that was raised in relation to training by some was that it seemed to focus more on students or staff/student interactions than on staff.

> *Nothing on staff. Only on staff in relation to students, how we should treat them. (College D, Lecturer 12)*

And

> *More on students' side of issues. (College D, Lecturer 14, Trade union rep)*

Overall it seemed that most of the training had been in relation to race with some mention of disability training. Attendance at training is compulsory in some colleges but when it is not, attendance is not very good. Poor attendance is not necessarily indicative of lack of interest rather the pressures of teaching and other commitments means that this type of training is not prioritised. However, the majority of those that attended training had found it useful though in some colleges the emphasis had been on students rather than staff. The training provided by SFEU was commented on favourably.

This section has explored staff review and access to training. The following section considers respondents' views on the complaints procedure that is available to them.

EQUALITY IN COMPLAINTS PROCEDURES

Staff interviewed stated that they knew who to contact if they had a grievance; most would contact their line manager, some HR and, in one college, the EO officer was reported as a point of contact. The majority also said that they would feel comfortable about raising a complaint. However, there were some concerns about how comfortable staff were about reporting an instance of discrimination.

> *I'd like to think so, I don't know. I've heard of other areas where it is reported. But it is very much a personal thing. I know my boss would take complaints very seriously. I'd like to think that staff are confident enough to complain. (College, E, Lecturer 15)*

However, this view was not that of one of his colleagues:

> *No, staff put up with far too much bullying and discrimination. Most of them won't even admit it. They can't see it because there is a culture of fear. The hierarchy encourages bullying and harassment. The line*

manager system has turned the colleges into businesses. (College E, Lecturer 18, Trade union rep)

Generally the views of trade union representatives in the colleges differed from those of the other staff who were interviewed.

Not anyone would be in any workplace. (College D, Support 12, Trade union rep)

Initially yes [they are comfortable with the procedure], the outcome disillusions them. (College C, Support 9, Trade union Rep)

It was suggested that job security was one aspect that was likely to impact on how comfortable staff were about reporting any incidents.

Depends on status of staff. If you have a full-time secure job – yes. But maybe part-timers do not have the same confidence. (College D, Lecturer 11)

Clearly the issue about complaints in relation to bullying and harassment is a sensitive area. None of the staff interviewed had themselves been involved in any incidents; however, they were aware of others who had made a complaint.

Finally the interviewees were asked to make suggestions for developments in colleges in relation to equal opportunities and whether staff generally accepted the principles of equal opportunity. This is the focus of the next section.

SUGGESTIONS FOR FUTURE DEVELOPMENTS

Many of the suggestions focused on raising awareness and providing further training opportunities.

Keep raising awareness about legislation changes. Staff need to keep on top of it and be given the opportunity to discuss issues. Events are a good way of celebrating EO. (College C, Support 7)
And
Provide more training to raise overall awareness. Ensuring policies are in place and that policies are not just paper based exercise. The college should be more active in ensuring EO policies are up to date and useful. (College A, Lecturer 2)

Awareness raising was seen as important. One reason for this seems to be the need to avoid complacency.

The main obstacle [to implementation of EO] is that staff may not have any problems. If you happen to be the right age, have the right colour, no disability … you're sorted. That's why it is necessary to have more training to sell the need for support for all EO areas. Because 'normal' people are not aware what these issues really mean and how they affect the people concerned and how they can be an obstacle for people applying for jobs and promotion. (College A, Lecturer 2)

Linked to the area of awareness raising was the need to ensure that the policies were actually put into practice.

> *Have a proactive approach to monitoring the behaviour of departments and staff. (College D, Lecturer 13)*

Another area that some felt needed attention was that relating to complaints and associated procedures.

> *Encouraging people to complain. Changes occur in the sense that the complainant should be made comfortable to complain. It should be clear to them that highlighting the issue is not so bad. Some people are afraid to complain. Providing more workshops may be helpful in this matter. (College A, Lecturer 1)*

Linked to this was a comment suggesting the policy in this area needed to be improved:

> *Policy has to be made workable, transparent. Complaints should be thoroughly investigated and the outcomes should be communicated to all parties. (College A, Support 2, Trade union rep.)*

Finally there were suggestions that college management needed to listen to their staff and that comments with regard to equal pay needed to be heeded.

> *They really need to listen to their staff. Maybe look at problems that occurred in the past and try to find ways to eliminate them. (College D, Support 10)*

And

> *Take comments on board, e.g. equal pay, make sure that people know they are heard. (College C, Support 7)*

Suggestions for the future then included: further awareness raising and training; ensuring that policies and procedures are effective and that staff feel comfortable about making a complaint; as well as listening to staff so that issues are dealt with effectively.

Finally, staff were asked whether there was general support for the principles of equal opportunity in relation to all six strands. There were mixed responses here:

> *Some do, some don't. It's down to attitudes. The college is doing what they can. (College D, Support 10)*

> *I think that the main don't, more would if they had a vested interested. (College D, Lecturer 13)*

> *I think there are varying degrees of 'buy in', some staff are more aware/supportive than others. Some still think it is an unnecessary distraction from the core issues of the college. (College E, SM 4)*

> *People probably think [EO] is quite important but it's not at the top of the agenda … (College C, Lecturer 10)*

She went on to mention that there were also differences in terms of the different EO strands:

> *With regards to sexual orientation, we have an older workforce who are not comfortable in this area. They have the knowledge, they know that*

gay people are equal but in terms of behaviour, they have to be made more comfortable … (College C, Lecturer 10)

The notion that it was easier to accept certain equality strands than others was also evidenced in the other colleges

Most people are fine with disability. Race is more difficult. Most people are open, but some people find it difficult to see that some things are not acceptable. You need to understand that nobody else is in your shoes. (College D, Lecturer 11)

Sexual orientation – it is private and up to the individual. It is not my business if they want to disclose that or not. There is a stigma attached to it. But most people wouldn't mind, the college would take a hard line on it if someone was given a hard time. (College D, Support 12)

Overall then, there is a sense that equal opportunities issue are not necessarily prioritised equally by staff within the colleges. This view is supported by the comments on lack of attendance at training events (see p. 36). There is also the view that some aspects of equal opportunities are easier to deal with than others and, as mentioned earlier, that sexual orientation is seen by some as 'private business'.

EXAMPLES OF GOOD PRACTICE

Colleges were asked to identify areas where they felt that there was particular evidence of good practice, and some examples of what was construed in this are provided below:

One college believed that they had handled a transgender issue effectively. A number of interviewees were very positive about the special training sessions in which they were informed of how to deal with this situation. This was linked to the positive culture within this college more generally, where staff members believed that great efforts were made to develop and mainstream equal opportunities:

I feel that equal opportunities policies are in place. The key thing is to make those work, which is happening to a great extent (Senior Lecturer).

Members of the senior management team in this college recognised that there was a need for continuous development and the assistant principal noted that it was a difficult area and that there was a long way to go. Effort was put into training to ensure awareness of new policy and legislation and the involvement of staff in equality working groups was encouraged.

The main example of good practice in one of the other colleges is the presence of the EO Officer. It is not common for colleges to have an EO Officer in place, and her work at this college was very much appreciated by all the interviewees. Many were very positive about having the opportunity to speak to someone if there was a problem in relation to any equality issue. Staff reported that the EO Officer is very approachable and they felt they could highlight issues in an informal way.

Two other colleges believed that having an Equalities Officer and a Race Equalities Officer in post had made a major contribution to work in this area. These individuals were enthusiastic and raised the profile of equalities issues amongst staff as a whole.

Another college felt that a major strength was the work which had been done in anticipating the needs of disabled members of staff, particularly with regard to physical access. Some of its work had featured in a case study written up by the Health and Safety Agency.

Overall, staff who had worked in the private sector believed that the public sector was well ahead in the broad area of equalities:

> *I have a background in manufacturing, I come from the private sector. The profile of EO is much higher in the public sector, it's really good. We tend to lead rather than be led. (HR Director).*

One college felt that the production and revision of its race equality action plan had had a major impact on general developments in the area. The Depute Principal pointed out that rewriting the document showed them that they needed to focus on more concrete objectives and monitor these issues closely. Actions such as the active targeting of advertisements to encourage under-represented groups to apply were being pursued.

One college had undertaken joint research with a non-case study college in order to investigate the lack of applications from BME staff. They felt that this was helping them address issues around recruitment of staff from this particular group of potential employees.

A final example of good practice concerned the approach of the HR department to dealing with complaints at the College. Two interviewees mentioned cases of bullying at the college which the HR department had dealt with efficiently, raising awareness of the issues involved.

KEY POINTS ARISING FROM THE DOCUMENTARY ANALYSIS, INTERVIEWS AND FOCUS GROUPS

- **EO policy.** All the colleges have an EO policy, or equivalent. In four colleges the policy covers all the six equality strands, in the fifth it does not include age or religion. Some colleges also have additional policies, mainly in relation to race and disability. There is also some mention of setting targets in specific areas but there is no evidence of specific target setting, e.g. in relation to increasing the number of BME staff within the college.
- **EO policy in the colleges.** All staff were aware that their college had an EO policy and most were aware of the strands that this covered. There was greatest awareness in relation to race and disability and this was seen to be driven by legislation in these areas.
- **Evidence for equality in practice – gender balance.** In two of the colleges the gender balance in senior posts was roughly half female and half male; in one college the balance was shifting in that direction; in the remaining two colleges the promoted posts were still male dominated. There was considerable gender stereotyping in particular areas of all the colleges with social care and health being predominantly female and construction and engineering being mainly male.
- **Evidence for equality in practice – black and ethnic minority staff.** There was little evidence of BME staff in promoted posts and overall the low numbers of BME staff was concerning staff at all levels.
- **Evidence for equality in practice – sexual orientation.** Whilst most people suggested that there was no discrimination on grounds of sexual orientation,

there were several suggestions that this is a sensitive area and some felt it was a private matter that should not necessarily be discussed.

- **Evidence for equality in practice – disability.** Most felt that this area was dealt with effectively and that there was little discrimination, although a small number of disabled interviewees felt that they encountered many difficulties. It was noted in one college that the practical nature of some work would make it unsuitable for people with certain types of impairments, although it was not evident that reasonable adjustments had been fully considered. Most staff felt that access had improved considerably though there were some concerns in relation to specific buildings.

- **Evidence for equality in practice – religious beliefs.** This was seen as being catered for effectively with allowances made for the needs of specific individuals. However, this view may reflect a lack of knowledge and awareness of the issues encountered.

- **Staff involvement in formulation of policy.** On the whole staff, except those with an EO remit, were not involved in policy formulation. There was a suggestion from some that there were opportunities for more active engagement, though others felt they had not had the opportunity to be involved. There was evidence of union involvement and this was particularly strong in one college.

- **Channels for communicating EO policy.** A range of modes of communication were used with website followed by induction, training sessions and staff handbook being the most commonly used. Most staff felt that this range of communication channels worked well.

- **Data collection and monitoring.** Most staff were aware that data was being collected but they were not clear about how this was analysed, reviewed and incorporated into action plans.

- **Equality in appointments and promotion procedures and practices.** There were some differences of opinion in terms of the fairness of the procedures. It was generally felt that the recruitment process was acceptable but there was some suggestion the promotion process was not always entirely fair.

- **Equality in access to CPD and access to equalities training**. All colleges operated a system of annual staff review and most felt that this offered the majority of staff fair access to further development. However, there was a suggestion that part-time members of staff and, especially those on short-term contracts might not get the same access. Equality training was available to all, some of it compulsory but it was sometimes poorly attended. However, most of those that had attended commented favourably on the quality of the courses.

- **The complaints procedure**. All staff indicated that they knew who to contact if they had a grievance and most said they would feel comfortable to do so. However, there were also suggestions that there were staff who would not wish to complain and that the process was not entirely fair.

- **Suggestions for future developments**. The main ones were:
  - More awareness raising and training
  - More proactive work in monitoring the culture of departments and the actions of individual staff members
  - Encouraging people to complain and make sure that people feel comfortable about complaining
  - Ensuring that policy is transparent and workable
  - Listening to staff and ensuring equality in all areas including pay

- **Attitudes of others to equal opportunity principles**. Both senior management and other staff felt that there were varying levels of acceptance and that it was not a priority area for many. There were also different degrees

of acceptance of the different strands, with disability seen as generally unproblematic whilst race and sexual orientation were seen as areas that some people had difficulties with.

SECTION 6: SUMMARY AND CONCLUSION

SUMMARY POINTS

Literature Review

- In Scottish FE colleges, men still outnumber women amongst teaching staff, and this is particularly apparent at senior management level, although the gap is narrowing.
- Amongst support staff, men outnumber women in technical support roles (e.g. lab assistant), but women outnumber men in other support roles such as administration and clerical roles.
- Women have fared better in colleges since incorporation than they did under the previous public sector regime. This is despite the negative features of women's experience of managerialism highlighted in the literature.
- The inter-linking of the equalities and quality assurance agendas may be problematic in terms of engaging the hearts and minds of staff. However, mainstreaming equality requires audit systems to operate effectively.
- There is a considerable body of literature in relation to the experiences of women in FE, and a small amount of research has been undertaken on BME staff in FE colleges following the implementation of the Race Relations (Amendment) Act 2000. However, there is virtually no research on staff experiences in relation to disability, sexual orientation, age and religion/belief.

Views of HR managers

- The majority of human resource managers appeared to have received internal training on equal opportunities legislation or hold a CIPD qualification.
- In order to keep up to date with developments in equal opportunities in terms of best practice, policy and legislation, the majority of human resource managers appeared to utilise journals and/or HR events such as courses or training days.
- All colleges in the study had an equal opportunities policy, and the majority of colleges reported that their EO policy was formulated by the internal equal opportunities committee and/or the HR department.
- Race, gender and disability were covered by all colleges that responded to this question. The 'new' strands, age, sexual orientation, and religion and belief, were not covered as frequently. Less than half of the colleges in the study dealt with equal pay, despite monitoring gender.
- Generally, staff were informed about equal opportunities as part of the induction process or through training events. Only a few colleges used departmental or team meetings or trade unions as channels to inform staff about equalities policies. This raises questions of engagement and ownership.
- Although nearly all of the colleges have a written policy statement, only three quarters reported having an action plan and/or an employee complaints procedure.
- The colleges participating in the study had received very few complaints/grievances, and those that had been made referred only to 'traditional' equalities strands. Furthermore, results suggest that most complaints/grievances were handled informally and that investigations were carried out internally.
- HR managers in FE colleges appeared to use a wide range of MIS systems to gather, store and analyse data. Generally, HR seemed responsible for gathering and analysing data, however the data appeared to be monitored by

various bodies at the college including the equality and diversity committee, or equivalent, and senior management.

- FE colleges generally collected data on the traditional equalities strands and age, marital status and previous convictions. More sensitive area such as religious belief and sexual orientation tended to be left out. The majority of the data appeared to be collected on the recruitment application form at the beginning of employment.
- The majority of the colleges reported that they were able to cross-reference equalities data with grade, full-time/part-time employment, pay and job offers. However, progress appeared to be more difficult to deal with, as neither promotion nor appraisal ratings were cross-referenced to any great extent.
- The equalities data was mainly used by HR when writing reports and, to some extent, when informing on policy decision. Less than half of the colleges took advantage of their collected data when setting new targets.
- The view was expressed that HR managers needed some help and advice with regard to the best ways of communicating with staff about equalities issues which were considered more sensitive, particularly those relating to sexual orientation and religion and belief.

Analysis of equal opportunities policy documents, interviews in case study institutions, focus groups and network questionnaires

- **EO policy.** All the colleges have an EO policy, or equivalent. In four colleges the policy covers all the six equality strands, in the fifth it does not include age or religion. Some colleges also have additional policies, mainly in relation to race and disability. There is also some mention of setting targets in specific areas but there is no evidence of specific target setting, e.g. in relation to increasing the number of BME staff within the college.
- **EO policy in the colleges.** All staff were aware that their college had an EO policy and most were aware of the strands that this covered. There was greatest awareness in relation to race and disability and this was seen to be driven by legislation in these areas.
- **Evidence for equality in practice – gender balance.** In two of the colleges the gender balance in senior posts was roughly half female and half male; in one college the balance was shifting in that direction; in the remaining two colleges the promoted posts were still male dominated. There was considerable gender stereotyping in particular areas of all the colleges with social care and health being predominantly female and construction and engineering being mainly male.
- **Evidence for equality in practice – black and ethnic minority staff.** There was little evidence of BME staff in promoted posts and overall the low numbers of BME staff was concerning staff at all levels.
- **Evidence for equality in practice – sexual orientation.** Whilst most people suggested that there was no discrimination on grounds of sexual orientation, there were several suggestions that this is a sensitive area and some felt it was a private matter that should not necessarily be discussed.
- **Evidence for equality in practice – disability.** Most felt that this area was dealt with effectively and that there was little discrimination, although a small number of disabled interviewees felt that they encountered many difficulties. It was noted in one college that the practical nature of some work would make it unsuitable for people with certain types of impairments, although it was not evident that reasonable adjustments had been fully considered. Most staff felt that access had improved considerably though there were some concerns in relation to specific buildings.

- **Evidence for equality in practice – religious beliefs.** This was seen as being catered for effectively with allowances made for the needs of specific individuals. However, this view may reflect a lack of knowledge and awareness of the issues encountered as it tended to reflect on particular religion.
- **Staff involvement in formulation of policy.** On the whole staff, except those with an EO remit, were not involved in policy formulation. There was a suggestion from some that there were opportunities for more active engagement, though others felt they had not had the opportunity to be involved. There was evidence of union involvement and this was particularly strong in one college.
- **Channels for communicating EO policy.** A range of modes of communication were used with website followed by induction, training sessions and staff handbook being the most commonly used. Most staff felt that this range of communication channels worked well.
- **Data collection and monitoring.** Most staff were aware that data was being collected but they were not clear about how this was analysed, reviewed and incorporated into action plans.
- **Equality in appointments and promotion procedures and practices.** There were some differences of opinion in terms of the fairness of the procedures. It was generally felt that the recruitment process was acceptable but there was some suggestion the promotion process was not always entirely fair.
- **Equality in access to CPD and access to equalities training**. All colleges operated a system of annual staff review and most felt that this offered the majority of staff fair access to further development. However, there was an indication that part-time members of staff and, especially those on short-term contracts might not get the same access. Equality training was available to all, some of it compulsory but it was sometimes poorly attended. However, most of those that had attended commented favourably on the quality of the courses.
- **The complaints procedure**. All staff indicated that they knew who to contact if they had a grievance and most said they would feel comfortable to do so. However, there was also a feeling that there were staff who would not wish to complain and that the process was not entirely fair.
- **Suggestions for future developments**. The main ones were:
  - More awareness raising and training
  - More proactive work in monitoring the culture of departments and the actions of individual staff members
  - Encouraging people to complain and make sure that people feel comfortable about complaining
  - Ensuring that policy is transparent and workable
  - Listening to staff and ensuring equality in all areas including pay
- **Attitudes of others to equal opportunity principles**. Both senior management and other staff felt that there were varying levels of acceptance and that it was not a priority area for many. There were also different degrees of acceptance of the different strands, with disability seen as generally unproblematic whilst race and sexual orientation were seen as areas that some people had difficulties with.

EMERGING THEMES

The nature of equal opportunities policies

Findings from the questionnaire completed by HR managers revealed that equality policies were well established in Scottish colleges, and that legislation has provided an impetus for their development. Colleges knew of the need for a separate race equality policy. Whilst not all colleges had this in place, they were aware of their duties to positively promote racial equality and to have action plans in place to monitor progress. Carter et al's (1999) study of ethnicity and employment in higher education revealed that a third of higher education institutions lacked race equality policies in place. Assuming that there are some similarities between FE colleges and HEIs, it is evident that significant changes have already taken place. Given the new duties in relation to gender, disability and age, it is evident that the need for new and updated policies will continue.

The treatment of different equality strands

It was evident from questionnaire findings, analysis of policy documents and interviews that different weight was given to the six equality strands. Colleges generally had less to say about age, religion/belief and sexual orientation, and indeed there was some degree of uncertainty as to how the latter areas should be tackled. Staff comments revealed some degree of unease, suggesting that sexual orientation and religion and belief were part of an individual's private, rather than public life. There was a lack of understanding of the way in which religion/belief and sexual orientation underpin structural inequality, and overall it appeared that social categories tended to be understood in individual rather than social terms. Clearly this is an area where raising staff awareness is of great importance.

Monitoring, action planning and target setting

Monitoring of staff characteristics in relation to gender, race, disability and age was fairly routine in most colleges, and this tended to happen at the point of recruitment. Fewer colleges were recording information in relation to religion/belief and sexual orientation, and some HR managers said they needed advice on how to request what might be construed as quite sensitive and private information from staff. There were different practices with regard to how the information collected was used; sometimes it was presented to both the equal opportunities committee and the senior management team, but overall it did not appear that staff were kept well informed of the current position in the college and plans for the future. Colleges varied with regard to their approaches to action planning. Only some appeared to have clearly specified equality goals and milestones. Furthermore, it did not appear that any colleges had targets for the employment of particular groups. In addition, it was evident that most colleges were not conducting inter-sectional analyses, for example, considering employment patterns by age and gender or race and gender. Overall, it appeared that the use of equalities data, including its accessibility, merits further thought.

Engagement of staff

In most colleges efforts were made to inform staff about the institution's equality policies, but few staff appeared to be actively engaged in contributing their ideas for future priorities and there did not appear to be mechanisms for accessing grassroots staff opinion. Posting information on the internet was a common way of informing staff about college policy, but whilst this may be an efficient means of communication, it does not necessarily engage people's interest. E-mail messages about new developments may reach a large number of staff, but may be swiftly deleted as staff struggle to deal with the work they have to prioritise. It was evident

from the college interviews that staff felt reasonably positive about equalities issues and the way they are being dealt with in colleges, but their passions were not stirred. Equalities policies were seen as possibly more geared to students' needs, the consumers of education, than those of staff.

There was also a degree of complacency reflected in staff views. The majority of staff we interviewed were white, and in the case of academics and managers, in middle class occupations. They generally felt comfortable that the equalities agenda was being adequately addressed, for example, difficulties faced by disabled staff members had been solved by physical adjustments. Some disabled staff members presented a less rosy picture, referring to particular difficulties such as cold workrooms. The fact that the majority of disabled staff was likely to have invisible impairments, such as mental health difficulties, did not appear to have been considered. There was also some degree of complacency with regard to recognizing the potential difficulties faced by BME and LGBT staff. For example, Mirza (2005) has noted that despite black women's desire to use education as a source of social transformation, they continue to be under-represented, particularly in elite higher education institutions and in the most prestigious jobs (whilst being used extensively in publicity material to capture the global student market). Amongst our interviewees, the view that race is not a problem in the college because of a predominantly white indigenous population was still apparent.

Managerialism and equalities

A bubbling issue arising from the various strands of data in the study was the tension between the task of promoting equalities and managerialism both as an implementation vehicle and as a discourse underpinned by values of rationality and institutional efficiency. Mainstreaming equalities inevitably demands bureaucratic structures to work effectively. Equality policies relating to a range of strands have to be implemented across all aspects of institutional activity, targets have to be set and progress monitored. However, there are both gains and losses of adopting this approach. The activity of institutional audit may concentrate responsibility in the hands of managers, who are not necessarily the individuals within the institution with the strongest commitment to and understanding of equality issues (although of course some senior managers have a serious commitment to equalities). Those who speak with the voice of authority as a result of their lived experience may not wish to be defined by a particular aspect of their identity, such as their sexual orientation or disability status. Furthermore, the business of academic or support work in a college may preclude active engagement in additional committees and strategy groups. Finally, within some colleges there may be an unwillingness to allow staff to control the equalities agenda, indeed in this study, it was evident that the involvement of trades unions varied across institutions.

Developing the equalities agenda

It is apparent from the evidence presented in this report that much progress has been made in relation to embedding the equalities agenda in Scottish FE colleges. The examples of good practice in Section 5 illustrate the way in which certain colleges are attempting to ensure that equal opportunities principles are inter-woven into all aspects of college life, and a positive institutional ethos lies at the heart of this. However, there is still much progress to be made, a point underlined by the recent report published by the Commission for Black Staff in Further Education. The steps which the most forward-thinking colleges are likely to be taking to promote racial equality are outlined. These include the following:

Leadership – the college will provide clear leadership and commitment to promote racial equality. This commitment will be highly visible and feature prominently in the college prospectus, annual report (including the results of monitoring information) and other key documents.

Policy – the institution will consult widely with representatives of different ethnic groups in the college to develop a race equality policy and action plan, including discussions with trade unions.

Accountability – the college will ensure that everybody (governors, staff and students) understands their responsibility for promoting race equality.

Mainstreaming – the race equality action plan will be integrated into the college's strategic plan. Each department will have its own race equality objectives and managers at all levels will have measurable race and equality targets built into their personal appraisal plans.

Marketing – positive multi-cultural/racial images will promote the college, regardless of its ethnic composition or that of the locality.

Ethnic monitoring – the college will collect, analyse and monitor data by ethnicity annually, in a uniform way, and present this in a clear and accessible form.

Target setting – targets for race and equality will be set as part of the college's strategic plan, using key benchmarks such as the size of the local minority ethnic population and the national minority ethnic population.

Positive action – positive action will provide facilities or services to meet the special needs of people from particular racial groups (for example, English language classes); job training will target particular racial groups that are under-represented in an identified area of work; and applications from racial groups under-represented in identified work area will be encouraged.

Reviewing progress – the college will achieve steady progress by regularly reviewing and evaluating policy and progress.

On the evidence of this report, most Scottish colleges have moved some way to achieving many of these goals. However, areas for further thought and progress are clear. These include more effective and comprehensive monitoring, action planning and target setting. Furthermore, job training targeted at particular groups is an area which has not been used extensively in Scottish colleges to date. Bearing in mind that such rigorous policies would need to be developed in relation to other equality groups, then it is clear that the task of creating FE colleges which truly reflect the diversity of modern Scottish society has only just begun.

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APPENDIX

Table A.1 Number of staff (headcount and FTE) by type of employment, mode and type of staff, 2003-04

Type of Employment and Mode		Headcount			FTE		
		Teaching	Non-teaching (support)	Total	Teaching	Non-teaching (support)	Total
Permanent	Full-time	4,786	4,820	9,606	4,426	4,417	8,843
	Part-time	1,676	1,894	3,570	767	899	1,666
	Total	6,462	6,714	13,176	5,193	5,316	10,509
Temporary	Full-time	121	650	771	103	457	560
	Part-time	6,847	985	7,832	1,135	256	1,391
	Total	6,968	1,635	8,603	1,237	714	1,951
Total	Full-time	4,907	5,470	10,377	4,529	4,874	9,403
	Part-time	8,523	2,879	11,402	1,902	1,155	3,057
	Total	13,430	8,349	21,779	6,430	6,030	12,460

Note:

totals may not match due to rounding of data

Date created: 6 January 2005

Source: Statistics Branch, Scottish Funding for Further and Higher Education

Table A.2 Number of teaching staff (headcount) by qualification and type of employment, 2003-04

Teaching qualification	Headcount					
	Teaching					
	Permanent		Temporary		Total	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
Teacher Qualification Further Education, TQ(FE), or equivalent	3,259	764	17	1,829	3,546	2,593
Other Teacher Qualification (TQ), or equivalent	704	395	38	1,091	742	1,486
Qualified but not teacher trained	537	487	60	3,548	597	4,053
Unqualified	16	30	6	379	22	409
Total	4,786	1,676	121	6,847	4,907	8,523

Date created: 6 January 2005

Source: Statistics Branch, Scottish Funding for Further and Higher Education

Table A.3 Staff FTE by departmental/cross college, grade of post, mode and gender, 2003-04

Academic Department / Cross College staff by grade of post		FTE								
		Full-time			Part-time			Total		
		Male	Female	Total	Male	Female	Total	Male	Female	Total
Staff in academic departments	Head of Department	187	151	338	1	2	2	188	152	340
	Lecturer / Instructor / Senior Lecturer	2,341	1,883	4,224	661	1,212	1,873	3,002	3,095	6,097
	Research / Lab Assistant	86	14	100	6	8	14	92	21	114
	Other staff	243	298	541	25	131	156	268	429	697
	Total	2,857	2,345	5,203	693	1,353	2,046	3,550	3,698	7,248
Cross college staff	Principal	34	11	45	0	0	0	34	11	45
	Depute / Assistant Principal, etc	85	44	128	0	1	1	85	45	129
	Other senior management	112	88	200	1	1	2	113	89	203
	Lecturer / Instructor / Senior Lecturer	38	41	79	7	14	21	45	55	100
	Research / Lab Assistant	32	11	43	1	1	2	33	12	45
	Other staff	1,415	2,289	3,704	139	847	985	1,553	3,136	4,689
	Total	1,717	2,483	4,200	147	864	1,011	1,864	3,347	5,211

Note:
totals may not match due to rounding of data

Date created: 6 January 2005
Source: Statistics Branch, Scottish Funding for Further and Higher Education

Table A.4 Staff FTE by age, type of staff and gender, 2003-04

Age (as at 1 August 2003)	FTE								
	Teaching			Non-teaching (support)			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
29 or less	105	163	268	273	694	967	377	857	1,235
30-49	1,696	1,985	3,680	1,156	2,062	3,219	2,852	4,047	6,899
50-59	1,139	1,007	2,145	635	891	1,526	1,773	1,898	3,671
60 or over	244	91	335	165	152	317	409	243	652
Not known / refused to supply	0	1	1	1	0	1	2	1	3
Total	3,184	3,246	6,430	2,230	3,799	6,030	5,414	7,046	12,460

Note:
totals may not match due to rounding of data

Date created: 6 January 2005
Source: Statistics Branch, Scottish Funding for Further and Higher Education

Table A.5 Staff FTE by ethnic group and type of staff, 2003-04

Ethnic Group		FTE		
		Teaching	Non-teaching (support)	Total
White	Scottish	5,256	5,166	10,422
	English	465	307	772
	Welsh	30	12	42
	Irish	63	46	108
	Any other white background	347	280	627
Mixed	Any mixed background	17	11	28
Asian, Asian Scottish or Asian British	Indian	13	11	24
	Pakistani	5	5	11
	Bangladeshi	2	3	5
	Chinese	5	12	18
	Any other asian background	3	13	16
Black, Black Scottish or Black British	Caribbean	5	3	8
	African	8	4	12
	Any other black background	3	6	9
Other ethnic background	Any other background	17	10	27
Information refused / not known		190	142	332
Total		6,430	6,030	12,460

Note:
totals may not match due to rounding of data

Date created: 6 January 2005
Source: Statistics Branch, Scottish Funding for Further and Higher Education

Questionnaire Survey

EQUAL OPPORTUNITIES POLICIES AND PRACTICES
IN FURTHER EDUCATION COLLEGES

We have been commissioned by the SFEU to investigate what Equal Opportunities policies FE colleges have in place for their employees and how they are put into practice.

Information from this questionnaire will be reported anonymously and no individual or college will be named in our report as a result of this survey.

Background Information

1. Name of college? _____

2. What is the number of employees in your college?

FTE _____

Headcount _____

3. What type of college is it?

Rural	
Urban	

Your Experience of Equal Opportunities Policy and Practice

4. What experience and/or training do you have in Equal Opportunities legislation?

	Yes	No
Internal training		
CIPD qualification		
Other HR or training qualification		
CPD		
Self taught/informed		
Other		

If other please comment:

5. How do you keep up with developments in Equal Opportunities in terms of best practice, policy and legislation:

	Yes	No
HR Professional Events/Courses/Training		
Journals, newsletters etc (e.g. People Management)		
CPD		
Self taught/informed		
Other		

If other please comment:

Equal Opportunities Policies for Employees

6. Does your college have an Equal Opportunities Policy for staff?

Yes		No	

7. If yes, which of the following areas does it cover ?

	Yes	No
Equal Pay		
Age		
Disability		
Gender		
Transsexual		
Marital Status		
Racial Group/Ethnicity		
Religious Belief		
Ex-offenders/Convictions		
Sexual Orientation		
Other		

If other please comment:

8. Who formulates college policy on Equal Opportunities?

	Yes	No
Board of Managers		
Senior Management Team		
Internal/college Equal Opportunities Committee		
HR Department		
Other		

If other please comment:

Equal Opportunities Practice for Employees

9. How do employees learn about their Equal Opportunity rights in relation to the college?

	Yes	No
Staff Handbook		
Induction		
Training		
Trade unions		
Dept/Team Meetings		
Website		
Newsletters/Briefings		
Other		

If other please comment:

10. How are employees kept informed about changes to Equal Opportunities policy or legislation?

	Yes	No
Staff Handbook		
Training		
Trade unions		
Dept/Team Meetings		
Website		
Newsletters/Briefings		
Other		

If other please comment:

11. What methods do you use to help put your Equal Opportunities policies into practice?

	Yes	No
Action plan		
Written policy statement		
Communicate all policies to staff, including management		
Review and/or update HR procedures (e.g. recruitment)		
Training in equal opportunities for team/people managers		
Equal Opportunities Monitoring		
Adapt work practices (e.g. accessiblity adjustments, working hours)		
Employee complaints procedures		
Advice & counselling service		
Other		

If other please comment:

12. In the past three years has your college (as the employer) experienced any employee complaints/grievances relating to the following: (please tick all that apply)

	Yes	No
Age		
Disability		
Gender		
Transsexual		
Marital Status		
Racial Group/Ethnicity		
Religious Belief		
Ex-offenders/Convictions		
Sexual Orientation		
Other		

If other, please comment

13. In the past three years, to what level have these complaints/grievances been escalated?

	Frequently	Occasionally	Once	Never
Informal grievances/Complaints				
Formal Grievances				
Internal Investigation				
Internal Employment Tribunal				
External investigation (e.g. ACAS)				
External tribunal (e.g. ACAS)				
Other				

If other, please comment

Equal Opportunities Monitoring

14. What MIS system(s) do you use to gather, store and analyse the data. Please state below:

_____

15. Who is responsible for the processes of:

Gathering the data;

Analysing the data;

Using the data?

16. In general, what equalities data do you collect about your employees?

	Yes	No
Age		
Disability		
Gender		
Transsexual		
Marital Status		
Racial Group/Ethnicity		
Religious Belief		
Ex-offenders/Convictions		
Sexual Orientation		
Other		

If other, please comment

17. What equalities data does you college collect in relation to: (please tick all that apply)

	Recruitment	Development & Training	Promotion	Leaving
Age				
Disability				
Gender				
Transsexual				
Marital Status				
Racial Group/Ethnicity				
Ex-Offenders/Convictions				
Religious Belief				
Sexual Orientation				
Other				

If other, please comment

18. How do you collect this data?

	Yes	No
Recruitment Application forms		
Joiners/New start questionnaire		
Leavers questionnaire		
Employee survey/census		
Other		

If other, please comment

19. Are you able to cross-reference equal opportunities data with other data sources?

	Yes	No
Pay		
Grade		
Full-time / Part-time staff		
Appraisal rating		
Promotion		
Job offers		
Other		

If other, please comment

20. How do you use this data?

	Yes	No
Inform policy decisions		
Target setting		
HR reports		
Benchmarking activities		
File Records		
Other		

If other, please comment

21. Do you have any suggestions/recommendations for best practice in Equal Opportunities policies and practices?

_____

_____

_____

_____

_____

_____

_____

It would be helpful for us to get a copy of your equal opportunities and monitoring policies. We would be grateful if you could enclose it in the envelope with the questionnaire.

Thank you very much for answering this questionnaire.

Please return it in the supplied freepost envelope to CREID, The University of Edinburgh, Simon Laurie House, St John St, Edinburgh, EH8 8AQ

If you would be willing to discuss more about your experiences in Equal Opportunities policy and practice in FE colleges please can you put your details below:-

Name: _____

Telephone Number: _____

Email: _____