

Independent Review into the allegation of institutional racism in NUS

December 2016

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Foreword

In February 2016, NUS commissioned the Runnymede Trust to carry out an independent review to investigate whether the organisation is institutionally racist. This document sets out the findings of that review.

During the course of our investigations, and as evident throughout this report, we have respected the confidentiality of individuals involved in the process. No names or identifying materials are included. We would like to express our appreciation to those who contributed to the review - often recounting experiences which had caused considerable personal pain - and those who shared additional evidence.

In coming to the conclusion as we do that we cannot - definitively - state that NUS is institutionally racist, we do not overlook the very serious concerns of Black staff, officers and volunteers in the organisation. We recorded various attempts to capture these concerns to senior colleagues through, for example, the Race Matters report and feedback via the Black Staff Group. Where these efforts have failed to materialise into discernible change, this has understandably served to entrench feelings of distrust and frustration. We are clear that NUS must improve its understanding of and engagement with race and racism. Our findings indicate serious failings in this regard and, in particular, a lack of understanding of racism in its more covert forms. We note commitments to racial justice amongst many white staff, officers and volunteers but a lack of understanding of what this looks like in practice.

In the course of our investigations, we have been struck by the very low levels of trust that exist within the organisation. This has the effect of increasing suspicion, misunderstanding, emotional vulnerability and stress - all of which we witnessed during the course of the review. Lack of trust can obstruct constructive, open dialogue and ultimately organisational change. Addressing this distrust and attending to the well-being of individuals must be a central consideration of any plans to take forward the recommendations of this report.

We are alert to the extent to which different individuals and groups - at various tiers of the organisation - are invested in the outcome of this review. We have sought to avoid becoming implicated in this politics, irrespective of our view on them, with a view to retaining the independence, authority and integrity of the findings.

Finally, we regard as positive, the fact that 89% of white respondents to the survey see merit in NUS carrying out this review and that others want to better understand how they might become allies in the fight for racial justice. Of course, actions - including how the organisation responds to the recommendations - will be the true test of change.

Recommendations

The recommendations which arise from this review are listed below. It is important that they are read in the context of the report's overall findings. The highlighted recommendations are those regarded as essential to helping to restore trust and enable progress on the remaining recommendations.

- 1 NUS should give consideration to how it creates and reinforces the notion of a shared vision to which all - irrespective of political difference - can subscribe. For example, the strapline 'the national voice for students' could be signposted across the organisation.
- 2 NUS should consider moving elections to every other year as opposed to the current annual cycle.**

Executive Team

- 3 The Executive Team should undergo training in race equality which should include an exploration of covert racism, white privilege and power.**
- 4 We recommend the appointment, at Executive level, of a Race Equality expert to take forward the recommendations of this review and oversee any organisational change process to emanate from it. As a minimum, any such person should be appointed in consultation with and with the agreement of Black staff.**
- 5 NUS must take deliberate and decisive action, in order to break the cycle of an all white (predominantly male) Executive team. We recommend engaging recruitment firms that specialise in placing high calibre candidates from Black and minority ethnic backgrounds.

Employment

- 6 NUS should consider how it can increase transparency in the recruitment and promotions process.
- 7 There needs to be greater clarity, across the organisation, about the responsibilities of those who occupy the role of 'manager'. If they do not manage staff the reasons for this should be made clear.

- 8 There needs to be closer scrutiny of how line managers can support the progression and success of Black staff.

Training

- 9 **We recommend that race equality training should be extended across the organisation.**
- 10 Any race equality training that is delivered must be carried out by an independent, external facilitator in whom all staff and especially Black staff, officers and volunteers have confidence and all are able to trust. As a minimum, any such person should be appointed in consultation with and with the agreement of Black staff.

Communications

- 11 NUS Communications Team should consider implementing a strategy or Code of Practice pertaining to the respectful use of social media.
- 12 NUS should consider providing advice and/or training to students' unions about forms of debate and how to debate in a healthy manner.
- 13 NUS should ensure that the advice to students' unions about the wording of motions is sufficiently clear so as to minimize the risk of misinterpretation on conference floor.
- 14 **NUS should consider implementing a National Conversation Series to offer a space for learning and reflection where political gain is not the main objective.**

Health & Well-being

- 15 NUS must remain alert to the potentially damaging cumulative effects of repeated exposure to negative media and public attention on the health and well-being of staff and associates.
- 16 NUS must establish a clear programme of care, protection and support for staff, officers and volunteers. Details of this care must be clearly communicated and readily available across the organisation.

Black Staff Group

- 17 Guidance should be drawn up which states clearly the role and remit of the Black Staff Group. This guidance should be agreed with the CEO and discussed with the Trade Union. There should be flexibility to add to the guidance in line with the experiences of Black staff.
- 18 There should be regular meetings between the Black Staff Group and senior leaders and, between the Black Staff Group and the Trade Union.

Trade Union

- 19 The Trade Union should ensure that Equality & Diversity representatives have a competent understanding of race equality. Where this is lacking, provision should be made, to ensure they undergo relevant training within the first two months of their appointment.

President

- 20 We recommend that a coach or mentor is identified and assigned, with agreement – to each National President upon election and this support is retained throughout the term of the Presidency.
- 21 Each National President, FTOs, campaign volunteers and NEC members should receive training on race equality as part of their induction into the role.

Liberation & Black Students' Campaign

- 22 NUS may wish to consider carrying out a historical project, exploring the experiences and contributions of the Black Students' Campaign. This should include consideration of the relationship between past Presidents and the Campaign.
- 23 We recommend clarity in how the President makes and represents decisions in relation to matters advanced by the Black Students' Campaign and those issues that pertain to race.

24 NUS should consider implementing an information campaign to raise staff awareness and to help break down barriers between Liberation Campaigns and NUS.

25 All new NUS staff, officers and volunteers should receive information and training about the work and successes of Liberation Campaigns.

Addressing the Recommendations

26 NUS should implement an action plan and working group to take forward the recommendations of this review. The Race Equality Director and Equality & Diversity consultant should be part of this working group.

27 The action plan should include a timeline stating when staff, volunteers and officers will receive progress updates from the CEO or working group.

28 NUS may wish to solicit the help of organisational change experts to help them advance the actions and recommendations of this report.

1 Terms of Reference

This review was commissioned following the allegation, in July 2015, that NUS is institutionally racist. While we take account of the specific events that triggered the allegation, we note that these precise incidents were seldom raised during the course of our investigations.

Our remit centres on whether institutional racism exists within NUS and, if so, how this manifests within the organisation. We focus our attentions on NUS as an employer. The review does not include students' unions, student associations or guilds.

1.1 Definition of Institutional Racism

We are led by the definitions of Institutional Racism set out by the Institute of Race Relations and the Lawrence Inquiry report:

Institutional racism is that which, covertly or overtly, resides in the policies, procedures, operations and culture of public or private institutions - reinforcing individual prejudices and being reinforced by them in turn. (Institute of Race Relations, undated)

This can result in the:

...collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin

Macpherson (1999)

As well as examining whether NUS has the expected policies and procedures in place for handling racism, we also pay attention to covert or subtle forms of racism. By this, we mean slights, comments, looks or forms of treatment that serve to subjugate the experiences, views or knowledge of people of colour. These acts are sometimes referred to as racial microaggressions:

Racial microaggressions are brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial

slights and insults toward people of color.

Sue et al (2007: 271)

We acknowledge that there are many forms of racism – such as antisemitism and Islamophobia - which this review will touch on but not examine in depth. In addition to how NUS acts as an employer, there may reasonably be wider political issues with regard to the handling of these forms of racism and inequalities that it considers warrant attention in a separate review.

2 Terminology

In line with existing NUS practice, we use ‘white’ to refer to those with White British, White Irish or from Other White backgrounds. We recognize the ongoing debates within and outside of the student movement about the use of the term ‘Black’. While we have some sympathy with the nature of these arguments, we note that the term retains meaning within NUS. As such we use it, in line with the organisation’s existing definition, to refer to those of African, Arab, Asian, Caribbean, Latin and South American heritage within NUS. Where reference is to published work or broader arguments, we retain the terminology (e.g. Black and minority) as used within that documentation.

The term ‘respondent’ or ‘staff and affiliates’ (or associates) is used throughout the report to refer, in the collective, to those consulted during the course of the review. This includes but is not limited to existing staff, full time officers and volunteers.

3 NUS Governance & Political Structure

NUS is a membership organisation representing the needs of and advocating on behalf of its members (i.e. students' unions) from across the UK. NUS membership and NUS Trustee Board are the deciding bodies of NUS. Each year NUS holds a national conference which sees the election of a President and five Vice Presidents who are accountable to the National Executive Council (NEC). NEC in turn has powers which it can use to hold the President and Vice Presidents to account.

The **National President** acts as the principal representative of students in the UK and leads on NUS' priority campaigning work and engagement with internal and external stakeholders. The President is also part of NUS' leadership and therefore responsible for shaping organisational strategy. The President chairs the NUS UK Board and the National Executive Council working in partnership with the CEO, Executive and Senior Leaders to achieve the aims of the organisation. The President also reviews and carries out the CEO's appraisals.

The **CEO** of NUS provides leadership with regard to the strategic direction of the NUS Group and its long-term aims. The CEO is accountable to the President and to the Board of Trustees and is responsible for the Executive Team (which as currently constituted comprises: Director of People & Governance; Director of Finance & Enterprise (currently vacant); Director of Membership & Union Development; Director of Student Voice & Influence).

Scotland, Wales and Northern Ireland (devolved **Nations**) each have their own elected representatives who campaign on issues relevant to students within their respective Nation and hold separate conferences at which motions are heard and where elections take place.

Sections represent the voices of students from specific part of the student community, including international, part-time, postgraduate and mature students. They run campaigns as mandated by their own conferences and are led by their own elected representatives.

Liberation Campaigns exist to represent the needs of and fight for equity for under-represented and oppressed groups. Existing campaigns focus on the rights of LGBT+; Black; Disabled and Women students. Liberation Campaigns are led by those who self-define into that group. They are part of NUS and have political autonomy meaning that they have their own conferences where they

elect full time representatives and a committee and determine their own policies. The budget to carry out their work is allocated by the NEC.

4 Methodology & Research Considerations

4.1 Socio-political Context

This review was carried out between February and December 2016. However, race inequalities have remained stubbornly persistent across every sphere of British society for several years. The professions seen to have the most influence on what happens in British society (e.g. politics, law, journalism, business) continue to be led by white men from advantaged backgrounds (Social Mobility & Child Poverty Commission, 2014). There have been sporadic but high profile comments about the lack of Black and minority ethnic representation in the media - former BBC General Greg Dyke, for example, labelling the BBC as 'hideously white' - and at senior levels of the police and civil service. The education sector also continues to see racial disparities in outcomes between white and Black students and in terms of the representation of staff that teach them (ECU, 2015; Universities UK, 2015) needing, for example, to look outside of the sector to appoint its first Black university leader in Baroness Valerie Amos.

While wider discussion of race and racism lost traction under the Coalition and subsequent Conservative Government (under David Cameron), several well-publicised reports have returned public and media attention to racial disparities within the workplace and the experiences and representation of Black and minority ethnic groups. In 2015, Business in the Community (BiTC) published one of the largest known UK surveys of race in the workplace with over 24,000 respondents. The findings reveal that many Black and minority ethnic employees do not feel valued or supported within their organisations and that racial harassment is commonplace. The report of the qualitative findings concludes:

Racism very much remains a persistent, if not routine and systematic, feature of work life in Britain, thus contributing to the organisation of society in ways that structurally disadvantage ethnic minority workers. Ethnic minority workers are frequently subjected to racism by colleagues, managers, customers, clients and service users. Racism is experienced in a wide variety of ways, ranging from 'everyday banter' to violence and intimidation. Alongside Islamophobia and antisemitism,

crude and overt forms of anti-Black and anti-Asian racism are also prevalent.

Ashe & Nazroo (2016: 5)

While of a smaller scale, the findings were echoed in a similarly focused survey within the NHS (Naqvi, Razaq & Piper, 2016). Reviews into race and the criminal justice system (led by Rt Hon David Lammy) and the progression of Black and minority ethnic employees (led by Baroness Ruby McGregor Smith) are ongoing and due to report in 2017.

2016 marked a period of considerable upheaval within British politics. The UK voted, in June, in a referendum to decide whether to leave the European Union. The Home Office reported an increase in racially or religiously aggravated offences during the period immediately after the referendum (June, July) and while the figures have since levelled, they remain higher than the period preceding the vote (Corcoran & Smith, 2016). The lead up to the referendum saw politicians on both sides of the debate deploy language and tactics that would later be commented upon, in a carefully worded letter, by the Equality & Human Rights' Commission (EHRC). They called for greater sensitivity in the ways in which policy debates contribute to a climate of racial tension and division (Isaac & Hilsenrath, 2016).

Concerns about antisemitism gained increased coverage during 2016 and saw the publication, in June, of the Shami Chakrabarti Inquiry into antisemitism in the Labour Party. The report and its conclusion that the Labour Party was not "overrun by antisemitism, Islamophobia or other forms of racism" (Chakrabarti, 2016:1) would later be condemned as lacking in rigour (largely due to the fact that it failed to include a clear definition of antisemitism as a baseline for its investigations) in a report by a Home Affairs Select Committee (HASC) into Antisemitism (House of Commons Home Affairs Committee, 2016: 8). Despite submitting evidence to the Committee, NUS – specifically the new (at time of writing) NUS President – was heavily criticised for not appearing to "take sufficiently seriously" (p.35) the issue of antisemitism within the student movement. The HASC report specifies the need for NUS and the Union of Jewish Students to repair their relationship; that the Jewish member of the Anti-Racism, Anti-Fascism Taskforce be elected by the UJS without requiring the approval of the President; and, that if improvement is not noted within one year, that an Antisemitism Taskforce be set up at Executive level within NUS to ensure that British universities are a safe space for students of all faiths and none (HASC, 2016). NUS have called for a meeting with the Chair of the

Committee to address what they consider to be an unbalanced representation of the President and the organisation's position on antisemitism.

2016 was also a period of marked political change within NUS. It saw the election of its second Black President since 1978 who was also the first Black woman Muslim President in the organisation's history. While the election was met with excitement by some, others responded with caution, disappointment and hostility. This included sections of the media and well-known political and public figures. The election also saw some students' unions call for disaffiliation, most of which were avoided. Some of these calls were based on the allegation that the new President was antisemitic. The President has consistently denied these claims.

This overview of the wider socio-political context gives a brief but important insight into the environment in which NUS operates, given that it works closely with politicians, civil servants, policymakers and stakeholders to pursue its mission - often challenging existing or proposed reforms to further and higher education - to advocate on behalf of students. It is also not uncommon for National Presidents to pursue a career in politics once their term of office within NUS has come to an end. While this might offer opportunities to build productive relationships with the political establishment, it also results in additional scrutiny by those formerly associated with the organisation who know and remain interested in NUS politics.

Dynamics of power, political interests and affiliation, identity, culture and faith intersect in an unstraightforward way that lend complexity to the environment and culture of NUS.

4.2 Methods

Data collection comprised of a Scoping Phase and Fieldwork Phase. During the first Phase we spoke, informally, with key staff members and others working with or in relation to NUS. This included members of the Executive Team and the Black Staff Group. We also attended National Conference and the Black Students' Conference, monitored press coverage of each along with how issues raised on conference floor were represented and debated on social media. The Scoping Phase allowed us to establish a clearer picture of the circumstances surrounding the origins of the accusation of institutional racism and to identify and refine the research questions.

Fieldwork comprised of several elements: an organisation-wide survey; 24 one-to-one semi-structured interviews; two focus groups; the analysis of over 20 pages of submitted evidence; and, examination of over 200 pages of relevant NUS policies and guidance. We also carried out a selective review of debates on social media (Facebook and Twitter), and their coverage in the press.

Survey

The survey drew on questions from existing measures from both the UK and the US aimed at capturing views about race in the workplace and racial microaggressions.

			Main Ethnic Group		TOTAL
			Black	White	
1. How would you describe your relationship with NUS?	Staff member	Count	15	123	138
		% occupying Staff role	10.9%	89.1%	100.0%
		% within Main Ethnic Group	48.4%	84.2%	78.0%
		% of Total Respondents	8.5%	69.5%	78.0%
	FTO	Count	2	6	8
		% occupying FTO role	25.0%	75.0%	100.0%
		% within Main Ethnic Group	6.5%	4.1%	4.5%
		% of Total Respondents	1.1%	3.4%	4.5%
	Volunteer	Count	14	17	31
		% occupying Volunteer role	45.2%	54.8%	100.0%
		% within Main Ethnic Group	45.2%	11.6%	17.5%
		% of Total Respondents	7.9%	9.6%	17.5%
Total	Count	31	146	177	
	% of Total Respondents	17.5%	82.5%	100.0%	
	% of Main Ethnic Group	100.0%	100.0%	100.0%	
	% of Total	17.5%	82.5%	100.0%	

Figure 1. Survey Respondents’ role within NUS by Main Ethnic Group (table reads horizontally and vertically)

These included: the Business in the Community Race at Community Climate Survey for Students (TOCAR, 2013) and the NHS Workforce Race Equality Standard (Naqvi, Abid Razaq & Piper, 2016).

Profile of staff who completed survey

There were 215 responses to the survey. Once partial completions and those who responded 'prefer not to say' in response to the question on ethnicity were removed, this took the number to 177. Overall, 17.5% (31) of respondents were Black and 82.5% (146) were white.

Staff

NUS staff made up 78% (138) of those responding to the survey. The percentage of FTOs and volunteers who responded was 4.5% and 17.5% respectively. Black staff accounted for 10.9% of staff respondents and white staff accounted for 89.1% of staff respondents.

Full Time Officers

FTOs made up 4.5% of those responding to the survey. Black FTOs accounted for 25% (2) of FTO respondents and white FTOs accounted for 75% of FTO respondents.

Volunteers

Volunteers made up 17.5% of those responding to the survey. Black volunteers accounted for 45.2% and white volunteers accounted for 54.8% of all volunteer respondents.

These figures are in line with those reflected in NUS HR SubCommittee Statistics report.

Interviews

Interviews were carried out at NUS offices in London and Macclesfield. Where requested, some interviews were carried out at an off-site location to protect the anonymity of the respondent. Participants were identified based on a range of factors, including their role within or connection to NUS, their racialised identity and length of time in the organisation. Where we had been informed of particular incidents, we sought to interview or collate evidence from different parties in order to facilitate, as far as possible, a balanced assessment of these events. Interviews lasted between 30 minutes and 2 hours and included questions about the respondent's role; experience of and

views about race and racism; the representation of Black staff; NUS employment practice; health and well-being.

Focus Groups

The views of Black staff were considered particularly important given the subject of the review and the issues to emerge during the Scoping Phase. Two focus groups were carried out with members of the Black Staff Group. We also sought to capture the views of Black staff who were not members of the Group via the different modes of data collection listed above.

Submitted Evidence

Given the sensitivity of the issues raised in the review and our commitment to respect confidentiality, we do not detail the specific evidence that was submitted other than to note that it included additional comment by email and references to relevant information on social media.

NUS Policy & Documentation

NUS guidance and policy was both consulted and assessed as part of the review. Documents included: Articles & Rules of Association; Values Based Framework; Project 100 Report; NUS Staff Engagement Survey 2014; Equality & Diversity Plan and Targets 2016; HR Subcommittee People Statistics' Report 2016; Race Matters Report 2015; VP and President Role Profiles 2016/17 and NUS Group Colleague Engagement Pulse Survey 2015. We also consulted online materials about the structure and role of the organisation and the Liberation campaigns.

5 Findings & Recommendations

5.1 Overview - Organisational Culture

NUS is a fast-paced, structurally complex political member organisation. This section details some of this complexity in order to help situate the context in which this review has been carried out.

Political & Additional Influences

There are a number of pressures and influences on NUS as an organisation. It is clear that some influences or pressure points can be anticipated and therefore planned for and resources allocated as appropriate. This might include changes to education policy or the introduction of particular motions at conference. These form a natural part of the NUS cycle. Other influences are ad hoc in nature, requiring NUS response at relatively short notice. These processes are managed through an organisational structure which is large, complex and unique.

The fact of this complexity was reflected in the disparate ways in which respondents attempted to define NUS' role and remit and, in how they articulated the responsibilities of key individuals within the organisation.

While examination of NUS governance is beyond the remit of this review, our concern is that the variance of views and the confusion about roles and responsibilities potentially speaks to a wider lack of transparency and shared vision amongst those working for or formally associated with NUS. The relatively recent 'harmonisation' process and unanticipated changes at CEO and Executive level over the last five years have also contributed to a sense of unease and instability amongst staff.

Environment

The pace at NUS is largely dictated by the annual election cycle including the scheduling of related conferences, committees and board meetings and, training. Time is also spent on policy, research, campaigning and organization change. Resources, time and energy are also expended in relation to managing or attempting to limit the consequences of criticism – published or anticipated - by policymakers and the media. Monitoring and responding to the media presents its own unique challenges given that some of the articles are generated by information and arguments posted by those affiliated with NUS

(including conference attendees (members) and officers) on social media sites such as Facebook and Twitter.

Politics, Oppression & Representation

Tensions and disagreements occur between those who hold differing political views and are compounded by differences in experiences and understanding of racial oppression. According to NUS' own data, the number of Black staff is relatively low at just 7% at the end of 2015 compared with 12% within the Third Sector and, 14% of the population of England and Wales. There is no visible racial diversity at the executive level of the organisation. On the student-facing side, past Presidents have tended to be white and, where we have evidence, not fully understood dynamics of race and racism. This has been a source of tension with some sections of the Liberation Campaigns.

It is in this context of structural changes, policy and media engagement and organisational complexity that this review and NUS' engagement with race must be understood.

5.2 Communications

We consider Communications in two parts purely for practical purposes: internal dialogue, debate and conversational culture and, external communication with media although we recognise that internal and external communication do not operate as distinct processes.

Internal

Our observations of the conferences we attended leave us concerned about the nature of political debate within parts of NUS. We would like to see greater engaged, active listening and a desire to seek clarification and understanding with regard to proposed motions. This would help to minimise misunderstandings, tension and divisions. It is our understanding that conference delegates are advised by their Unions about how to construct the wording of motions. We believe more could be done to support delegates with this to avoid potential or obvious misunderstanding on areas deemed controversial or sensitive. We note also a preparedness to continue or comment upon arguments using social media or in social spaces outside of formal work hours where the respectful exchange of ideas does not always appear to be the main objective. We are concerned that this contributes to a climate of distrust and lack of safety and, where the disagreement is along

politically left of centre/far left/Black/white groups, only serves to polarise and entrench opinion and difference.

These observations are not limited to conference floor. We note similar patterns and behaviour in reported instances of staff conflict. It is our view that while the HR Values-based Behavioural Framework presents an important but seemingly optimistic ambition for how staff and officers should treat one another. It is one that is at odds with and insufficiently embedded within the challenging day-to-day realities and tensions of the NUS environment.

External

While we acknowledge that there have been changes regarding the leadership of the communications team, we were not able to discern a clear strategy for managing communications and PR. We note that Black respondents are more likely than their white peers to lack confidence in the way in which communications are handled. We share these concerns. For example, while it is not possible to manage the way that items are reported by individual journalists or newspapers, it *is* possible to pre-empt or scenario plan for particular eventualities especially where they pertain to race, antisemitism and/or the current President. We do not expect this to change the media's narrative but it would move NUS behaviour from one of reaction to one of proactivity. It would, in addition, facilitate space for reflexivity about which communications' strategies and messages are most effective and stimulate confidence amongst Black staff and associates and that issues which pertain to their experience, politics and identity are being taken seriously.

Reporting by the Media: We are concerned by the way in which the media gave partial or highly selective coverage of elections and motions at National Conference. We noted a tendency to report the election of the new Black Muslim woman President in measured or negative terms - using language such as 'shock'; 'controversy'; 'antisemitism' - without also commenting on the elation evident by others on conference floor for what her Presidency signified to them. This rhetoric was magnified in a series of critical comments by individuals on social media. We are concerned about the potential impact of such negativity on the current President's well-being and note worries about preparedness of the Communications Team to manage such incidents. Our findings indicate that respondents feel upset, isolated and stressed by damaging social media exchanges and report being unaware of any NUS resources that might support them at such times.

We acknowledge that such matters are not limited to a single NUS event and that media coverage, queries and criticism (including from the student press), are exacerbated by social media and present an ongoing consideration and resource pressure on the organisation.

5.3 Employment Practice & Culture

Some white women and Black staff respondents report a lack of confidence and trust in how appointments are made within the organisation. Some hold the view that those who are most successful and occupy managerial positions tend to have progressed through the student movement and this is not necessarily perceived to be sufficient to justify appointment or promotion. It was also felt that the student movement route served to reinforce ties and networks of similar types of people (i.e. white men), with those who had not entered NUS through those routes being excluded. There was also considerable doubt about the relative merits of those who hold roles with the word 'manager' in the title when they were not seen to actually manage staff.

Some white women and Black staff expressed the view that white men are most likely to benefit during promotion or organisational restructures and are most likely to be the people who are 'in the room' to make key employment-related decisions. Both groups report that colleagues, line managers and senior leaders do not value their contributions and work. However, white staff were almost twice as likely as Black colleagues to consider that their line manager values their contributions. Black staff are less likely to report confidence that their line manager will support their progression and development or engage seriously with their concerns. Despite reporting that they enjoy their role (though not as much as white counterparts), this contributes to low morale and a sense of being undervalued amongst Black staff.

In comparison with the above findings, white men tended not to have thought at much length about issues of fairness in employment in relation to their own roles or perceived that their appointment was based on merit and competence.

Representation at Senior Levels

As with a number of other sectors (see Socio-political context), there is less racial diversity at senior levels of the organisation. White respondents (particularly those at the highest levels) attributed this to a recruitment practice that has favoured appointing those who have progressed through the student movement. In comparison, Black respondents described a hostile

working environment in which they did not feel valued or comfortable and in which they felt they were not encouraged to progress. This, in turn, increased thoughts about leaving.

While we welcome attempts to ensure diversity in the selection process and appointment of the present (at time of writing) CEO, we are concerned that there was insufficient evidence of ‘outside of the box’ thinking. The justification to use the same recruitment company as commonly used across the student movement represents, in our view, a missed opportunity to engage recruitment firms who specialise in placing high calibre candidates from ethnically diverse backgrounds.

5.4 Engagement with Race & Racism

Overall, Black respondents to the survey report more knowledge of race and racism than their white counterparts and are less confident in NUS policies and procedures to handle racist incidents. Both sets of respondents report that NUS has a better understanding of and is more able to address incidents of overt racism, but is less knowledgeable with regard to unconscious or covert forms. A mere 7% of Black respondents have confidence in NUS procedures aimed at addressing unconscious racism compared to around half of white respondents.

The survey asked respondents to indicate whether they agreed or disagreed with whether Communications & PR; People & Governance and the Events Team handle issues concerning race and racism in a fair and balanced manner. In each case, Black respondents were considerably less confident than their white peers in the ability of each Directorate or Team to engage these issues. Similar proportions of both Black and white respondents (71% and 70.5% respectively) expressed confidence in the Liberation Team to handle matters concerning race and racism in a fair and balanced manner. This was the highest rating across all Directorates/Teams.

White colleagues rated their own knowledge and understanding of racism higher than indicated by evidence collated elsewhere in the review. For example, we were struck by the inability during interviews to define or explain institutional racism, but of greater concern was a tendency to offer limited or potentially pathologising explanations of events or issues, which featured Black staff. For example when asked why, according to NUS’ own evidence, Black staff were least likely of all groups to trust senior leaders, there was a tendency to offer generic responses about the experiences of Black people in wider

society or to attribute their distrust to there being no Black people at senior levels. We also note, in one instance, the reflection that Black people might attribute an explanation or analysis of race inequality to any negative incident in which they had been involved. While we do not rule this out as a possibility, we are concerned and disappointed by the pathological and simplistic nature of these views (i.e. that alternative or additional explanations are not also offered) especially given the findings of the Race Matters report, the ongoing issues raised via the Black Staff Group and issues of reported conflict between Black and white staff and officers.

Notwithstanding the above findings, we note that 89% of white survey respondents find merit in carrying out the review. We also regard as positive the finding that some white respondents explicitly stated that they want to better understand how they can work alongside their Black colleagues as allies to improve race equality in the organisation.

Antisemitism & Islamophobia

We should be clear in stating that while questions about antisemitism and Islamophobia were included in the survey, the review did not undertake a detailed and comprehensive examination of either. We are therefore not in a position to comment decisively on the nature of either form of discrimination within the organisation.

Within the survey, the data shows Black respondents are more confident in their understanding of antisemitism and their ability to identify it compared with their white counterparts. A greater proportion of Black respondents also felt that NUS needs to address antisemitism and were less likely than white counterparts to believe that NUS understands and knows how to address it.

Survey data also shows Black respondents are more confident in their understanding of Islamophobia and their ability to identify it compared with their white counterparts. A considerably greater proportion of Black respondents compared with their white peers felt that NUS needs to address Islamophobia and lacked faith that the organisation understands and knows how to address it.

A greater proportion of white respondents reported confidence in NUS' knowledge of Islamophobia than expressed confidence in NUS' knowledge of antisemitism. By comparison, the proportion of Black respondents who considered NUS knowledgeable or able to address Islamophobia was lower

than the proportion who considered the organisation knowledgeable or able to address antisemitism.

Black Staff Group

Findings indicate that the Black Staff Group represents a safe space away from some of the misunderstandings and conflict that occur around race within the wider organisation. The Group offers a sense of solidarity in an institutional context in which members may otherwise feel isolated. Our findings also reveal, and it is important to stress, that not all Black staff are part of the Group and that even within it, there is a wide range of views and engagement with race and racism.

While the psychological and emotional space the group offers to members must not be understated, we also note the role the group (and especially the Chair) plays in bringing issues that concern Black staff to the attention of senior colleagues. Findings also indicate that senior staff speak of consulting the Black Staff Group Chair (and others who identify as Black) for information about race or the experiences of Black staff. While this exchange and communication is important, we are concerned by the potential responsibility this places on the Group (and other Black staff) to act not just as a safe space and to advocate for Black staff but also to serve as an information point for senior leaders. We are concerned about the potential responsibility and pressure this places on the Black staff generally, and the Black Staff Group specifically, even while the need for its existence is sometimes questioned. Senior leaders must do more both in correspondence with and independently of the Group to improve their awareness of how racial inequalities manifest in the workplace and the impact of this on Black staff. Black staff should not have to be in the position of both experiencing these inequalities and being responsible for educating leaders about them.

Equality & Diversity Policies, Related Policies & Training

We are struck by the amount of material (surveys, guidance, frameworks) that is generated by the People & Governance Team and how these sit in relation to actual behaviour, knowledge and the organisational culture of NUS. We would have hoped to have seen a closer correspondence between the Values Based Framework, for example, and the evidence collated for this report. We were also struck by the varied descriptions, by respondents, of NUS' role and objectives. We would have expected greater synergy in the organisation's stated vision and that described by respondents.

There is an overall lack of faith (amongst both Black and white respondents) in the ability of the Equality, Diversity and Inclusion Delivery Plan (EDI Plan) to affect positively the experiences of Black staff. While we accept that this may be informed by the wider climate of a lack of trust that pervades the organisation (the item on trust scored low for both Black and white respondents), we are concerned by the possibility that objectives are being pursued by the People & Governance Team which do not have the buy in or support of the rest of staff and, indeed, the very people the Plan is designed to affect.

In reviewing NUS' policy on Equality & Diversity (2014), we note disparities between a number of the stated objectives and, the accounts and evidence shared with us during the review process. We are especially concerned about what might be positioned as the academic or theoretical knowledge espoused by senior leaders, managers or groups with specific responsibility for leading on equality and diversity and their inability to articulate or reflect what race equality looks like in practice. In the interests of confidentiality, we do not provide a detailed commentary of how incidents concerning race have been handled formally. However, we express grave concerns about the apparent ad hoc and inconsistent way in which such matters have been handled and the impact on those involved. In order for staff, officers and volunteers – both Black and white – to have confidence in policies and procedures for handling allegations of racism, it is imperative the understanding of racism (notably in its subtle or covert form) is improved amongst the People & Governance Team and senior leaders. The findings reveal evidence of training on equality and diversity more broadly but that there is a need for specific training on race equality that is rigorous, practically focused and challenging.

Health & Well-being

We have been deeply concerned, throughout the course of this review, by accounts and evidence of emotional vulnerability, stress and fatigue of Black and some white staff and associates. There were instances when, in recalling incidents, respondents broke down in tears or the weight of what they had experienced was detectable from the tone of their voice. Survey responses indicate that a considerable proportion of Black respondents (65%) report feeling demoralised or unhappy at NUS because of others' lack of understanding and insensitivity about race and racism.

We are particularly concerned about the support offered to those elected to the role of President. This is a demanding, time-intensive, management level

position, which garners intense scrutiny and expectation from those inside and outside of the organisation. Where the President is from an oppressed and/or under-represented group, with regard to identity or political persuasion, this scrutiny will be intensified. We would like to see a clearer structure of ongoing support – perhaps in the form of an independent coach – as part of the President’s role and for their entire term of office.

Trade Union

It is difficult to report a clear and consistent picture concerning the Trade Union due to structural and constitutional changes, which were ongoing at the time of the review. Survey findings indicate that neither Black nor white staff are confident in the way that the Trade Union handles issues to do with race and racism (Black staff are less confident). We also note tensions between the Trade Union and the Black Staff Group and that, on occasion, have featured in the review.

While we do not underestimate the significance of the internal changes to the Trade Union, findings indicate that they have lacked leadership on race equality, which can have only served to exacerbate the poor relationship with the Black Staff Group and add to the wider culture of distrust that exists within the organisation.

5.5 Liberation & the Black Students’ Campaign

In the context of this review, we have been especially interested in the relationship between the Liberation Campaigns and NUS and, specifically, the relationship of the Black Students’ Campaign with the organisation. We should be clear that the review did not examine the function and experiences of the entire Liberation department. Our attention has been focused on those elements that pertain specifically to race and race inequality in line with the terms of this investigation and, takes account of evidence (as reported to us) prior to the review period.

As mentioned in the section on NUS Governance and Political Structure, Liberation Campaigns represent the needs and campaign on behalf of oppressed groups within the student movement. While Liberation Campaigns are politically autonomous, each Campaign receives a budget from NUS to pursue its goals.

Our primary observation is that the framework of misunderstanding around race that we have evidenced within NUS (see above) is mirrored in and is made more complex by the structural relationship between NUS and the Liberation Campaigns and by the fact that the Campaigns are politically autonomous.

In carrying out the review, we have identified some of the tensions that can arise when the National President is not from an oppressed group and lacks understanding of how their power and decision-making capabilities might contravene the objectives of the Black Students' Campaign and be interpreted as deeply oppressive. Such tensions are clearly exacerbated in the context of NUS documentation which states that it is the role of the National President to act as a "positive advocate for NUS and the student movement" (NUS VP and Presidential Role Profiles, undated) and therefore, be expected to speak on issues or policies that align with the work of the Black Students' Campaign. The practical (and emotional) impact of this policy appears not to have been fully thought out. That is, where there is a political, ideological and identity dislocation between the President and the issue on which they are supposed to be advocating, whose voice or politics takes precedence? Therefore, we recommend greater clarity with regard to the President's decision-making powers and responsibilities and that this should also be done in relation to Liberation Campaigns generally and, the Black Students' Campaign specifically.

We also make recommendations with regard to the President's understanding of race and racism. This needs to be clearly defined in the context of the President's leadership and strategic responsibilities within NUS. These responsibilities should be clear to all – staff; officers; volunteers and members. We advise that each National President, FTO and volunteer undergoes specific race equality training as part of their induction. We do not anticipate that this will simply eradicate any future misunderstanding between the two groups (i.e. the National President and Black Students' Campaign) given the history of tensions between them in the past. However, it is hoped that this will foster greater awareness about how language and power can be used with more care and consideration.

6 Conclusion

While the evidence reveals considerable shortcomings, failings and naivety in the understanding of race and racism, we are not able to conclude definitively that NUS is institutionally racist according to the definitions set out in the terms of reference. The following points are central to this decision:

- Caution and distrust pervades, albeit to differing degrees and for different reasons, at all levels of the organisation. This caution was evident in some of the exchanges during data collection, despite our independence.
- While we are confident in our assessment of the accounts we collated, we found it difficult in some instances, to trace back to or identify the root of particular events or to establish enough evidence in order to be able to independently assess its veracity. This is not to dismiss or undermine the very valuable and often painful accounts that were shared with us and which we have taken into account during the writing of this report.
- There were a very small number of individuals whose particular set of experiences and opinion was crucial to our determinations but they refused, as is their choice, or were unable to take part in the review.
- We would have liked closer and prolonged scrutiny of organisational practice and policies that was not possible within the agreed timeframe. For example, while we considered certain aspects of the Equality & Diversity Policy as they related to specific incidents raised during the review, ideally, we would have liked to have explored how each element of the Policy has been implemented over the last two years to assess its impact on the experiences of Black staff.
- There are fundamental legal and methodological distinctions between this review and The Stephen Lawrence Inquiry report (where the term ‘institutional racism’ gained prominence in the British context). For example, the Lawrence Inquiry was authorised by the Attorney General and received ongoing advice from a legal team which, in turn, had a significant bearing on the seriousness with which the review was regarded and the behaviour and attitudes of those submitting evidence to it. We observe that a body of submitted evidence was published as part of the Inquiry report and therefore available to the wider public. All information, including the names, responsibilities and roles of individuals, submitted to the NUS review has been, by agreement, kept confidential. Further, the Lawrence Inquiry collated evidence over a 17-

month period as opposed to six months which has a bearing on the amount of information they were able to collect and analyse. It is not our suggestion that every review into institutional racism take the same format as the Lawrence Inquiry. This is both impractical and unfeasible. However, it would be remiss not to weigh up the balance of these considerations, along with those mentioned above, in coming to our conclusion.

- Finally, we note that while the Lawrence Inquiry found the police service to be institutionally racist our review, ten years later, found the service to still be wanting with regard to the experiences and retention of Black and minority ethnic officers and, racial disproportionality in stop and search procedures (both issues identified in the Inquiry report). The mere label of 'institutional racism' would therefore appear, in our view, insufficient to facilitate change without a deep understanding of race, racism, white privilege and power. Our recommendations have been made with this in mind.

While acknowledging these important points, there remains no doubt in our minds that NUS as an employer has seriously failed to support Black staff, officers and volunteers and, has considerable work to do to address the poor understanding and engagement of race and racism amongst white staff, officers and volunteers. The keenness of some white respondents to act as allies is to be welcomed and should not be overlooked. However the tendency, on the part of others, to assume liberal well-meaning and intent sufficient evidence of commitment to race and racism is, at best, short-sighted. Our findings indicate a gap between the intention of racially just practice and the reality for those racialised as Black and a lack of understanding of racism notably in its more subtle or covert forms.

In short, our reservation in naming NUS as institutionally racist in no way detracts from the failings that we have identified within this report.

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