

'Same old story, just a different policy'

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‘Same old story, just a different policy’: Race and policy making in higher education in the UK

Abstract

Evidence suggests that Black and minority ethnic (BME) students and staff continue to be disadvantaged in higher education institutions (HEIs) in the UK. Policy making has been introduced to specifically address such inequalities. This article draws on critical policy analysis and 45 interviews to explore the impact of the recently introduced Race Equality Charter (REC) as a measure to address such inequalities. By using principles of Critical Race Theory (CRT), we argue that racism continues to play a key role in the experiences of BME groups in HEIs and policy making. Consequently, the *enactment* of policy making on race through the REC works to benefit HEIs by adhering to White normative practices and behaviours which contribute to a system which reinforces and perpetuates White privilege.

Introduction

Racism and discrimination continue to persist in the UK and globally. In the UK Black and Minority Ethnic (BME)¹ groups are more likely to be unemployed, live in poverty and suffer from mental health problems compared to White groups (Cabinet Office 2017; EHRC 2016). Recent attention on racial inequalities in the UK such as the Race Disparity Audit (2017), The Lammy Review (2017); and initiatives such as Decolonising the Curriculum (UUK/NUS 2019) and Why isn't my professor Black? (UCL 2017) have resulted in a renewed focus on race in higher education. Inequalities in Higher Education Institutions (HEIs) continue to disadvantage BME groups, particularly those from Black backgrounds (Bhopal, 2018); Black students are less likely to leave university with a upper second class degree or first class degree² compared to their White peers and Black academics are less likely to be professors compared to their White colleagues (Advance HE 2018a; 2018b). Furthermore, BME students and staff continue to experience overt racism in HEIs (TUC 2017; SMF/UPP 2018). There is also evidence to suggest that such discriminatory and exclusionary behaviour is often ignored or brushed off by managers who fail to act when complaints of racism are made (Bhopal 2016; 2018). In recognition of the vast inequalities experienced by BME academics in the UK, the Equality Challenge Unit (ECU)³ introduced the Race Equality Charter mark (REC) to address racial inequalities to improve the representation, progression and success of BME staff and students across the higher education sector. In this article we examine the impact of the REC to explore how HEIs are approaching and dealing with the REC and

¹In this article, we use the term BME to refer to individuals from Black British, Black African, British Indian, Pakistani and Bangladeshi, Chinese and those from other non-White backgrounds, official terms used in the Census (2011). We are aware of the limitations of the term, particularly that BME individuals are not a homogenous group, but it remains a useful designation in a field such as higher education in which White identities remain dominant.

² Degree classifications in the UK consist of a first class, upper second class, lower second class, third class and a fail.

³ The Equality Challenge Unit is a registered charity in the UK. It works to enhance and support equality and diversity for staff and students in UK higher education institutions. In April 2018, the Equality Challenge Unit became part of a newly developed organisation, Advance HE which incorporates the Leadership Foundation for Higher Education and the Higher Education Academy.

whether the REC has had any impact on advancing racial equality in HEIs. We use Critical Race Theory (CRT), to analyse the performativity of the REC. We argue that through the enactment of policy making, the REC works to enhance the reputation of HEIs and provides a smokescreen of conformity which gives the illusion of addressing racial disadvantages. We suggest that whilst the REC might be differently enacted in HEIs, such enactment, quite possibly differentiated at the local level is rooted within a much broader and over-arching discourse of White supremacy.

BME representation in UK higher education

BME groups continue to be marginalised in HEIs; they are underrepresented in the highest contract levels and overrepresented in the lowest, they are less likely to occupy senior managerial positions, less likely to be professors⁴ and less likely to be on the highest pay band compared to their White colleagues (Advance 2018a). Within the BME category it is Black groups who continue to suffer the greatest disadvantages – at all levels (AdvanceHE 2018a). Out of a total of 14,770 professors, 91.6% are White compared to only 0.6% who are Black (Advance HE 2018a).

BME students are also disadvantaged in their experiences at HEIs; they are less likely to leave higher education with a first class or 2:1 degree and less likely to be employed six months after graduating compared to their White peers (AdvanceHE 2018b; UUK/NUS 2019). Whilst there are striking differences within the BME category, it is Black students who experience the most disadvantages (SMF/UPP 2018).

⁴ Professor is the highest academic ranking in the UK and is more selective compared to other countries such as the US.

In 2016/17, 79.6% of White students received a first/2:1 compared to 66.0% of BME students, representing a BME degree attainment gap of 13.6 percentage points. Whilst the overall attainment gap is worrying it disguises the significantly poorer outcomes faced by individual ethnic groups; for example, the attainment gap for Chinese (4.5 percentage points) and Asian Indian students (5.1 percentage points) is relatively low; for other groups of students such as Black African (24.9 percentage points), Black Caribbean (20.8 percentage points) and other Black background (25.5 percentage points) it is much higher (Advance HE 2018b). Black students experience the greatest disadvantages in their experiences in HEIs; and once they have left university they suffer an ‘ethnic penalty’ in the labour market (Bhopal, 2018; Lessard-Phillips and Li 2017).

Policy making in UK higher education

The Race Relations Amendment Act (2000) and the Equality Act (2010) both required HEIs to implement equality policies which demonstrate their commitment to race equality. In order to address gender inequalities in higher education, the Athena SWAN⁵ charter was introduced in 2005 by the ECU to improve the position of women in STEMM⁶ subjects. With growing evidence of racial inequalities in HEIs, in 2014, the REC was introduced to address student attainment, staff progression and the curriculum (see Bhopal and Jackson 2013). The REC ‘...provides a framework through which institutions work to identify and self-reflect on institutional and cultural barriers standing in the way of minority ethnic staff and students’.

(<https://www.ecu.ac.uk/equality-charters/race-equality-charter/about-race-equality-charter/>).

⁵ Institutions (or individual departments or faculties) are awarded a bronze, silver or gold award based on evidence demonstrating the progression of women in STEMM subjects.

⁶ Science, technology, engineering, maths and medicine. However, in May 2015 the charter was expanded to include the Arts, Humanities, Social Sciences, Business and Law.

Currently 52 HEIs are members of the REC. Within three years of becoming a member institutions are expected to apply for the REC Award. There are currently 10 award holders, each holding a bronze award. The REC whilst not a direct mandatory policy itself, is a strategy that responds to the Equality Act (2010) in which HEIs must demonstrate their commitment to advancing and progressing race equality to, ‘...drive forward the cultural and systemic changes needed if institutions are to remain competitive and attractive to talented staff and potential students in a global market’ (<https://www.ecu.ac.uk/equality-charters/charter-marks-explained/>).

Mandatory policy making to promote diversity which is linked directly to funding has been shown to be effective in advancing equality outcomes (Herring and Henderson 2012; Philips 2014). For example the Athena SWAN charter since its introduction in 2005 has been influential in advancing women’s position in STEMM subjects (Ovseiko *et al* 2017). In 2011, the Chief Medical Officer for England Sally Davies announced that institutions would only be eligible to apply for biomedical research funding if they had achieved a silver Athena SWAN award. Subsequently, the number of applications for the award increased by 400% from 7.7% to 29.7% (Ovseiko *et al* 2017).

The performativity of policy making

Current understandings of the neo-liberal marketization of education have focussed on performativity in relation to educational policy making (Ball 2008; 2012; Ball *et al* 2011; Gewirtz 2002; Maguire *et al* 2014). Ball (2003) has identified the ‘terrors of performativity’ prevalent in educational institutions (mainly schools) in the UK. These, ‘...require individual practitioners to organise themselves as a response to targets, indicators, and evaluations’ (Ball

2003: 215). Others have explored the impact of managerialism on performativity (March 2006) and how target setting and league tables have shifted the focus of control from the state to the individual organisation (Gewirtz *et al* 1995; Solomon and Lewin, 2016). Such control has become embedded within educational institutions (Keddie 2013) in which the culture of performativity has limited professional autonomy and individual creativity (Mahony *et al*, 2004) and educational standards (Dyson *et al* 2003).

Ball describes performativity as a technology, ‘...a culture and mode of regulation that employs judgements, comparisons and displays as a means of incentive, control, attrition and change – based on regards and sanctions (both material and symbolic). The performance (of individual subjects or organisations) serve as measures of productivity or output, or displays of ‘quality’ or ‘moments’ of promotion or inspection. As such they stand for, encapsulate or represent the worth, quality or value of an individual or organisation within the field of judgement’ (2003: 216). The translation and enactment of the policy becomes a process of performativity based on indicators and outcomes. Ball (2004) and others have argued that this process of performativity detracts from the real goals of education (Solomon and Lewin 2016). Maguire *et al* (2014) suggest that the enactment of policy reflects social and cultural construction by policy-makers and actors that might be regarded as a process of ‘becoming’. In this sense policy reflects a wider pattern of social behaviours rather than simply being a clear-cut, readily agreed decision of what should be ‘done’. One consequence of this results in the same policy being enacted differently in various local settings.

Critical Race Theory

CRT originally developed from legal scholarship to provide a critical analysis of race and racism. Since its development, it has been used in several disciplines including education. CRT uses basic tenets which form part of its framework. The first principle is a recognition and acknowledgement that racism is a normal part of daily life in society and that the assumptions of White superiority are deeply ingrained in political, legal and educational structures. A second principle of CRT is based on Bell's (1980) theory of interest convergence; the interests of Black groups in gaining racial equality is only accommodated or tolerated when such interests converge with the interests of powerful White groups. CRT also grounds itself in a specific historical context through which people of colour have been historically marginalised and oppressed, '...not all positioned perspectives are equally valued, equally heard or equally included. From the perspective of Critical Race Theory, some positions have historically been oppressed, distorted, ignored silenced, destroyed, appropriated, commodified and marginalised – and all of this is not accidental' (Bell 1992, 42). Other principles of CRT include a conceptual analysis of Whiteness and White supremacy (Leonardo 2009), intersectionality (Crenshaw 1991) and the use of counter storytelling as a method to construct narratives from the lived experiences of people of colour (Solorzano and Yosso 2001).

Critics of policy making from a CRT perspective recognise and acknowledge the current and historical experiences of racism in the USA as experienced by people of colour (Bell 1992; Delgado 1995; Ladson-Billings and Tate 1995; Solorzano and Yosso 2001) and argue that such policy works from the premise that White experience is the norm. Myers and Bhopal (2017) evidence how policy intended to address racism and inequality in education, is

enacted at a local level in such a way that it addresses *perceptions* about racism rather than *actual* racism. Similarly, Kidder *et al* (2004) suggest that diversity policies may in fact increase rather than decrease bias and prejudice towards minority groups. Such counter-intuitive outcomes from policy enactment designed to tackle racism makes sense within a CRT perspective because, on the one hand it addresses an identifiable problem of racism but at the same time it does not affect the actual behaviours of any White people engaged in racist behaviours. CRT theorists in the UK (Gillborn 2006; Preston 2018; Warmington 2012) demonstrate how institutional policy making is used to further marginalise and discriminate against people of colour. Gillborn (2006; 2008) uses the tenets of CRT to argue that policy making and policy enactment are examples of White supremacy, ‘...education is an act of White supremacy...policy assumes and defends White supremacy through the priorities it sets, the beneficiaries it privileges and the outcomes that it produces’ (Gillborn 2008, 63). Gillborn suggests that it is no accident that policy making continues to marginalise and discriminate against people of colour. ‘Shaped by long established cultural, economic and historical structures of racial domination, the continued promotion of policies and practices that are known to be racially divisive testifies to a *tacit intentionality* in the system’ (2008, 65 *our emphasis*). Furthermore Gillborn argues that CRT is crucial in understanding how the structural processes in society through White privilege continue to marginalise and oppress people of colour, particularly in relation to Whiteness, ‘Whiteness matters. CRT does not assume that all White people are the same...but CRT does argue that all White people are implicated in White Supremacy’ (2008, 34).

The principle of interest convergence suggests that, ‘Whites will advance the cause of racial justice only when doing so coincides with their own self-interest’ (Bell 1980, 523). Examples of this include affirmative action in which the main beneficiaries have been and continue to

be White women (Guy-Sheftall 1993; Ladson-Billings 2009), civil rights laws in the USA that have continued to serve the interests of Whites (Ladson-Billings 2009) and the Athena SWAN charter in the UK which has disproportionately benefited White middle class women (Bhopal 2018) (as discussed above). Furthermore, Preston argues that, ‘...such policies will probably be partial, riddled with legal loopholes and retracted when the need for interest convergence has subsided’ (Preston 2018, 21). Interest convergence works from the premise that White groups will only support and tolerate advances of equality for people of colour, as long as their own positions are not threatened or challenged and as long as they benefit *more* from such advances than people of colour. Gillborn (2013) however suggests that we are witnessing a process of interest divergence in which White elite groups focus on their own self-gain and benefit from the further exclusion of Black groups.

Drawing on interview data with key staff responsible for the REC this article uses the concept of interest convergence to examine the effectiveness of policies and practices aimed at BME groups. We argue that the *performativity* of the REC and its *enactment* in higher education, work to enhance the reputation of HEIs rather than to address and tackle structural disadvantages faced by BME groups in HEIs. The introduction of the REC will largely benefit White people who are already better positioned within HEIs by *giving the illusion* that they are implementing policies that require their institutions to demonstrably address racial inequalities. We argue that such actions are *intentional*, rather than accidental (Gillborn 2008).

Methods

This article is based on a funded research project designed to explore the impact of the REC in HEIs in England⁷.

The aims of the project⁸ were:

- To examine and identify aspects of good practice in *awarded* REC HEIs;
- To explore the views of REC *member* and *non-member* institutions on the REC and equality policy making;
- To contribute to equality policy making and future strategies on equity and inclusion in HEIs.

Overall, we wanted to explore the different impact and effects of HEIs that had been *successfully awarded* the REC and those who were *members* (and expected to apply in the next 3 years). We also wanted to gain an insight into HEIs who were *not members* of the REC and their views on race equality. Therefore, we interviewed individual staff members with a responsibility for or an interest in race equality across a range of institutions (see Table 1).

Table 1 about here

Respondents' roles varied from senior roles within HEIs - for example, Pro-Vice Chancellor and Deputy Pro-Vice Chancellor⁹ – to academic teaching staff with membership to the REC self-assessment team and Equality and Diversity advisors. By engaging with respondents across different work areas and levels of HEIs, we were able to gain a better insight into the contributions being made by staff across the universities. The respondents were from a

⁷ The research was funded by the University and College Union (UCU). The UCU is the main union that represents academic, professional and support staff working in further and higher education in the UK (see <https://www.ucu.org.uk/article/1685/About-UCU>).

⁸ For further details, see Bhopal and Pitkin (2018).

⁹ Pro-Vice Chancellor and Deputy Pro-Vice Chancellor are titles used in the UK, they are the equivalent of the Provost in the USA and Deputy Rector/Principal in Europe.

diverse range of ethnic backgrounds from different types of institutions. Hence our sample consisted of universities which were Russell Group, post-1992 and non-affiliated HEIs¹⁰. A total of 17 respondents were from the Russell Group, 23 from post-1992 and 5 from non-affiliated HEIs. Thirty three were female and 12 were male, 10 were Black (African/Caribbean), 7 Asian, 3 mixed heritage, 19 White British, 4 other White and 2 Chinese. This study offers one of the first empirical insights into the workings of the REC and the level of the individuals involved in such a major new institutional development.¹¹

Recruitment and selection of participants

Respondents were accessed via public information through each institution's web pages and equality and diversity departments. The HEIs were selected based on university type and geographical location, to ensure a wide spread of different HEIs. Once initial contact was made with each relevant staff member, they were contacted (via email or a phone conversation) to discuss the project aims and objectives. We were then provided with contact details of those involved with the REC and/or those working with race equality in the HEIs. Participants were given the opportunity to ask questions about the project, particularly how their data was going to be used and the intended outcomes of the project.

¹⁰ The Russell Group consists of 24 member institutions of UK research-intensive universities. Post-1992 institutions are former polytechnics awarded university status after 1992. Non-affiliated institutions did not fall under either of the two categories above and/or do not align themselves with any formal groupings of HEIs in the UK.

¹¹ See also Bhopal and Henderson (2019) which compares the REC and ASC.

Data analysis

The interview schedule was piloted to ensure the relevance and order of questions. Thirty four interviews were conducted via telephone (at the request of respondents for convenience) and 11 face to face. Interview data was digitally recorded and transcribed. The interview data was analysed by using a process of thematic analysis from which to generate themes which were categorised under particular topics and headings we were interested in (Roulston 2001). By focussing on the ways in which respondents spoke about their experiences in higher education, sense was made of these events in order to analyse the meanings attributed to experience. In order to ensure accuracy, reliability and robustness of analysis, the themes were cross checked by each researcher working on the project. In the following sections we discuss our findings and argue that, whilst individual staff working in this area demonstrate a strong commitment to change, HEIs across the sector intentionally present an *illusion* of dealing with racial inequality, when in reality such behaviour is based on a *performativity* of paying lip service which is intentional, rather than accidental.

The problematisation of race

All of the respondents from BME backgrounds felt that race was a taboo subject, one which was *not allowed* to be discussed in HEIs and that racial inequalities were difficult to acknowledge and therefore address.

There's a silence around talking about racism...it's an unwritten code and so becomes an unspeakable topic. It makes people feel uncomfortable and if it's mentioned you are seen as being hostile and possibly alienating your colleagues who don't understand it (Member HEI, Russell Group, Asian British, female).

It's the experience. It's walking in the room being the only non-White person in one hundred and fifty people. So it's not just about the numbers on the page, it's about the lived experience (Non-member HEI, non-affiliated, mixed heritage, female).

Respondents felt that that existence of racism and racial inequalities was an issue that had to be constantly *proven* and *justified* rather than challenged or addressed.

When you mention race and racism, it doesn't get a positive reaction. There is always the notion that you are creating and causing trouble and it's [racism] all in the imagination. It's not in the imagination, it's real, we live it and we experience it. We feel we have to always keep on having to prove that it's really out there and that it affects us (Award holder HEI, Russell Group, Black British Caribbean, male).

Some respondents emphasised the importance of the REC in addressing race and allowing it to be 'brought to the table'.

It's about the structures and the processes that will come out of the REC that is of course important, but at the same time it's bringing that awareness to the table – to many of our colleagues who either choose not to think about race or think that it's not really a problem. So if it can do that, then that is at least a start (Member HEI, post-1992, Asian British, female).

Other respondents felt the REC would force HEIs to think about and deal with racial inequalities which were often ignored.

If we are having the conversations and if universities are having the conversations, then they need to be able to do something – because it means they can no longer ignore it – it means that they have to start to act on what they know. They can't say they didn't know, once they know they have to act on it (Member HEI, post-1992, Black Caribbean, female).

This is the easy bit. This is the part that you're simply documenting what has already taken place, finding a method of collecting this, finding a method of doing this, but then what do you do with this information? Will it translate to having more people as professors? Will it translate to having lecturers appointed? (Award holder HEI, post-1992, mixed heritage, female).

BME staff identified the potential for the REC to address racial inequalities in HEIs. They also identified that race was a difficult subject for their White colleagues to discuss, particularly when part of the REC was to encourage open debate about such inequalities. Whilst the REC was seen as having the potential of putting the issue of race 'on the table', many BME staff seemed openly unconvinced this would necessarily lead to measurable outcomes.

In many respects what emerged was a surprisingly divergent account of racism and inequality not being acknowledged institutionally at a time when institutions were simultaneously signing up to the REC. This hints at the potential structural flaws underpinning HEI investment in the REC: if for example BME staff are identifying a culture in which racism remains unacknowledged then what value does that institution perceive will emerge from their successful completion of the REC? A CRT perspective would suggest that the REC itself and the action plans drawn from it are, either explicitly written by White majority academics in senior managerial positions of power, or, at the very least produced under such managerial auspices. Consequently the REC falls within institutional policy-making that reflects the interests of a successful White majority of university managers. By doing so, the REC reproduces racial inequalities by reinforcing White privilege and supremacy. This points towards the intentionality of *enacting* policy in order to maintain the *status quo*.

Whose REC is it? The performance, showcasing and enactment of the REC

One of the key findings to emerge from our study was the public performance and enactment of the REC. Many respondents noted how the REC was announced publically within the university often at a high profile launch event, champions were recruited from within different faculties and schools, and the application itself was often led by a senior member of the management team. Often even being championed by the Vice Chancellor,

I think one of the things I'd make a note of was about making the application and getting the agreement from the senior management leadership team, from the Vice Chancellor...one of the key things was the first meeting we had, or prior to the first meeting, was the Vice Chancellor inviting all members to lunch and actually talking to us about this commitment and their personal commitment to the agenda. I think this was really important in setting the marker and showing her commitment from the very beginning. This was a really good starting place for us in terms of moving forward, because then the rest of the university saw how important it was (Award holder HEI, Russell Group, Black British Caribbean, male).

Whilst this respondent was positive about the importance and value of the Vice Chancellor's personal stamp of approval, many other respondents suggested a degree of cynicism about such leadership. One respondent suggested that there was a 'song and dance element to the whole process', in which senior managers 'performed' the REC rather than engaging in its core aims. Many respondents described their senior managers engaging in a succession of similar events such as lunch meetings in which they demonstrated their support of the REC to the staff who were managing the application process. Often such staff were themselves from BME backgrounds raising questions about who should be responsible for tackling issues of race within HEIs,

The commitment to the REC has to come from everyone, you have to have a senior champion, but at the same time it cannot be the responsibility of the BAME¹² staff, or just those staff who are interested in these issues. So this has actually got to involve every part of the university, all services, all faculties, all students, and we are banging on the door of all the committees and different processes and policies and everything else. It has to be a joint institutional effort, it has to be something everyone is committed to taking forward and using it to make a difference – otherwise it will be tokenistic (Award holder HEI, post-1992, mixed heritage, female).

Many respondents voiced their concerns that the delivery of the REC would become the responsibility of BME staff and this was clearly reflected in the allocation of roles associated with applying for and gaining the REC. If application for the REC was regarded as 'race work' (see Bhopal, 2018)) then this could result in BME staff *only* being considered eligible to take this forward and later held accountable if the application for the REC was unsuccessful. One White respondent drew out the difficulties of accountability and responsibility for the REC around both the race and status of staff involved in the REC within her university,

The key thing that is making me anxious is making BAME staff, particularly lead the charge in tackling racial discrimination. I think that is not appropriate...for me it is the people in the authority...so it's the Vice Chancellor, it's the executive and the board of governors...they are responsible for it and they are responsible for ensuring

¹² Black, Asian and minority ethnic.

that the voices of BAME staff and students are heard by themselves and that action is taken (Award holder HEI, post-1992, White other, female).

Whilst this respondent placed the emphasis upon her university leaders giving voice to BME staff, Black respondents argued that a more significant issue was the actual division of labour along race lines,

I just think it's ironic, really, that you have these charter marks like the REC in place to improve equality, and then the people who end up doing all the work and really hard graft to get it sorted are those that you want to make the equality for (Award holder HEI, Russell Group, Black Caribbean, female).

On the one hand, there was the assumption and perspective from senior managers that BME staff are the ones who understand issues of racism, as they have lived experience of it, but on the other hand, BME staff were not in positions of power to make any significant changes. It was senior White managers in positions of power who supported the process and had ultimate responsibility for making changes. Consequently, change only happened when it also benefited the self-interest of already powerful White management. A process of interest convergence was apparent in which senior managers could '...sell themselves as diverse and fair as long as their White privilege remains intact and unthreatened' (Bhopal 2018, 102).

At the local level, different interpretations were placed upon who the REC was for and who should be responsible for delivering its outcomes. In many respects what this highlights is the potential for very different outcomes being useful to different parts of the university structure. One clear mark of difference being the *performance* of responsibility and authority evident in senior management roles and the allocation of 'hard graft' for achieving these outcomes to BME staff at lower levels. The scale of the work involved in applying for the REC was further highlighted in discussions of the administrative burden associated with the application - which was generally shouldered by BME staff,

I think sometimes the application form itself becomes so much of a big job that it takes away from actually doing the doing. We spend a lot of time preparing for the self-assessment team meetings, you know getting them to get together and to discuss...but we need to be mindful of the fact that the exercise itself...applying for the charter mark...isn't bigger than the outcome in terms of what you are trying to achieve (Member HEI, post-1992, Asian Pakistani, female).

A number of respondents suggested that this work went unrewarded or was not included within their workload plans despite the evidence that the work played out against the high profile public support of senior managers. The importance of performativity suggested the significant goal was the 'badge' of a successful REC application rather than the actual *delivery* of improved race equality actions within the university. Local evidence of racial inequalities (such as racism faced by BME staff and students, lack of BME staff in senior roles or BME attainment gaps in individual institutions) were rarely referenced as the rationale for applying for the REC. Rather, the REC was used to perform diversity by a *showcasing* of the award on university websites and student prospectuses used to 'sell' the university as inclusive. The *enactment* of race equality policies through the REC for many staff was closer to a public relations exercise rather than a strategy which would deliver real *outcomes*,

We have to be mindful that it [applying for and achieving the REC] isn't just about the badge, getting the charter mark and having the recognition that you have achieved it...it has to be more than that...it has to be about making real changes and addressing the everyday racism and processes that BAME students and staff have to face where they are the only person of colour who understands these things (Non-member HEI, non-affiliated, Black Caribbean, female).

In addition to concerns about how seriously the aims of the REC were being taken in terms of enacting policy or simply achieving the 'badge', many respondents also raised concerns about what would happen if their institution was successful. Not least amongst these was the suspicion that senior managers would largely take the accolades for a successful application despite not being involved in the real, time consuming work that took place to make the application. In many ways this would be a logical outcome if the reason for applying for the

REC was to achieve the 'badge' rather than for the process to result in real significant change. The success of *acquiring* the badge would be the successful outcome for senior managers in distinction to BME (and other sympathetic) staff who identified change as the significant measure of success.

It was also suggested that there was a danger that gaining the award itself would result in a rhetoric of success in which racial inequalities were identified as having been addressed and were no longer a problem.

The danger becomes that it is either a stick used to beat us with or a box ticked that allows us to take the foot off the gas in terms of thinking about race equality... it's made us go "okay, we've got the race charter", but let's make this meaningful and make sure we're doing everything the action plan says we should be doing. But we have to make sure it doesn't mean complacency and also allow people to go "how come you've got the race equality charter mark, but how come you're still doing this?"(Award holder HEI, Russell Group, Black African, female).

The enactment of race equality policy through the REC often appeared to present an illusory set of processes in which race was considered an important issue that senior managers and the HEI were addressing. In reality however, the energies of largely BME staff, were being diverted into delivering the application for the REC rather than all staff being required to implement university wide change. Whilst the conventional approach to policy making is based on addressing a specific problem, the 'problem' itself is framed through a White lens emblematic of 'the hegemonic system of White supremacy' (Decuir and Dixson 2004, 27). In terms of the REC, policy enactment carries great authority because it is being promoted at a high level within HEIs but this fails to recognise the possible divergence in the aims of senior leaders and staff committed to race equality work. There are longstanding debates about the divergence between policy making as a means of implementing improvements (Hawkesworth, 1988) and how the enactment of such policy making works to reinforce socially constructed norms of behaviour (Ball, 1990; Iverson, 2007). Often policy making

designed to improve inequalities associated with racial inequalities adopts both a narrative of positive change whilst either not addressing an issue or reinforcing existing racist conditions (Myers, 2018). Inclusive policies through a rhetoric of inclusion continue to privilege Whites and reinforce exclusionary practices which disadvantage people of colour (Bhopal, 2018; Ladson-Billings and Tate 1995; Yosso 2005).

Diversity policies use, 'a majority (White and male) as the standard against which to measure minority progress and success' (Iverson 2007, 594). Furthermore, this narrative which emphasises and reinforces disadvantage uses a deficit model which assumes that all people of colour will not succeed in higher education, and they are at fault rather than a system which disadvantages them and continues to perpetuate structural and institutional racism.

In the staff experiences that was a big issue, people saying, 'we didn't know who to go to'. That was the first issue in terms of reporting these issues, and the second was the belittling of those issues, the denial, the pathologising of the person that's reported it as having the problem rather than, 'Well, actually, this could be a real problem', rather than actually looking at the institution (Member HEI, post-1992, Asian Pakistani, female).

Paying 'lip service' and the performativity of the REC

Many respondents expressed concern that the REC would not deliver the positive outcomes they hoped for because of its framing within HEIs.

It could just be about paying lip service and saying we have the REC we are more inclusive, we are more diverse but how will that translate into the reality, into what they have done? These are the things though that we won't know for a while, they will be reflected in how the universities have addressed racism and the BME attainment gap and the lack of BME professors (Non-member HEI, post-1992, Black Caribbean, female).

The notion of 'lip service' - that somehow the process of applying for the REC was an insincerely driven institutional goal - was identified in varying degrees by different respondents. One line of evidence given for the divergence between official narratives of

change and the actual work that was carried out on racial equality emerged in descriptions of the pre-existing work in the area. Many respondents felt that they were already engaged in good practice work on race equality,

We were sort of already doing all the ground work...we developed a set of objectives, and it was very much evidence based and we said we really do need to make a step change in terms of race equality. We've done this work so far and this is where we are (Member HEI, post-1992, mixed heritage, female).

At best it might appear that the REC was formalising such work which in the past had not been acknowledged, recognised or acted upon,

We've been challenging how BAME staff are disadvantaged in our organisation for a long time, this work is nothing new – it's just formalised, we have all the institutional evidence anyway – the REC is making it more out there to be taken notice of – now we can say we have a policy, a charter that recognises we have to do something about what we have known for a long time (Non-member HEI, post-1992, Asian, female).

At worst there was a danger that the application for the REC would result in a tick box exercise displayed as window dressing with few real measurable outcomes for change, it would simply become a superficial exercise to gain the award, rather than use it to challenge and address racial inequalities (see also Ahmed 2007). Whilst respondents felt it was important to apply for the REC, many were unconvinced that such a process would in fact challenge the real structural disadvantages such as institutional racism and discrimination that perpetuated inequality in HEIs. A CRT perspective would suggest that equalities reforms such as the REC will result in little or no change. HEIs give the impression of 'doing diversity' but such initiatives can cause resentment from White groups who may feel BME communities are given favourable and special treatment because of their race. These feelings of racial resentment suggest that White groups are less likely to favour the REC if they think that they, as White people will be disadvantaged by it – they will only support such initiatives as long as they do not disadvantage them or threaten their positions of power. 'As long as white identity and white privilege are not threatened, white groups are supportive of diversity

and inclusion programmes. Consequently, universities can sell themselves as diverse and fair as long as their white privilege remains intact and unthreatened' (Bhopal 2018, 102).

Within the performativity of the REC, the organisation (in this case the university) and its members (those involved with the REC) are evaluated based on their efforts to meet the indicators of achieving the REC. This becomes part of the 'terrors of performativity' which become engendered by individuals during this process (Ball, 2003). Ball (2003: 219) argues that '...performativity produces opacity rather than transparency as individuals and organisations take ever greater care in the construction and maintenance of fabrications'.

During the process of the REC HEIs and senior managers present and perform themselves in ways which are directed towards the achievement of valued outcomes of successfully gaining the REC. As a consequence this rhetoric is an attempt to represent institutions as inclusive which value the contribution of BME academics. However, there is an inconsistency in the image HEIs portray and the actual experiences of BME staff and students. The performativity of the REC is linked to a pretence of inclusion. Ball calls these 'fabrications' and 'inauthentic facades' in which '...presentation, 'front' impressions 'given and 'given off' must be carefully crafted and managed. They are part of the currency and substance of performance' (Ball 2003: 225). Senior White managers are the ones who control how the REC is enacted (through how it is communicated internally and externally) because '...the interpretative/political work of the senior leadership team (SLT) is decisive and unequivocal here and sets narrow and well-defined conditions for the enactment of policy' (Ball *et al* 2011: 613). Furthermore, the responsibility of the enactment of the policy is a way in which White privilege and White supremacy works for the benefit of the organisation and its members, rather than the BME groups it is aimed at serving, '...making someone responsible

for a policy *is the enactment of policy and its embodiment*. Interpretation is an institutional political process, a strategy, a ‘genre chain’ (Ball *et al*, 2011: 619 original emphasis).

Policy enactment includes ‘...an awareness of the omnipresence of relations of power within the processes of policy enactment’ (Ball, *et al* 2011: 622). These relations of power are manifested through a system of White privilege and White supremacy in which White senior managers control and define how the REC is performed and enacted, as Ball states, ‘Clearly the issue of who controls the field of judgement and what is judged, what criteria of measurement are used or benchmarks or targets set is crucial’ (Ball 2008: 49).

Conclusions

There are clear indications that the REC can be seen to fall within patterns of interest convergence. Whilst it is a policy response to inequalities within HEIs; it is a policy response that works to the advantage of a White hegemony. The identification of significant racial inequalities across all parts of university life has become a ‘policy issue’; which, in the context of marketised universities competing for students has to be addressed in order that institutions continue to be economically viable. The REC provides a formal narrative in which institutions are addressing these concerns and demonstrating their diversity credentials. Most strikingly it is also a policy enactment that has the potential to be most useful to the White hegemonic elite that can be identified as the senior leaders of universities. Successfully achieving REC status is an achievable outcome that can be clearly delineated in senior leaders’ performance targets. In principle, this would be unproblematic if the REC was delivering substantial gains around race equality; in a sense the ‘convergence’ of interest convergence would be more acceptable if significant gains in racial equality were the price

for rewarding high-earners in the university. However, respondents raised a large number of questions, conflicts and contradictions about how far this mirrored the reality of such policy enactments. Such ambivalence was part of a context in which BME staff hoped for the best outcomes resulting in real change but expected the worst in terms of empty rhetoric, not resulting in significant outcomes or change. Rather, they tended to note that much work in the area already existed but had largely gone unnoticed in the past; they highlighted the inequitable distribution of labour between those doing the work and those taking credit for it; and, in a number of different ways a consistent pattern emerged of concerns that it was the 'badge' that was important rather than the 'work'. Policy making such as the REC exists within a framework of White privilege and a normative culture of Whiteness, which does not specifically address structural frameworks which disadvantage BME groups at all levels in HEIs. Our findings suggest that it is likely that such work will fall on the shoulders of BME staff, suggesting that race work is the responsibility of BME groups themselves.

Diversity policies may simply be a response to the global marketisation of higher education which emphasises inclusion and multiculturalism to attract students and position HEIs at the forefront of inclusion, diversity and equity. Fee paying students (and their parents) are more likely to be attracted to a HEI if they are seduced by its demonstration of inclusion and social justice. A diverse body of students and staff will enhance an HEI's reputation as inclusive in a global competitive market. HEIs will put their own interests above those of individual marginalised groups and prioritise the interests of Whites above those of people of colour.

Our data confirms conflicts and uncertainties amongst BME staff. This suggests that unless the REC is mandatory, the conflicts and gaps between reality, rhetoric and performativity will only deteriorate. In reality, the REC will work to perpetuate the interests of Whites and

reinforce White supremacy (DeCuir and Dixson, 2004; Iverson, 2007). Policies and initiatives such as the REC (written by White senior managers) reproduce White privilege and perpetuate racial inequalities (Delgado *et al* 2002). Furthermore, diversity policies are used as a ‘camouflage for the self-interest, power and privilege of dominant groups’ (Hu-DeHart 2003, 623). Consequently, a deficit discourse attributed to people of colour is characterised in policy making by identifying them as being disadvantaged *before* they enter HEIs and *once in* HEIs. Such a discourse does not account for the ‘systemic factors that perpetuate deficit thinking and reproduce educational inequities for people of colour’ (Garcia and Guerra 2004, 155). Such policy making framed within a White discourse is intentional, rather than accidental (Gillborn 2008). From a CRT perspective one could argue that at the very local level, employers may simply use measures such as the REC as ‘...window dressing, to inoculate themselves against liability, or to improve morale rather than to increase managerial diversity’ (Kalev *et al* 2006, 610). However, from a macro perspective such policies and initiatives may simply work to reproduce stereotypes and existing patterns of inequality in HEIs (Jost *et al* 2004). This has also been found in the USA (Iverson, 2007), Australia (Strachan 2000) and Europe (Klein, 2016).

At the moment, participation in the REC is voluntary and entirely at the discretion of Vice Chancellors and senior management. The REC itself may be used for ‘gaming’ purposes; as a marketing asset deployed for competitive advantage over other institutions in the sector, or within institutional narratives demonstrating a commitment to addressing social inequalities. There are however, currently no formal penalties for non-compliance and institutions can easily construct other narratives to demonstrate their commitment to social justice. Universities who are not members of the REC, (and have no intention of becoming members), may for example, adopt a colour-blind perspective or sidestep issues of racial

inequality by claiming race-geography arguments (see Bhopal and Henderson, 2019). At the same time arguing the REC introduces an additional workload on an already overstretched workforce. For these HEIs, race never takes priority; a generic focus on inequality is evidenced by a colour blind perspective that fails to acknowledge racial inequalities. Such HEIs work within the framework of White supremacy and White privilege – they work within a discourse of denial which reinforces Whiteness presenting a Whitewashed version of equality and diversity.

The evidence suggesting the work of the REC falls as a burden on BME groups because it is identified as a race specific responsibility, suggests the REC will inevitably reproduce existing patterns of inequalities through the *enactment* of policy. The performativity and enactment of the REC become a ritual part of organisational interests; rather than addressing entrenched racial inequalities. As such, the REC framed around White normative practices performs and enacts a process in which, ‘...privileges, ideologies and stereotypes reinforce institutional hierarchies and the larger system of White supremacy’ (Picower 2009, 198). The REC becomes a smoke screen that excuses HEIs from addressing White privilege by camouflaging its very existence. The ‘race problem’ is addressed by a single initiative and a single, readily achievable ‘solution’: bronze, silver and gold badges of success. Whilst the underlying principles of the REC may be acknowledged and accepted by all those involved in the REC application process and working on race equality across the HEI, there continues to be a disconnect between the real actions that should result from the REC and the actual lived experiences of BME staff and students. An acknowledgement of racism must result in action – how far this will go remains to be seen.

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