RACE EQUALITY:

Communication and Consultation Toolkit

for Higher Education Institutions

equalitychallenge**unit**

JNCHES

Joint Negotiating Committee
for Higher Education Staff

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CONTENTS

Background

1   Recognising the need for practical guidance on communication and consultation for higher education institutions (HEIs), the Joint Negotiating Committee for Higher Education Staff (JNCHES, comprising the Universities and Colleges Employers Association (UCEA), AUT, NATFHE, Unison, T&G, GMB, Amicus and EIS) and the Equality Challenge Unit (ECU) commissioned the Gus John Partnership (GJP) to produce a communication and consultation toolkit. This guidance draws on the work produced by the GJP and includes case studies from institutions visited by the GJP as examples of good practice.

Purpose

2   This document provides practical guidance to assist HEIs in enhancing their communication and consultation processes in order to promote race equality and fulfil the requirements of the Race Relations (Amendment) Act (2000) (RR(A)A).

3   Successful communication and consultation processes enable HEIs to be better informed in their decision-making and carry out institutional functions effectively and efficiently with buy-in from their relevant stakeholders.

4   This toolkit is aimed primarily at equality and diversity practitioners and those responsible for implementing communication and consultation strategies in an HEI. Whilst the remit of this toolkit is specifically aimed at furthering race equality, it can be seen as a template, that when modified accordingly, can be applied across all equality and employment strands.

Key points

5   There are strong business and legal reasons for developing effective approaches to communication and consultation. An institution can improve staff confidence, morale and performance by developing common ownership over institutional policies by communicating and consulting effectively. This can, in turn, stimulate a healthy and productive working environment, which will not only reduce staff turnover but lead to better value for money, increased economic productivity and maximisation of resources.

6   Communication is the provision and exchange of information. In order for it to be successful it needs to

- have an agreed purpose and desired outcome
- an identifiable audience
- appropriate methods of reaching the audience.

7   Consultation is active participation by stakeholders based on information they have received from an institution. It should be made clear to all participants in consultation that the responses given will be appropriately considered and fed into an HEI's decision-making process. This is crucial to maintaining confidence in the process and encouraging participation.

8   The guidance outlines various methods that can be used for effective communication and consultation, including suggestions on how to offset communication and consultation 'fatigue' and outlining different methods that can be employed to produce the most accurate and inclusive results.

9   Appendices are attached which detail communication and consultation principles, how to implement communication and consultation in practice, along with further sources of information.

Communication and consultation – Meaning and context

10 **Why communication and consultation are necessary**
Communication and consultation are essential tools by which to improve the performance of an higher education institution (HEI), particularly within the area of equality and diversity.

11 This toolkit aims to assist HEIs in enhancing communication and consultation strategies within a local context. Practical guidance is outlined on how to develop policies and procedures for meeting these aims, specifically focussing on the duty to promote race equality and eliminate unlawful racial discrimination as required by race equality legislation.

12 Institutions need to communicate and consult in order to ensure that the services they provide are effective and responsive to the needs of staff and students, along with the needs of wider society. Good consultation and communication processes allow HEIs to be better informed in their decision-making and further equipped to carry out institutional functions effectively and efficiently. These processes also enable HEIs to meet the needs of their stakeholders, and can increase confidence and satisfaction at all levels.

Higher Education Stakeholders:

- **Relevant internal stakeholders**: staff, students
- **Relevant external stakeholders**: other education providers, local businesses, community and voluntary sector organisations, religious and faith groups, equality commissions and specialist organisations.
- **Equality target groups**: those most likely to face discrimination. Specific provisions should be made to ensure that representations from these groups are made possible and encouraged. This could include black and minority ethnic (BME) or lesbian, gay or bisexual (LGB) representative groups in an institution.

> ● **Trade unions**: all have equality sections nationally that can offer advice. They can be an invaluable help locally as they have a strong commitment to equality and diversity and can encourage members to take part in local consultations.
>
> From ECU/HEFCE: *Conducting Impact Assessments for Higher Education Institutions: a Guide to Good Practice, 2004/37.*

13 Within the context of the RR(A)A it would also be useful to ensure representation from religious and faith groups.

14 Whilst the remit of this toolkit is specifically aimed at furthering race equality and meeting the requirements of the RR(A)A, recent legislative developments in the area of disability rights and general employment rights mean that communication and consultation processes need to be mainstreamed for all institutional practice. This toolkit can therefore be seen as a template which, when modified accordingly, can be applied across all equality and employment strands.

15 The toolkit is concerned with two key areas:

● How institutions relay messages about what they are doing in developing, implementing and monitoring their race equality policies

● How institutions seek views about the direction and impact of their race equality policies and action plans.

Specific case studies are presented in the text by way of examples of good practice.

16 **First steps**

In providing this guidance, it is important to first define 'communication' and 'consultation.'

17 **Communication**

> Communication is the provision and exchange of information that allows stakeholders and institutions to be properly informed about their respective issues and developments.

18   This can be broken down into two specific aspects of communication, which need to be dealt with accordingly:

- What is the information being provided?
- How is it going to be communicated?

19   Within the context of this toolkit, the purpose of communication is to ensure all relevant stakeholders are aware of key decisions or activity and to enable them to gain an understanding of the way an institution operates. Similarly it is to assist institutions in understanding the needs and views of their stakeholders.

20   **Consultation**

Consultation is active **participation** by stakeholders based on **information** they have received from an institution.

Figure 1

Information   Consultation   Participation
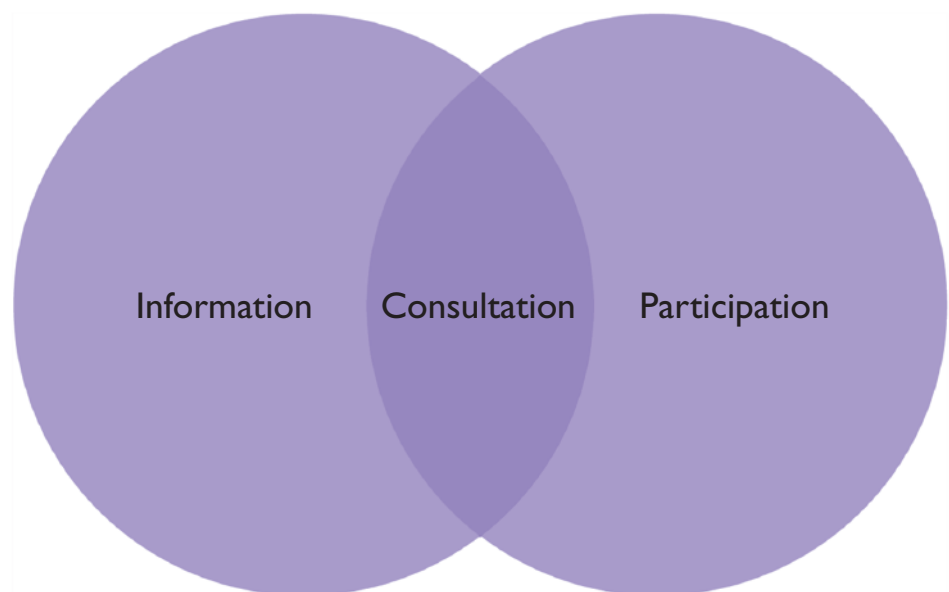
21   The purposes of consultations will vary but essentially they are a mechanism for ensuring open and informed institutional practice. Consultation should not be seen as an end within itself, but as part of a process of engaging and reviewing institutional practice, such as for the purpose of impact assessments.

Consultation and communication may appear to be similar concepts but their role, while linked, is strategically different:

- Communication is concerned with the interchange of information and ideas

- Consultation goes beyond this and involves actively seeking the views of stakeholders, internal and external, and taking these views into account before making a decision.

From ACAS: *Information and Consultation: Good Practice Advice*, 2004

22 **The business case for communication and consultation**

Communication and consultation require an investment of time and resources. However, the benefits of conducting them can be manifold, and include the following:

- **improving organisational performance** – by publicising and seeking contributions and feedback on institutional activities, an HEI can facilitate closer working with stakeholders and minimise resistance to change.

- **improving performance and decision-making** – allowing stakeholders to express their views can help an institution arrive at sound decisions.

- **strengthening employees' commitment** – employees will perform better if they are given regular, accurate information about their jobs and their performance, such as targets, deadlines and routine feedback.

- **increasing job satisfaction** – employees are more likely to be motivated if they are actively encouraged to express their views and ideas.

23 The business case for communication and consultation on race equality issues should also be seen in the wider remit of the benefits of pursuing an active equality and diversity strategy.

Equality and diversity: a business case

By promoting and recognising equality and diversity, an HEI can improve its brand image as an international and modern institution and therefore attract the best staff and students.

By taking steps to eliminate discrimination institutions can:

- Improve staff morale and trust
- Reduce staff turnover
- Broaden the talent base of an institution
- Stimulate a healthy and productive working environment.

This leads to:

- Better value for money
- Increased economic productivity and
- Maximisation of resources.

All of this results in a more efficient and effective workplace.

From ECU guidance, *Positive Action* (Nov 2004). Downloadable from www.ecu.ac uk

24 **The legal case for communication and consultation**

Under the RR(A)A HEIs, in carrying out their functions, must have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between persons of different racial groups.

Together these requirements form the **General Duty** to promote race equality.

25 The Act also sets out four **Specific Duties** for higher education, which are mechanisms by which the general duty is met. They are: having a race equality policy; monitoring; impact

assessment and ensuring adequate publishing arrangements for the policy, along with monitoring and impact assessment findings. As part of the specific employment duties, due regard should also be given to training. The General and Specific Duties together are the basis for implementing a holistic approach to the delivery of race equality.

26 Effective communication and consultation form an integral part of meeting the general and specific duties. For example, in the area of impact assessment, it is imperative that institutions set out their arrangements for consulting anyone who is likely to be affected by their policies. It is therefore important that consultation and communication mechanisms are built in to each level of institutions' policy development, planning and implementation processes.

27 It is important that consultation is genuine and meaningful at all times. The Commission for Racial Equality clearly states the importance of this in its impact assessment guide.

If there is an impression that the consultation is 'token,' or that it has been manipulated to win approval for a generally disliked or discredited policy, the damage to your credibility may be far-reaching. You also run the risk of failing to meet your responsibilities under the race equality duty.

From the CRE's *Race Equality Impact Assessment: A Step by Step Guide*. Downloadable from www.cre.gov.uk

28 The need for effective consultation and communication strategies is further increased by the forthcoming positive duty for disability in the draft Disability Discrimination Bill (as at December 2004), which will make consultation a requirement for all public bodies when drawing up their disability schemes. HEIs should also consider the implications of the EC Regulation on Information and Consultation, which will come into force in the UK in March 2005.

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[1] For more information see ACAS guidelines, *Information and Consultation: Good Practice Advice*, (2004).

29 **Who should take responsibility for communication and consultation?**

Responsibility for communication and consultation should be delegated throughout an institution, with senior managers working with these principles in mind. This is because effective communication and consultation processes need to be mainstreamed throughout an HEI. In addition, an institutional culture needs to be developed where communication and consultation is valued as an effective part of quality control. To this end, leadership from the top is crucial in maintaining support for such a concept and promoting it through an institution.

30 An example of how an HEI refined its communication and consultation procedures in the process of implementing its race equality policy is given below.

Case study

An HEI found that there was a low level of awareness amongst its students of the RR(A)A and its provisions. Involvement of students in the process of devising the race equality policy was minimal and limited to the president of the student union.

In addition, communication and consultation with black and minority ethnic staff proved to be difficult, partly because the institution had incomplete data relating to their representation in the workforce due to low rates of completion of ethnic monitoring forms.

Invitations to focus group meetings that were posted on notice boards failed to attract any participants and the institution therefore decided to review its arrangements for communication and consultation in the following ways:

Students

A pro-vice-chancellor met with the student union sabbatical officers and explained the institution's approach to the RR(A)A, both in terms of compliance and promoting race equality as part of the

corporate equality strategy. The student union decided to set up a meeting with societies that were organised and run by black and minority ethnic students so that the pro-vice-chancellor and the equality and diversity officer could consult with them. At that meeting, the general and specific duties of the Act were discussed and the important role of black and minority ethnic students in monitoring and impact assessment highlighted, and students discussed issues important to them. Following that meeting, each department contacted its students by e-mail, posters were displayed in the student union and students were invited to attend meetings in departments. A representative group of black and minority ethnic and other students attended most of those meetings and departments were able to engage them in discussion of the action they were taking to implement the race equality policy and student involvement in monitoring its application.

Staff

The institution e-mailed all staff, stating what it had done so far to implement the RR(A)A, the importance of the Act to its attempts to tackle discrimination and promote equality, the duties the legislation placed upon staff and the role of staff in impact assessment. The communication highlighted the need to canvass the views of black and minority ethnic staff as key stakeholders and asked all staff to declare their ethnicity.

That led to a 30% increase in the number of black and minority ethnic staff declaring their ethnicity and a commensurate reduction in the percentage of staff who had recorded their ethnicity as 'other'.

The institution supplemented the above activity with a number of focus group discussions and meetings in departments at which issues relating to teaching and learning, institutional culture, staff development, participation in research, etc., were discussed. These discussions enabled the departments to examine how they might construct their own action plan to implement the race equality policy, particularly in delivering the specific duties of the Act.

Improved consultation and communication

As a result of the specific actions taken, the institution was able to review all its arrangements for internal communication and consultation and develop a new strategy that could mainstream this way of working in respect of equality and diversity based on the particular experiences of those communicated and consulted with.

Diversity within different groups

31 When considering the communication and consultation needs of people from diverse backgrounds, institutions should not assume that staff and students from a particular background will have homogeneous communication and consultation needs. Although there may be some instances where a broader approach may be appropriate (broad strategic consultation and communication exercises, for example), there may also be times when such a method could serve to obscure issues faced by groups the institution is seeking to communicate and consult with.

32 For example, it may – in some cases – be more appropriate to consult with men and women from a particular group separately, or to communicate with people from diverse ethnic or religious groups using different methods. The case study below provides a good example of how knowledge of the cultural and religious factors affecting some people from a particular racial group can help an institution understand experiences of university assessment regulations.

Case study

Researchers at an HEI analysed student academic appeals by ethnicity and undertook research with Asian students and staff to understand their experience of university assessment regulations. A significant proportion of the appeals from Asian students related to family responsibilities, particularly around times of crisis and bereavement. Although these circumstances did in the main fit with the acceptable categories for the appeal, they did not constitute grounds for extension or deferral in the university assessment regulations. The findings indicated that there may be insufficient knowledge and understanding of cultural beliefs, practices and lifestyle of Asian students amongst those who design assessment processes, extenuating circumstances rules, and appeals regulations.

Recommendations from the research included the need for further support and guidance to be provided to both students and staff from black and minority ethnic backgrounds to assist with understanding the assessment regulations and cultural diversity. It was also recommended that the Extenuating Circumstances Panel apply definitions of family, kinship and domestic and personal circumstances in a culturally sensitive manner.

Best practice guidance

33   The GJP recommended framework and guiding principles for constructing and operating a communication and consultation strategy is given at Appendix A. It sets out guidelines for developing a policy and strategy that is inclusive and seeks to engage with key partners rather than placing the emphasis on informing remotely, via web pages or other forms of written communication.

Communication – Best Practice

34   Checklist

At the start of the communication process, clear and concise objectives must be set and the following issues should be addressed:

- Why are we carrying out the communication?

- What are our objectives?

- What outcomes do we seek?

- Who do we want to communicate with (our target audience(s))?

- Who are the key stakeholders?

- How and when will we communicate?

- What resources are required to undertake the communication?

- What messages are we trying to get across?

- How will we evaluate the communication's success?

- How will we apply what we have learned?

35   The checklist opposite details the key actions to be taken for effective communication, and should be utilised whenever a communication process is to be undertaken. The case studies that follow provide illustrations to aid the process.

Theme and tasks	Person(s) responsible	Completion date	Criteria for success/ any comments
A. Identify need, purpose and outcomes			
This is an important first stage of the communication process, encompassing the following requirements:			
1. Identify need and define requirements			
2. Agree purpose and desired outcomes			
B. Establishing suitable methods for audiences			
In order to ensure that communication is provided and received in an effective way, the following issues need to be considered:			
3. Identify audience			
4. Identify appropriate methods			
C. Delivering within a diverse context			
As well as considering the methods of communication, the following areas need to be included in the planning and delivery process:			
5. Locality and timeliness			
D. Allocating appropriate resources			
Following consideration of the above, institutions will need to ensure that the most effective communications methods are adequately resourced, which involves the following action:			
6. Estimate cost and resources needed			
E. Delivering an effective message			
This stage represents the core of the communication process, and requires implementation of the following points:			
7. Message construction			
8. Undertake communication			
F. Review, learning and future action			
Once the communication exercise has taken place, it is important that the outcomes of the exercise are appropriately evaluated against the original need, purpose and outcomes of the exercise, which involves looking at the following areas:			
9. Evaluate outcomes			
10. Act on findings where appropriate			

36 **Identify need, purpose and outcomes**

1. Identify need and define requirements

2. Agree purpose and desired outcomes

Planning is vital to successful communication. As the checklist above shows, defining clear objectives and recommending the appropriate measures to achieve them are the essential elements of the planning process.

37 Many institutions find themselves having to revisit their communication procedures in the light of the provisions of the RR(A)A. An example of how an institution devised its community strategy in response to a review of benchmarking data is given in the following case study.

Case study

An HEI was concerned about the under-representation of black and minority ethnic students on particular courses and in the institution generally. It decided that it needed to be more proactive in communicating its commitment to building an inclusive learning environment and to equality of access for all sections of the population.

It set up a working group of staff, current and past students and representatives of the students union to determine:

- the message it sought to convey
- the basis for deciding on such action
- who its target audience was
- how it was going to reach its audience
- the role of black and minority ethnic former students in helping to convey the message
- the sorts of issues the target audience would want to be reassured about
- the evidence it could use to provide that reassurance.

The group decided to conduct a survey amongst current international and UK/EC students, and past students whose whereabouts were known, to establish:

- their reason for choosing to study at that institution

- their experience of the culture of the institution and of the support it provided

- whether or not they would recommend it to others.

Decisions were also made about the methods the institution would employ in consulting with community groups, schools and other external partners.

38 **Establishing suitable methods for audiences**

3. Identify audience

4. Appropriate methods

Successful communication requires the accurate identification of target audiences (those people communication is aimed at), and understanding their current needs. To achieve this, institutions need to put in place a reliable and easy to maintain method for correctly identifying stakeholders as target audiences.

39 External audiences can be identified through media outlets, such as the national daily press for general audiences; publications such as *Eastern Eye*, *Voice* and *New Nation*, which address black and minority ethnic audiences; or media, such as the *Times Higher Education Supplement* or *Guardian Education*, which address professional audiences, whatever their background. External audiences can also be identified through:

- other education providers

- careers and education counselling services

- registers compiled by umbrella and specialist organisations such as regional race equality councils, inter-faith groups, consultative committees and networks, etc.

40   Communication is most effective when it uses a variety of methods. These may be spoken and written, direct and indirect, and will depend mainly on the size and structure of each institution.

Internal communication methods may include:

- group meetings

- large-scale meetings

- inter-departmental briefings

- focus groups

- surveys

- local groups

- public meetings

- informal verbal communication.

41   Further methods may include written materials (employee information notes, house journals, newsletters, notices), and technology such as the intranet, audio-visual aids and e-mail. Appendix C contains further detail about the use of different methods.

42   An example of best practice in using communication channels to engage internal and external stakeholders in creating an inclusive educational environment is given in the following case study.

Case study

An institution decided that it would communicate its intention to be more responsive to the needs of the various faith groups represented in the student body. It became obvious that its chaplaincy, with its mainly Christian focus and ethos, was not inclusive of the high percentage of students of other faiths, or no faith, who nevertheless sought space for spiritual reflection and time for contemplation.

The institution:

- used its networks within the county, from which some 50% of its students are recruited

- held discussions with faith groups both internally and externally

- sought comments from the regional REC

- posted information to students via e-mail

- shared information regarding obstacles/good practice with other HEIs.

As a result, the institution received much encouragement and useful advice about the provision of facilities for a multi-faith student population.

The communication strategy led to requests for consultation meetings with the institution and discussions as to how ministers of other faiths could be involved with the institution, and therefore available to its students on a formal basis.

This resulted in the transformation of a standard chaplaincy into a meeting place where students and staff of all faiths and none could utilise individual space, share with a spiritual counsellor of their choice (Christian, Muslim, Sikh, Hindu, humanist, atheist, agnostic, etc), or enjoy quiet reflection with others.

43 Trade unions are an essential partner in the internal communication process. However, their role in helping to raise awareness amongst their members of institutions' equality strategies, and the duties equality legislation places upon them, is largely underdeveloped in the sector. An example of good practice in engaging unions in the process is given below.

Case study

The trade unions in an HEI had been only marginally involved in the process of drawing up the race equality policy and action plan. For their part, they had done very little to inform their members of the provisions of the RR(A)A and their intended impact on the organisation as a place of employment. They claimed to have had no guidance from their national offices with respect to the RR(A)A and its implications, or how they might make their members aware of the Act.

The institution's positive working relationship with the unions was further developed when representatives were invited to join the students' union and course representatives on the equality and diversity committee and gained support in being proactive with their own members.

44 Trade unions have considerable knowledge and experience in addressing equality issues and have demonstrated in other sectors how they can make an important contribution, alongside employers and other stakeholders. Failure to involve trade unions in developing good practice around race risks marginalising an important ally in tackling racism.

45 **Delivering within a diverse context**

5. Locality and timeliness

Information must be given at the right time, to the right people, in the right languages and formats (e.g. large print, Braille, audio tape etc). To achieve this, institutions should consider timetabling communication initiatives so as to avoid communication overload among likely participants.

46   An example of best practice in considering locality and timeliness within an HEI follows:

Case study

In carrying out an external communication exercise, the equality committee of an HEI held a number of communication events at times and places that were convenient to each of the stakeholder groups. This was done in conjunction with the identified stakeholders and took particular note of their cultural and religious needs. The institution also encouraged the expansion of client groups to avoid overloading the 'usual suspects'. This approach was approved by stakeholders who worked with the HEI to ensure that the exercise was a success.

47   Part-time staff are often overlooked in communications strategies. They tend to miss out on focus group discussions, meetings, and especially training on policy initiatives and monitoring arrangements. Therefore it is important to have mechanisms in place to ensure part-time staff are included in any communications strategy.

48   Aware that these groups of employees include black and minority ethnic staff, an institution adopted the following strategy to include as many of its part-time workers as possible.

Case study

The institution provided supervisors with information in a number of languages for circulation amongst part-time staff. The information told them of the steps the institution was taking to implement equality legislation and how they might get support in feeding back their own experiences of working in the organisation. Site meetings to inform all staff about the institution's review of its health and safety policy were organised at times suitable to part-time staff. They were used to inform staff not only about the health and safety policy but also about the implications of the equality and diversity strategy for them, both as key stakeholders and as those whose conduct in delivering services has an impact on others.

49   Allocating appropriate resources

6. Estimate cost and resources needed

The most effective – not necessarily the most familiar – communication mechanisms should be used, to ensure both value for money and understanding of the issue at hand. In line with best practice, resources to be employed on any major exercise must be clearly planned and recorded and the different options for delivery, including the use of external agencies, fully considered.

50   The example of best practice given below is from a local authority.

Case study

A local authority, in reviewing its communications strategy, established that much of its communications material was not reaching those for whom it was intended. This was due to the tried and tested methods no longer being applicable, and insufficient consideration being given to costs and resource alternatives. For major communication exercises, the local authority now utilises an external agency. The experience and methods learnt from the external contractors are now also being utilised for smaller scale exercises, which include recording, at the planning stage, decisions reached on costs and resources.

51   Delivering an effective message

7. Message construction

8. Undertake communication

Messages must be coherent, consistent, credible and relevant, taking particular note of the audience and methods of delivery. Institutions should ensure that information is understood by employees and other stakeholders within a multi-ethnic workforce, and by those who have difficulties with reading information in conventional formats.

52   As ACAS guidance[2] recommends, it is equally important not to
     ignore isolated groups, for example:

  ● those on night shifts

  ● employees working away from base

  ● those in remote locations

  ● staff who work on a part-time basis

  ● individual employees such as switchboard operators,
    receptionists and messengers.

53   Similarly, for external stakeholders the construction of the
     message needs special attention to ensure that it is well received
     by an even wider range of recipients.

54   Given the need to ensure that messages are provided and
     received in an effective way, the need for communication skills
     training should be considered for those people in key
     implementation roles (e.g. senior management, heads of
     departments, staff who are involved in promoting the institution's
     equality and diversity agenda and staff involved in communicating
     and receiving messages). Further information on this aspect is
     given in Appendix D.

55   An example of best practice in this respect is provided by a
     health department.

Case study

In December 2002, a health department engaged in a communication
process relating to a strategy on health and social well being for the
next 20 years.

In responding to diverse needs, the main document was published in
Welsh and Chinese (reflecting the profile of the local population) and

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[2]ACAS, *Information and Consultation: Good Practice Advice*
http://www.acas.org.uk/info_consult/methods.html

made available on request in Braille, large print and audiocassette, along with other formats and languages. The document was circulated widely to known stakeholder organisations and all public and academic libraries, health centres, community and leisure centres and various professional and advisory groups. In addition, focus groups and internal briefing sessions were undertaken, with particular regard to the needs and circumstances of part-time workers.

To ensure that the communication process was properly carried out, the health department provided specific training in communication skills to key staff. The documentation from this training has since been cascaded to a wider staff group.

56   **Review, learning and future action**

9. Evaluate outcomes

10. Act on findings where appropriate

Evaluation should include:

- an assessment of the effectiveness of the communications process, including aims, objectives and strategies

- analysis of the outcomes with a view to identifying strengths, weaknesses, opportunities and barriers

- where appropriate, an action plan to improve future communications.

57   To maintain effectiveness and avoid disillusionment with the communications process, the institution should provide regular feedback and test stakeholder satisfaction as a means of ensuring continuous improvement. A way of doing this is through effective consultation.

58   The following case study shows how an HEI was able to refine a developing communications strategy through consultation with black and minority ethnic staff.

Case study

An HEI needed to devise a strategy for communicating with its black and minority ethnic staff. It publicised the forthcoming strategy through staff noticeboards, the institution's newsletter, local trade union offices and on the intranet. The publicity drive emphasised the need for staff involvement, particularly those colleagues from black and minority ethnic backgrounds. A number of responses were received, and those who responded were in turn able to contact others through membership of black and minority ethnic forums.

The communication strategy recognised the centrality of black and minority ethnic staff to the process of monitoring the impact of the race equality policy. It also sought their active involvement in determining how they might exert more influence on the implementation, impact assessment and future action-planning processes.

Black and minority ethnic staff made suggestions about what they would find useful concerning ongoing communication and consultation. The meeting was well attended and views were shared extensively about the way black and minority ethnic staff had been marginalised in earlier communication and consultation arrangements and by the culture of the institution. They also suggested how they now wished to work with the institution to bring about change and made proposals for a review of policies and procedures governing communication with internal and external stakeholders.

The strategy was evaluated and the following areas identified:

- the weaknesses of previous arrangements
- the opportunities lost by not being more inclusive of black and minority ethnic groups
- what was now possible
- the challenges the institution now faced to make communication inclusive and two-way in the future.

59 Although the example above used quite a systematic methodology, it would have been enhanced by the inclusion of further relevant stakeholders, particularly the trade unions.

60 An additional point to note is that care should be taken to ensure that, in all cases where information from diversity forms is used for further action by an institution, the use of such information does not contravene the Data Protection Act 1998.[2]

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[2]Further information on the provisions of the Data Protection Act can be found at http://www.informationcommissioner.gov.uk/eventual.aspx?id=87

Consultation – Best Practice

61   The checklist below provides details of the key actions to be taken for effective consultation, and should be utilised whenever a consultation process is to be undertaken. The best practice examples that follow provide clarification and guidance to aid the process.

Theme and tasks	Person(s) responsible	Completion date	Criteria for success/ any comments
A. Gain authority and agree purpose			
This is an important first stage of the consultation process, encompassing the following requirements:			
1. Gaining appropriate management authority to undertake consultation and ensuring, wherever possible, that leadership of the project includes people from black and minority ethnic backgrounds to underpin authority			
2. Ensuring that the composition of the consultation team command authority by including black and minority ethnic members			
3. Agreeing objectives, including background research where necessary			
B. Identify audience – consideration of methods			
An effective consultation process will need to identify who will be consulted with, and the best way of consulting with them. This will involve the following elements:			
4. Defining stakeholders, including a possible sample to test the approach			
5. Selecting consultation method(s)			
6. Agreeing timetable			

C. Estimate costs and resources needed			
In order to ensure that the consultation process meets requirements and achieves value for money, likely costs and available resources need to be established at an early stage, covering:			
7. Estimating costs and agreeing resources			
8. Considering procurement route (if applicable)			
D. Message construction – undertaking consultation			
This stage represents the core of the consultation process, and requires consideration of the following points:			
9. Deciding consultation questions			
10. Designing questionnaire/ interview/focus group schedule			
11. Organising venue(s)			
12. Undertaking pilot			
13. Arranging translation and/ or interpreters and giving consideration to other cultural issues			
14. Organising printing			
15. Undertaking consultation			
E. Evaluate outcomes – act on findings			
Once consultation has taken place, it is important that all findings are appropriately and efficiently considered against the context of the original objectives and issues, using the following elements:			
16. Inputting and checking data			
17. Analysing data			
18. Preparing of reports			
19. Giving feedback to stakeholders			
20. Incorporating results in corporate planning			
21. Evaluating outcomes			
22. Acting on the findings			

62 **Gain authority and agree purpose**

1. **Gain appropriate management authority to undertake the consultation and ensure, wherever possible, that leadership of the project includes people from black and minority ethnic backgrounds to underpin authority**

2. **Ensure that the composition of the consultation team will command authority by including black and minority ethnic members wherever possible**

3. **Agree objectives using background research where necessary**

It is essential that those leading a specific consultation process have clear delegated authority. The consultation should be led by an appropriate senior manager and should only take place where it is clear that the outcomes of the consultation will be acted upon. Nothing is more likely to discredit initiatives around equality than a good consultation that leads to no practical action.

63 Wherever possible the management team leading the consultation process should include ethnic minority members. This can help ensure the consultation is taken seriously and is fully representative.

64 At the outset of the consultation process, clear and concise objectives must be set, addressing issues such as:

- What issues are being consulted upon?

- Why the institution is carrying out the exercise?

- What objectives and means of achieving them are being consulted on?

- Who will be consulted, how and when?

65 Within the above areas, it will be important to clarify:

- Why the consultation is taking place?

- What aspects of the proposals are open to change and which are not negotiable?

- Who will make the decisions about the outcome of the consultation?

- How the HEI would know if the consultation process has been successful?

- Why the HEI is carrying out the consultation?

- With whom consultation is taking place and what is the best method to engage people?

- How specific consultations overlap with other established consultation and negotiation procedures, particularly with recognised trade unions?

- What critical pieces of information are needed and what information people will need in order to contribute more fully?

66 The outcome of any consultation is highly dependent on the quality and extent of the information people have to inform their views. People need to know:

- that consultation is taking place

- about the overall context in which consultation is taking place

- about the issue itself

- about what will happen to their contribution

- about external constraints that may limit the options available

- about what is and is not included in the consultation

- how and when the outputs are to be communicated

- who are the key stakeholders that need the results

- what resources are required to undertake the consultation.

67 **Identify audience – consideration of methods**

4. Define stakeholders including a possible sample to test the approach being considered

5. Select consultation method(s)

6. Agree timetable

68 In order to meet requirements under the RR(A)A, institutions should consult as widely as possible. This is necessary not only as a means of ascertaining the needs and requirements of people from different racial groups, but also as a method of developing support both internally and externally.

69 In order to provide an effective consultation process in which people have sufficient confidence, institutions need to consider how to involve consultees appropriately, both in terms of managing the process and also ensuring that people are visibly consulted, which will give the confidence that their views and experiences are being taken seriously.

70 When considering the type(s) of consultation that will take place, it is worth considering the concepts of proportionality and relevance. This means that the amount of consultation undertaken should be in proportion to the equality relevance of the issue to be consulted on. In the area of race equality, for example, issues relating to the recruitment and career progression of staff and admission and progress of students will be of high relevance.

71 Further, it is worth conducting initial research into underlying particular factors affecting black and minority ethnic staff and students that the institution may not be aware of. Where appropriate, institutions should consider liaising with other organisations that are similarly required to consult with local communities, and establishing protocols for local consultation in order to maximise the flow of information and avoid overloading communities.

72 This approach will assist in ascertaining the consultation methods that should be used with a particular issue in an appropriate and proportionate manner. This in turn will help determine the scope of the exercise, along with the amount of resources that will need to be allocated for this purpose, as identified by the case study below.

Case Study

As part of its *Widening Participation* agenda, an institution decided to target inner city schools with a large percentage of black and minority ethnic students. It found that, although parents in some black and minority ethnic communities, faith groups in particular, were willing to have their girls attend local further education colleges while still living at home, they were much more reluctant to have them attend university in locations where it would be impractical for them to commute and return home daily. The institution therefore appointed outreach staff to work with staff in its target schools, build up relationships with local faith communities and black and minority ethnic groups and organise taster courses for potential students and visits to the campus and halls of residence for their parents and guardians.

Organised tours of the university and its student support services, discussions with its counselling team and with faith leaders employed in the chaplaincy and discussions with personal tutors and current students from similar backgrounds helped to allay the anxieties of parents. Parents were able to get a feel for life on campus while their young adults had a student experience in classes and departments.

This proactive engagement with legal requirements relating to student admissions, progression, etc., and with the general duty to promote race equality (by, in this case, promoting equality of access and responding to the specific situation of target populations) represents good practice on which the institution has been able to build.

By working with schools and communities in those ways, the institution was able to raise the awareness of staff about the cultural change that is necessary if the institution is to be inclusive of students of all backgrounds. Further, by ascertaining the most appropriate consultation methods to use at an early stage, the institution was able to allocate resources more effectively.

73 The timing of a consultation process is crucial to its success. For example, if consultation is focussed on a particular service and is intended to inform the development of a new policy, it will need to take place in time for the final reports to be influenced.

74 There are six main aspects to the question of timing:

Issue	Impact
When must any final decision be taken?	Sets overall timescale
Are there interim deadlines e.g. key committee's schedules, financial deadlines?	Set stages of timeline
Are there times to avoid such as main vacation periods, periods of religious observance or examination periods?	Lengthen timeline
Are there aspects of the consultation that have a minimum time to be effective e.g. surveys?	Lengthen timeline
Are there parallel issues to be determined with different timescales?	Lengthen timeline
Do those being consulted have their own schedules which may affect their response e.g. trade unions or black and minority ethnic groups consulting with members?	Lengthen timeline

75 It is important to recognise the time and level of involvement that an effective consultation may take, as the case study opposite shows.

Case Study

A local council included in its forward plan race equality assessments and consultations, which were conducted as follows:

- All departments were required to use a set format to list the main policy decisions to be implemented during the following year.

- Departments needed to provide answers to all the questions in the set format, including two key questions on race equality:

  - How will we assess the proposed policy's effect on race equality?

  - Whom do we need to consult on the proposed policy's effect on race equality?

The council piloting the plan drew up a list of the main decisions – including those affecting race equality – based on the completed formats. The council issued a forward plan for consultation with local black and minority ethnic communities.

At a one-day consultation workshop, local community members put the decisions in order of priority, for consultation during the following year. That workshop reduced the list of around 200 decisions to no more than 30. The council then consulted with local ethnic minority communities in detail on those 30 items during the year that followed, through public meetings, workshops and focus-group sessions.

Within the organisation, consultation was held with the recognised trade unions and staff associations. The organisation also consulted them at all stages of the development of its strategy, especially at the stage at which the institution consulted staff in general about its proposals. Through its Black Staff Network, the organisation also made sure that black and minority ethnic staff were fully involved in the consultation process.

76   It is essential that careful consideration be given to who is being consulted and who is leading and undertaking the consultation. For example, it is important both that a senior manager leads on any significant issue, and that black and minority ethnic staff are, wherever possible, included from the very start in the team leading the consultation.

77   The manner in which consultation will take place is also of importance. Numerous methods exist for obtaining feedback from stakeholders. Both qualitative and quantitative information that suits the local context should be gathered and systematically recorded. A range of possible methods is listed in Appendix C.

78   An example of an institution adopting a variety of consultative methods to suit its local context is given below:

Case Study

An HEI developed a self-evaluation framework through a consultation process that tried to move away from a typical paper-based approach. The intent was to actively engage as many internal stakeholders as possible. Importantly, a budget was allocated to this innovative process. The consultation framework developed is currently being evaluated in terms of how it might be adapted to inform an institution-wide consultation strategy. The consultation method included:

- The formation of a steering group to draw up an initial outline evaluation framework.

- The circulation of the framework to all staff by global email and hard copy inviting early comment.

- Several open meetings for staff to raise issues about content and implications for their practice, to share concerns or make suggestions.

- Expansion of the steering group, in direct response to the issues raised through the open meetings, to include colleagues with particular expertise/experience, leading to a revision of the framework.

- Four half-day workshops for staff, led by a person from the steering group, each one focussing upon a particular aspect of the draft framework. Staff attended according to particular areas of concern, impact to be assessed, etc. That provided an opportunity for more specific exploration and comment.

- Further revision of the framework by the steering group in the light of all the comments and inputs above and a final draft copy sent to staff for comment.

79 Although the above approach was effective, it is recommended that stakeholders such as trade unions are involved in similar approaches.

80 **Estimate cost and resources needed**

7. Estimate costs and agree resources

8. Consider procurement route (if applicable)

Some aspects of resourcing for major consultation exercises may be covered by other budgets within the institution. In any process, however, it would be important to seek and secure economies of scale by perhaps joining forces with other institutions/organisations to share the costs of jointly required consultation exercises, where appropriate. In line with best practice, the resources to be employed on any major exercise must be clearly planned and recorded and full consideration given to the different options available, in particular whether to undertake the exercise with external support, or partnership arrangements within the local context.

81 The available budget for the consultation process will inevitably determine the scope of the consultation. If surveys, for example, are to be used, it is essential that their costs are included from the start. Ring-fenced funding for surveys helps ensure the consultation process is itself funded, as the case study over shows.

Case Study

A local education authority (LEA), as part of its communication and consultation strategy, set aside a ring-fenced budget for consultation exercises aimed specifically at consultation with black and minority ethnic communities. Schools were able to bid against this budget and where appropriate collaborated in putting together joint bids. This budget was utilised for both in-house and external exercises and bids could also be made for resource costs. Each bid had to provide details of the objectives, approach and alternatives considered before being processed. This has proved a very successful scheme and has since been incorporated as part of the LEA business planning cycle.

82 **Message construction – undertake consultation**

9. Decide consultation questions

10. Design questionnaire/interview/focus group schedule

11. Organise venue(s)

12. Undertake pilot

13. Arrange translation and/or interpreters and give consideration to other cultural issues

14. Organise printing

15. Undertake consultation

As with communication exercises, consultation information must be coherent, consistent, credible and relevant, taking particular note of the audience to whom it is being addressed. Special attention should be paid to ensuring information is understood by employees within a multi-ethnic workforce, for example, or by those who have difficulties with reading and communication skills. The content and design of the information to be disseminated should be guided, where possible, by those at whom it is aimed.

83 Although a range of different issues have been identified in this section, not all may be applicable to the consultation process, such as the need to undertake a pilot exercise. This ultimately depends on the scope of the consultation exercise. As mentioned in previous sections, comprehensive initial research should be undertaken to ensure that the size and method of consultation is appropriate and proportionate to the impact of the issues being consulted on.

84 There may be difficult issues to tackle through a consultation – such as concerns about the under-representation of black and minority ethnic staff in senior posts, or a perceived failure by the institution to take race issues seriously. If that is the case then it is essential that all aspects of the consultation process demonstrate a serious intent to listen and tackle such issues in the following ways:

● The team leading the consultation must be credible, both as managers and with black and minority ethnic staff

● Any briefing provided must be open and honest about alleged (or real) shortcomings

● The process must have a timescale which allows for serious responses

● It must be demonstrably clear that the consultation does not have predetermined outcomes.

85 In some consultation exercises there may be a need for a pilot exercise before the main exercise is undertaken. A pilot can be used to see if the consultation process used is truly effective and meets the needs of those being consulted and those consulting, so that any necessary changes can be made if needed.

86 Of particular importance is the need for all those with a key role to play in the consultation process to have been provided with the tools and skills development (e.g. through briefings and consultation awareness training) in order to achieve the objectives of the consultation exercise to best effect. Further information on this aspect is given in Appendix D.

87 **Evaluate outcomes – act on the findings where appropriate**

> 16. Input and check data
>
> 17. Analyse data
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> 18. Prepare reports
>
> 19. Give feedback to stakeholders
>
> 20. Incorporate results in corporate planning
>
> 21. Evaluate
>
> 22. Act on the findings

It is important that institutions should evaluate how far the methods they use allow and encourage people from black and minority ethnic backgrounds to play a full part in consultative processes, and to feel confident enough to talk about their needs and their experiences of the institution's culture, policies and services.

88 **Writing the report**

When report-writing, it is important to refer back to the initial purpose for the consultation, along with the recommended guidelines provided at Appendix A, looking at issues such as:

● What was the consultation trying to achieve?

● Who was invited to the consultation, and who attended?

● If an insufficient number of those invited attended, would future consultations need to take this into account?

● What information was gathered during the consultation?

● What general themes arose?

● What further action (short and long-term) is required?

● Who will need to be involved?

- Which, if any of these issues require formal consideration in other arenas (e.g. negotiations with trade unions)?

89 Looking at these issues after a consultation will help facilitate following actions in a clear manner, retaining the purpose of obtaining information whilst taking into account additional issues that arose during the consultation itself.

90 **Feedback**

The provision of feedback to participants and interested parties is an essential and integral part of consultation. It provides an opportunity to:

- publicise achievements

- demonstrate responsiveness to comments

- instil confidence in those who participated that the process was genuine and transparent

- emphasise that the institution values the views of stakeholders, listens to what they say and acts on their suggestions

- provide information about changes made or other actions taken as a result of the views received and proposals made during the consultation.

91 The style of feedback should be that which best informs the particular groups consulted and could include:

- personal letters or e-mail

- distribution of reports

- presentations to public meetings

- posters or bulletins

- newspaper articles or press releases

- or posting on the website.

92 A consultation process that produces a report that sits on a senior manager's desk and fails to produce practical outcomes risks discrediting the entire initiative. Similarly, a consultation process whose conclusions are ignored when practical steps are taken also runs the risk of discrediting the actual initiative, not to mention any future consultations.

93 Openness and transparency, including sharing the conclusions of the consultation, is recommended together with open discussion about any aspects of the consultation's conclusions that are eventually not adopted.

94 Effective consultation can significantly improve the work of an institution, as the case study below shows.

Case Study

An HEI had been in regular contact with local private providers of residential accommodation, building relationships and listening to their concerns in relation to black and minority ethnic students. This has been particularly helpful in giving a clear picture of some of the issues and attitudes that need to be addressed when recommending accommodation. Providers themselves have raised questions not only about how they should respond to black and minority ethnic students through cultural understanding, but also how they should respond to racial harassment and racist comments by white tenants.

The institution, through the international students office, has used this information to discuss issues and provide cultural advice and support to landlords and students. Placements have been monitored for satisfaction by both parties. Providers have reported how helpful they have found this relationship.

Importantly, this work has been used to inform strategy development in the international students office and has engaged landlords as key external stakeholders in delivering the race equality strategy, especially as far as the role of consultation in monitoring and impact assessment is concerned.

Communication and Consultation Principles

Recommended guidelines on inclusive consultation and communication on equality and diversity matters.

Partnership in consultation and communication

This is the Gus John Partnership's recommended framework for constructing and operating a communication and consultation strategy that is inclusive and seeks to engage with key partners, rather than placing the emphasis on informing remotely, via web pages or other forms of written communication. It presupposes a mix of methods of communication.

The hallmark of this model, however, is its emphasis on engagement by groups with a common interest in tackling discrimination and injustice and promoting equity and social justice. Inevitably, those groups will not all agree on equality and diversity issues or with the institution's position in relation to all of them, all of the time. Their willingness to engage with the institution will be evidence of their belief that, through working with the institution to a set of common goals, they could make a bigger difference than not.

Aims and purpose of inclusive consultation and communication

- To communicate the aims and objectives of the institution's approach to promoting equality and diversity

- To share the institution's definition of the issues it seeks to address

- To engage key stakeholders and particularly members of target groups in discussion of their understanding and lived experience of the issues, and their experience of the organisation, its culture and its capacity to make a difference

- To seek to determine the policies, procedures and methods that might best enable the institution to achieve its goals and give expression to its values

● To join key stakeholders and interested parties in the institution's efforts to promote equity and social justice, respect difference and eliminate discrimination.

Process

Devising a consultation and communication strategy

● Definition of the range of equality and diversity issues the institution must address in all aspects of its operation and through its many functions and the specific policy and action plan it has devised in relation to each

● Identification and assessment of existing consultation and communication structures and processes

● Assessment of how fit for purpose and adaptable its existing communication and consultation mechanisms are in relation to the equality and diversity agenda or to the specific requirements of any area of legislation

● In the light of that assessment, a determination as to how organic the institution's efforts in relation to equality and diversity could become

● Identification of the stakeholder groups (internal and external) with which it must work in partnership and the wider constituencies with which it wishes or needs to communicate

● Identification of the resources it would need to make communication and consultation as inclusive and productive as possible

● Top management commitment to consultation and communication as an integral part of the management and decision-making function, and to building a consultation and communication strategy for driving the equality and diversity agenda

- Drafting and consulting on the strategy, internally and externally, engaging all the stakeholders the institution would want to take ownership of it or, at the very least, would wish to alert to the fact that that is the way it does business

- Ensuring that consultation processes are integrated with existing procedures with recognised trade unions over equality issues

- Agreeing protocols with external stakeholders regarding the avoidance of 'consultation overload', especially with respect to relatively small black and minority ethnic communities or faith groups

- Ensuring that commitments in the strategy with regard to involving and not just informing key stakeholders and partners are honoured

- Ensuring that agreed procedures and timescale for reviewing the strategy and its application are followed

- Ensuring that arrangements for registering complaints about the strategy or the institution's/partners' use of it are honoured.

Good practice in delivering the strategy

- Senior management actively communicates, demonstrates and promotes the need for inclusive consultation and communication on equality and diversity issues

- Consultation on equality and diversity matters, or at least consideration of relevant implications, is a feature at all meetings

- Proactive and consistent reference to the consultation and communication strategy communicated to staff by senior management and included in all policy and strategy discussions

- Guidance material on the strategy, its purpose and benefits accessible by and disseminated to staff teams

- Mandatory, customised, training on the application and benefits of the strategy, based on roles and responsibilities, is integral to the institution's training calendar

- Consultation on a regular basis with a wide range of appropriate groups, internal and external, from the outset

- Processes in place to raise stakeholder awareness of all policies and services or how to register issues of concerns, ensuring black and minority ethnic staff are confident that any attempt to victimise them as a result of contributions made will be dealt with decisively

- The need for applying the strategy is seen as a priority and built into all systems and processes that might adversely affect or that have implications for stakeholder groups

- Policy guidance takes full account of the strategy on a regular and consistent basis and recognizes the need to promote the strategy

- Holistic consideration given to equality and diversity consultation on strategy and business aims, and proactive steps taken as appropriate

- Holistic consideration given to the need for consultation and communication on equality and diversity matters as part of policy design and development, and appropriate action taken

- Ethical and business benefits of the consultation and communication strategy is made integral to organisational strategy and business planning

- Comprehensive and focused monitoring of the strategy is integrated into review and planning processes

- The strategy to inform all appropriate processes and procedures for monitoring of policies, programmes and services from an equality and diversity perspective to ensure that there is no differential impact on target groups

- Communicating with partners to share good news and not just to seek feedback about issues under consideration

- Where appropriate, using the strategy to spread good practice and celebrate the work of partners, internal and external; not just in relation to the agenda of the institution

- Information and feedback systems in place to maximise involvement and commitment to the strategy

- Regular sharing of information and monitoring data with equality organisations include the routine sharing of all local HEFCE, SHEFC, HEFCW and RR(A)A monitoring information with black and minority ethnic networks and recognised trade unions, with due regard to the provisions of the Data Protection Act 1998.

Communication and Consultation: Methods

Communication: General points to consider

Audio-visual aids – Presentations can be quite effective when explaining the implications of equalities legislation within the institutional context, but do require the opportunity for feedback by the recipient in order to ensure that the communication process is effective.

Special needs – Special attention should be given to ensuring that information is understood by staff, students, stakeholders and members of the wider community from different backgrounds, including those who may have difficulty reading conventional formats. It is also important that people who do not readily have access to emails are communicated with through appropriate channels.

Monitoring – There is little point in undertaking communication exercises which are not effective. However, it may be difficult to measure such effectiveness until the exercise has started. In view of this, ACAS recommend the following means by which communication can be monitored:[4]

- managers talking to employees – 'walking the job'

- discussing communications at consultative committee meetings

- communications surveys

- observation.

The following channels and methods of communication have been informed by the *ACAS Guidelines on Employee Communication and Consultation*[5] and modified in order to suit the higher education context:

Face-to-face methods

Group meetings – These types of meetings can also be referred to as team meetings or briefing groups, and provide a good opportunity to

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[4]ACAS, *The A-Z of Work* - http://www.acas.org.uk/publications/h03.html#5

[5]ACAS, *Employee Communication and Consultation* – http://www.acas.org.uk/publications/b06.html#2

discuss matters relating to the team itself, along with wider information about the institution. A particular benefit of this method of communication is that it can, if properly facilitated, provide the opportunity for staff members to contribute ideas and solutions to specific problems.

Large-scale meetings – These are meetings involving all employees at an institution, with presentations usually given by senior management or by staff members with responsibility for particular areas. These types of meetings are good for communicating key institutional messages. However, such a method should be used sparingly and in conjunction with other methods of communication that give the opportunity for greater response.

Inter-departmental briefings – These follow a similar format to that of large-scale meetings, but are aimed towards heads of departments. This is an important part of the communication process, as briefings can help ensure that key messages and responsibilities are effectively and consistently conveyed across each department of an institution. As the number of attendees is far fewer than with large-scale meetings, it also provides greater room for discussion.

Informal channels of oral communication – These channels obviously play a major part in the passage of information in any institution, and can cover face-to-face encounters or conversations on the telephone. Within the institutional context, there may also be a 'grapevine' of informal communication. There are advantages to this method, as it can pass news and information quickly. However, it cannot be relied upon as it is likely to encourage ill-informed rumour. It should therefore not be allowed to replace other methods of communication.

Written methods

Staff and student information notes/reports – This method informs staff and students about the activities and performance of their institution. A good example of such a method could include concise letters to staff and students, outlining their responsibilities

under equalities legislation such as the RR(A)A. Within the staff context, it is also desirable to produce reports for specific departments or schools, as this will help employees to link the information given to their particular work areas.

Institution journals and newsletters – This method enables information about the institution to be presented on a regular basis, and usually contains a large element of social or personal news. It provides a good means by which awareness of a particular initiative, e.g. the launch of an institution's diversity workbook, can be raised. It is also advisable that the contact details of people responsible for a particular project are given, as they give the recipient the opportunity to ask further questions if needed.

Notices – Notices placed on a well-situated noticeboard can bring to the attention of a wide audience matters of general importance, along with items of specific interest, such as events etc. Care needs to be taken over the location of such notices, the regularity of information, the provision of notices in different languages and contact details. Some institutions have special "Equality and Diversity" noticeboards, which display current information on equality and diversity work within the institution.

Intranets – Information posted on internal computer networks can be maintained in a structured way and be easily accessible by employees. Some institutions have provided moderated web blackboards, which can greatly assist discussions on equality and diversity issues.

Information points – This is a method that enables staff and students to listen to pre-recorded and regularly changed bulletins about matters of interest, such as progress on equality and diversity initiatives, on an internal telephone system. Generally speaking this may only be appropriate in large institutions.

Staff and student networks – Staff and student networks often have tried, tested and trusted communication channels. This is a valuable resource that institutions should consider using when key messages are being conveyed.

Trade union communications – Again, this method involves using highly effective internal communication systems that are well-established, which is invaluable for institutions wishing to communicate key messages.

Electronic mail – Whilst this is very useful for communicating with employees in different locations, care should be taken to use this method appropriately. People are used to receiving large quantities of mail, and the temptation to delete messages when faced with a great quantity of emails is very high. Messages via email should therefore be clear and concise.

Consultation – General points to consider

Realising and enhancing existing support structure – There is a rich variety of resources that institutions can utilise in respect of consultation exercises. Stakeholders can provide valuable information and support on the appropriate methods to use. For example, research staff with relevant expertise can conduct research on the appropriate local methods in the first instance, for the purposes of feeding back to the institution and those being consulted. Similarly, voluntary and community organisations may also be able to indicate other groups and organisations who could be included in the consultative process.

Representative – Effective consultation requires consultation with groups likely to be affected by an institution's policies, practices, provisions or criteria. It is therefore important that any consultative process includes a good representative sample of people from relevant groups.

Assessing information – HEIs engaging in consultation will need to be prepared to receive information that they may find initially unpalatable. This need not be a negative aspect. In fact, it means that people who are being consulted with feel comfortable enough to voice their opinions to the institution. When actual implementation is considered, however, institutions should not automatically assume that feedback from consultation should be implemented. Instead, institutions should consider what they are legally required to do under equalities legislation, along with local context requirements.

Dynamic process – Consultation should be acknowledged and implemented as a means to an end, and not as an end in itself. As well as using the information received constructively and appropriately, it is also important for institutions to understand that consultation responses received some time ago may not be as valid, given changes in the local and institutional population. In view of this, HEIs should plan their consultation arrangements as well in advance as possible, both as a means of facilitating resource allocation and also to raise awareness of such arrangements. Within this a regular cycle of consultation arrangements should be established, so that it is effectively mainstreamed within the institution's functions.

Data protection – Institutions should understand the requirements of the Data Protection Act 1998 in relation to consulting, further information on which can be found at http://www.informationcommissioner.gov.uk/eventual.aspx?id=87.

Methods of consultation

The following methods have been informed by Bristol City Council's published consultation methods[5] and modified in order to suit the higher education context:

Surveys – A survey can be quite flexible, and can take place in an interview format, over the phone or via email/post. Such methods can allow institutions to collect information for monitoring and/or benchmarking purposes, and can facilitate consultation of a representative sample. However, surveys should not be the only form of consultation, as they do not facilitate a two-way dialogue and, depending on the nature of the survey, can be more complex than originally anticipated. They also should be analysed by people with expertise in examining qualititative and/or quantitative data, so that particular trends and gaps can be easily identified. This means that the process of surveying can be quite resource intensive. Further, a low response rate may mean that there could be a high level of self-selection by those being consulted with.

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[6]www.bristol-city.gov.uk/consultation

Citizen's Juries – This involves creating a group of 12-16 'non-expert' people from the local community to consider an issue in detail over a set period of time, before making recommendations to the institution. This method has many advantages, as it is one that can raise awareness of the institution's commitment to a particular issue and, if managed properly, can generate a detailed and considered view from those consulted with. However, it is a very resource-intensive technique in many ways, and so it is advisable that the issue for consideration is carefully chosen. Further, the institution will need to be in a position, with due regard to legal principles of relevance and proportionality under the RR(A)A, to justify the adoption or rejection of any recommendations made.

Focus Groups – Focus groups involve groups of about 10 people discussing an issue for a set period of time, being guided by a skilled facilitator. Focus groups can be effective on many different levels, as they can help an institution to ascertain reactions to new or existing policies, practices, provisions or criteria, to decide on questions that can be used in a survey or, as a more long-term measure, to understand why people think or act in a certain way. Although this method is a good way of obtaining detailed feedback and of facilitating consensus on what the important issues are, it is not a naturally representative research technique if small numbers are consulted in this way. It is therefore important to conduct a number of focus groups with staff, students, stakeholder organisations and the wider community.

Public meetings, roadshows, exhibitions and open days – These forms of community consultation can provide HEIs with the opportunity to showcase what they are doing with regard to equality and diversity, and are therefore a good way of raising awareness. If the events are appropriately publicised, they can allow for a wider level of representation, including amongst those groups considered harder to reach. However, on most occasions it will be almost impossible to select a date or time that will be suitable for all, so it is inevitable that some people will be excluded from these events. Nonetheless, every effort should be made to ensure that the timings are as appropriate as

possible. An example of a good time to exhibit would be during the start of the academic year, and particularly during Freshers' Week.

Stakeholder meetings – This is largely the same as a public meeting, but instead with an identifiable network or group of individuals with an interest in the issues being discussed. Given the nature and composition of the meetings there is often a greater level of motivation with this method. However, care should be taken to ensure that such meetings are not unrepresentative, either through the unintentional exclusion of groups or individuals who are not part of conventional networks, allowing particular groups to dominate the agenda, or by inviting the same groups or individuals to every meeting, without consideration of whether the issue is one that they may have an interest in.

Equalities forums/user panels, steering and interest groups – These methods involve regular meetings of equalities, interest or user-groups, with either a fixed or open membership. Within the institutional context, membership should be selected by the institution, with the nature of the group and its representation developing and varying over time. Such groups can make recommendations to the HEI, providing another dimension or point of view, particularly from groups who may have previously been excluded, and are therefore a valuable source of information. They are also a good means with which an institution can build an atmosphere of mutual trust and confidence with stakeholders. The terms of reference for such groups will need to be clearly established from the start.

In-depth interviews – This method involves a skilled interviewer conducting a semi-structured interview with a person lasting for a set period of time. This allows for more in-depth analysis of particularly difficult or sensitive issues, and is beneficial for interviewees who may feel uncomfortable in speaking out in a group setting. It is important that the interviewee feels comfortable with the format and environment in which the interview is taking place, and that due regard is given to confidentiality. This is also a very resource-intensive method.

Training and skills development for inclusive communication and consultation[7]

Good communication and consultation is critical to the efficient operation of any institution. However, its impact is often diminished by a lack of skill or knowledge on the part of the participants in the process. It is important, therefore, to provide managers, employees and stakeholder representatives with training in the skills and techniques required for effective, inclusive and sustainable communication and consultation.

Training can help participants better understand the information they are given and can encourage them to play a fuller part in the way the organisation conducts its affairs. Training courses in particular can be a useful way of giving factual information about the practices and processes of the organisation and helping stakeholders develop the critical skills necessary to put forward arguments and influence a debate.

Training is particularly important for supervisors who have important communication responsibilities but often limited experience. Communication and consultation skills should have a place in any development programme for them as well as for other managers. This training should form a part of the HEI's overall training strategy.

Trade unions and student unions should also ensure that they provide adequate training for their representatives to enable them to play a full part in processes of communication and consultation.

HEIs will need to ensure appropriate time off is available to enable such training to happen for managers, staff (including union representatives) and students.

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[7]Text adapted from ACAS, *Employee Communications and Consultation*, http://www.acas.org.uk/publications/b06.html#2 in order to suit the higher education context.

List of Abbreviations or Terms

Black and minority ethnic   Refers to all black and ethnic minority individuals, and includes African, Caribbean, Asian, Chinese and any other minority identified.

CRE   Commission for Racial Equality

ECU   Equality Challenge Unit

HE   Higher Education

HEI   Higher Education Institution

HESA   Higher Education Statistics Agency

JNCHES   Joint Negotiating Committee for Higher Education Staff, made up of UCEA, AUT, NATFHE, Unison, T&G, GMB, Amicus and EIS.

RECs   Racial Equality Councils

RR(A)A   Race Relations (Amendment) Act 2000

UCAS   Universities and Colleges Admissions Service

UCEA   Universities and Colleges Employers Association

Links and Further Information

Links and further information can be found on the Equality Challenge Unit's website – www.ecu.ac.uk.

Documents consulted for the purposes of this publication

The following publications were referred to in the course of producing this toolkit, and have been adapted to suit the higher education context:

Advisory, Conciliation and Arbitration Service

1) Employee Communications and Consultation,
    http://www.acas.org.uk/publications/b06.html#2

2) ACAS, Information and Consultation: good practice advice
    http://www.acas.org.uk/info_consult/methods.html

South Shropshire District Council
Communication and Consultation Strategy
http://www.southshropshire.gov.uk/static/images/cme_images/PolicyD
ocs/03.consultation_communication_strat.pdf

Commission for Racial Equality
Guide for Public Authorities
(2002) 76pp. ISBN 1 85442 431 9.
Available to order from www.cre.gov.uk

Office of the Deputy Prime Minister
Guidance on Enhancing Public Participation
http://www.odpm.gov.uk/stellent/groups/odpm_localgov/documents/p
age/odpm_locgov_023830-05.hcsp

Bristol City Council
Council Consultation Strategy
www.bristol-city.gov.uk/consultation

Sources of assistance

Association of University Administrators (AUA) Equality Advisory Group
Website: www.aua.ac.uk/committees/Equalityadvisorygroup. htm

Commission for Racial Equality (CRE)
St Dunstan's House
201-211 Borough High Street
London SE1 1GZ
Tel. 020 7939 0000
Fax. 020 7939 0001
E-mail: info@cre.gov.uk
Website: www.cre.gov.uk

Disability Rights Commission (DRC)
DRC Helpline
Freepost MID 02164
Stratford-Upon-Avon CV37 9BR
Tel. 08457 622 633
Fax. 08457 778 878
Textphone: 08457 622 644
E-mail: enquiry@drc-gb. org
Website: www.drc-gb.org

Employers Forum on Age
Astral House
1268 London Road
London SW16 4ER
Tel. 020 8765 7597
Fax. 020 8765 7374
E-mail: efa@ace.org.uk.
Website: www.efa.org.uk

Employers' Forum on Disability
Nutmeg House
60 Gainsford Street
London SE1 2NY
Tel. 020 7403 3020
Fax. 020 7403 0404
Minicom: 020 7403 0040
E-mail: website.enquiries@employers-forum.co.uk
Website: www.employers-forum.co.uk

Equal Opportunities Commission (EOC)
Arndale House
Arndale Centre
Manchester M4 3EQ
Tel. 0845 601 5901
Fax. 0161 838 1733
E-mail: info@eoc.org.uk
Website: www. eoc.org.uk

Equality Challenge Unit (ECU)
4 Tavistock Place
London WC1H 9RA
Tel. 020 7520 7060
Fax. 020 7520 7069
E-mail: info@ecu.ac.uk
Website: www. ecu.ac.uk

Equality Commission for Northern Ireland
Equality House
7-9 Shaftesbury Square
Belfast BT2 7DP
Tel. 028 90 500600
Fax. 028 90 248687
Textphone 028 90 500589
E-mail: information@equalityni.org
Website: www.equalityni.org

Higher Education Academy
Genesis 3
Innovation Way
York Science Park
Heslington
York YO10 5DQ
Tel: +44 (0)1904 434222
Fax: +44 (0)1904 434241
Email: enquiries@heacademy.ac.uk

Higher Education Equal Opportunities Network (HEEON)
Website: www.worc.ac.uk/services/equalopps/HEEON

Higher Education Statistics Agency (HESA)
18 Royal Crescent
Cheltenham GL50 3DA
Tel. 01242 255577
Fax. 01242 211122
Website: www.hesa.ac.uk

Leadership Foundation for Higher Education
88 Kingsway
London WC2B 6AA
Tel: 020 7841 2800
Website: www.leadership-he.com

Opportunity Now
Business in the Community
137 Shepherdess Walk
London N1 7RQ
Tel. 020 7566 8714
Fax. 020 7253 1877
Website: www.opportunitynow.org.uk

Stonewall
46-48 Grosvenor Gardens
London SW1W 0EB
Tel. 020 7881 9440
Fax. 020 7881 9444
Minicom: 020 7881 9996
Email: info@stonewall.org.uk
Website: www.stonewall.org.uk

UCEA (Universities and Colleges Employers Association)
Woburn House
20 Tavistock Square
London WC1H 9HU
Tel. 020 7383 2444
Fax. 020 7383 2666
Email: j. prudence@ucea.ac.uk
Website: www.ucea.ac.uk

Recognised HE trades unions

Amicus
Education Sector
3 Acton Square
Salford
Manchester M5 4NY
Tel. 0161 745 7300
Fax. 0161 745 9785
E-mail: jill.moore@amicus-m.org
Website: www.amicus-m.org

AUT (Association of University Teachers)
Egmont House
25-31 Tavistock Place
London WC1H 9UT
Tel. 020 7670 9700
Fax. 020 7670 9799
E-mail: hq@aut.org.uk
Website: www.aut.org.uk

BDA (British Dental Association)
64 Wimpole Street
London W1M 8YS
Tel. 020 7563 4138
Fax. 020 7563 4561
Website: www.bda-dentistry.org.uk

BMA (British Medical Association)
BMA House
Tavistock Square
London WC1H 9JP
Tel. 020 7387 4499
Fax. 020 7383 6400
E-mail: info.web@bma.org.uk
Website: www.bma.org.uk

EIS (Educational Institute of Scotland)
46 Moray Place
Edinburgh EH3 6BH
Tel. 0131 225 6244
Fax. 0131 220 3151
E-mail: mhealy@eis.org.uk
Website: www.eis.org.uk

GMB
22/ 24 Worple Road
London SW19 4DD
Tel. 020 8947 3131
Fax. 020 8944 6552
Website: www.gmb.org.uk

NATFHE
(National Association of Teachers in Further and Higher Education)
27 Britannia Street
London WC1X 9JP
Tel. 020 7837 3636
Fax. 020 7837 4403
Minicom. 020 7278 0470
E-mail: hedept@natfhe.org.uk
Website: www.natfhe.org.uk

T&G (Transport and General Workers Union)
Transport House
128 Theobalds Road
Holborn
London WC1X 8TN
Tel. 020 7611 2565/ 6
Fax. 020 7611 2739
E-mail: ckaufman@tgwu.org.uk
Website: www.tgwu.org.uk

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1 Mabledon Place
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Website: www.unison.org.uk

JNCHES/ECU
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HEFCW	Perminder Dhillon
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Abbreviations

SCoP	Standing Conference of Principals
CUC	Committee of University Chairmen
ECU	Equality Challenge Unit
UCEA	Universities and Colleges Employers' Association
HEFCE	Higher Education Funding Council for England
SHEFC	Scottish Higher Education Funding Council
HEFCW	Higher Education Funding Council for Wales

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