RACE EQUALITY

ANTI-RACISM PRINCIPLES FOR IRISH HIGHER EDUCATION INSTITUTIONS

HEA | HIGHER EDUCATION AUTHORITY
AN tÚDARÁS um ARD-OIDEACHAS

1 | Introduction

1.1 Background

In recent decades our universities, technological universities, institutes of technology, and colleges have been transformed, from predominantly national institutions catering primarily for school-leavers, to internationally oriented institutions engaged with an increasingly diverse student and staff body, of all ages and backgrounds. Along with this change, ethnic diversity in our student and staff population has become a key strength of Irish higher education, which we must build on and protect.

In this context, the HEA conducted a national online survey of HEI staff to develop a picture of race equality across the Irish HE sector during December 2020 and January 2021. All staff working in publicly funded HEIs were invited to participate and the results of this survey were included in a report commissioned by the HEA, Race Equality in the Higher Education Sector (the 'Race Equality Report' hereafter). The report, which was authored by independent experts, Dr Marta Kempny and Dr Lucy Michael, contained 32 recommendations across 8 thematic areas. In response to these recommendations the HEA published the HEA Race Equality Implementation Plan 2022-2024 in September 2022. A key action in this implementation plan was the development of a statement/charter on race equality for Irish HEIs.

1.2. Terminology

Definitions of terminology used throughout this document are included in the glossary in Appendix 1. For further information on terminology and language used in race equality work alongside other terms commonly used in EDI work in higher education and research, please see the Equality, Diversity and Inclusion (EDI) literary glossary developed by Advance HE in collaboration with an expert group of academics, EDI practitioners and higher education staff.

For the purposes of this document, race equality is defined as equal representation, equal experiences and equal outcomes of staff and students from minority ethnic groups including Travellers, while race inequality is in turn defined as unequal representation, unequal experiences and unequal outcomes of staff and students from minority ethnic groups including Travellers.

The Athena Swan Ireland Intersectionality Working Group, which advised on the development of these Principles, acknowledged that 'race' is a contested term but stressed the importance of using terms such as race or racism. Furthermore, the group advised that focusing on less charged terms like 'ethnicity' and 'nationality', and omitting the term 'race', may serve to mask the existence of racialization as a social fact and frustrate antiracist efforts to address and undo racism.

During the development of the HEA Race Equality Implementation Plan 2022-2024, the Athena Swan Ireland Intersectionality Working Group recommended that "racism" be defined as delineated by the Department of Children, Equality, Disability, Integration and Youth's Anti-Racism Committee in their Interim Report to the Minister for Children, Equality, Disability, Integration and Youth on 30th November 2020. This document adopts that definition as follows:

"We understand racism to mean the power dynamics present in those structural and institutional arrangements, practices, policies and cultural norms, which have the effect of excluding or discriminating against individuals or groups, based on their identity, as outlined in Article 1 of the International Convention for the Elimination of Racial Discrimination (ICERD), which provides: '...the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

In line with the terminology used in broader government policy in relation to tackling racism and race inequality, a decision has been made to frame this document as a set of "Anti-Racism Principles for Irish HEIs", rather than as a Charter/Statement on Race Equality. These Principles will address the recommendations in the Race Equality Report, which call on HEI leadership to actively embed a culture of race equality within HEIs by:

> taking responsibility, accountability and ownership of race equality issues at HEIs;

> actively acknowledging that race inequality exists in HEIs;

> acknowledging that Irish HEIs are not keeping pace with wider demographics and action is required to catch up; and

> acknowledging the power of HEIs to influence Irish society in general.

1.3 Statutory Context

The HEA has a statutory responsibility to advance equality of opportunity, diversity and inclusion in higher education. 'Race' is specified as one of the nine protected grounds under the Equal Status Acts and, as such, the HEA and HEIs have obligations to address racism where it exists as part of our obligations to uphold staff equality, in accordance with statutory equality and human rights duties. Race has also been a protected characteristic in Irish equality legislation for two decades. Under the Irish Human Rights and Equality Act 2014, all public HEIs must undertake assessment and monitoring, and have policies and plans to promote equality, prevent discrimination and protect the human rights of staff, students and the wider public that are served by the work of HEIs. These Principles have been developed having regard to the relevant statutory obligations placed on higher education institutions including:

> > Employment Equality Acts, 1998–2015;
> > Equal Status Acts, 2000–2018;
> > Equality Act, 2004;
> > Irish Human Rights and Equality Commission Act, 2014 (including Public Sector Equality and Human Rights Duty reporting requirements).

Another important reference point is the forthcoming National Action Plan Against Racism to be published by the Department of Children, Equality, Disability, Integration and Youth, which contains actions assigned to the HEA and higher education sector.

1.4 Development of Principles

A draft version of these Principles was developed by the HEA Centre of Excellence for Equality, Diversity and Inclusion in collaboration with the Athena Swan Ireland Intersectionality Working Group between November 2022 and January 2023. A consultation period for stakeholder feedback was open between 18th January 2023 and 10th February 2023. 12 submissions were received from HEIs, HE representative bodies and individual stakeholders.

Where possible this feedback has been incorporated into the final Principles. A number of the issues raised by stakeholders had already been debated at length by the Athena Swan Ireland Intersectionality Working Group, who emphasized the need for high-level anti-racism principles and the importance of these as a ground-breaking development at both a national and HEI level. Working Group members also acknowledged that by taking a high-level focus there remains room for context specific responses by HEIs as they move to further develop anti-racist policies and action plans. Further discussion of stakeholder feedback and how it has been integrated into the final document is included at appendix 2.

2 | National Statement on Race Equality in Irish Higher Education

As a higher education sector:

- we acknowledge that race inequality exists in Irish higher education institutions;
- we reject racial discrimination in all its forms;
- we take responsibility, accountability and ownership of race equality issues in Irish higher education;
- we acknowledge that the progressive achievement of equality for staff from minority ethnic groups including Travellers can only be realised through action;
- we acknowledge the need for greater ethnic diversity among students and staff to ensure that HEIs are more representative of the ethnic diversity in Irish society; and
- we acknowledge that higher education institutions have a significant role to play in promoting anti-racist policies and actions across broader Irish society.

3 | Anti-Racism Principles for Irish Higher Education Institutions

1. Race inequality is an issue in Irish higher education. Racism, although context specific, is a problem in Ireland and racial inequalities are present on a daily basis in our higher education institutions.
2. Higher education institutions which allow race inequality to exist cannot perform to their full potential.
3. Anti-racism policies and initiatives must focus on long-term culture change and on fixing the system, not fixing the individual.
4. Racism is not always overt and can manifest itself in everyday interactions, processes, behaviours, etc. (e.g. microaggressions).
5. Race inequalities are experienced differently by people from similar and different ethnic backgrounds.
6. The complex nature of the intersection of race inequality with other characteristics protected under Irish equality legislation must be taken into account when developing anti-racism actions and policies.

4 | Commitments to Advance Race Equality in Irish Higher Education

These commitments align with the policy recommendations under the Race Equality Report. The commitments are phrased to acknowledge ongoing activities and to commit to future actions and objectives which signatories will aspire to meet.

By signing up to the Anti-Racism Principles for Irish Higher Education Institutions, HEIs are committing to the following:

1. We will embed a commitment to race equality as part of our institutional culture and strategic priorities.

2. We will highlight the structural, institutional, and historical dimensions of racism which have informed past and current practice in HEIs and the societies in which they are situated.

3. We will educate our staff and students in relation to the structural, institutional, and historical dimensions of racism, as well as the more commonly recognised individual racism seen in acts of discrimination and abuse.

4. We will encourage an open dialogue on advancing Race Equality.

5. We will adopt an intersectional and intercultural approach when developing anti-racism actions and policies.

6. We will address questions of race equality within the strategic plans of our institutions.

7. We will record student and staff data disaggregated by ethnicity to inform our anti-racism policies and actions, and to monitor retention and career outcomes for students and staff from minority ethnic groups including Travellers.[1]

8. We will continue to ensure a fair and transparent recruitment process for all staff, regardless of ethnicity.

9. We will address race equality issues in relation to progression and retention of students and staff from minority ethnic groups including Travellers.

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[1] The HEA recognises the current limitations in the area of data collection and acknowledges the ongoing work and support from HEIs in the collection of staff and student data and will continue to work with institutions to ensure that this commitment can be met.

Appendix 1 | Glossary of Terms

For further information on terminology and language used in race equality work alongside other terms commonly used in EDI work in higher education and research please see the Equality, Diversity and Inclusion (EDI) literary glossary developed by Advance HE in collaboration with an expert group of academics, EDI practitioners and higher education staff. A number of the definitions below are drawn from this document.

Term	Definition
Anti-racism	Anti-racism is defined as the work of actively opposing racism by advocating for changes in political, economic, and social life. Anti-racism includes individually opposing overtly racist behaviours and collectively opposing institutional racism. **See:** Racial Equity Tools, 'Glossary'. (Taken from EDI Literary Glossary)
Ethnicity	Ethnicity is a social construct that differentiates people into smaller social groups based on characteristics such as shared sense of group membership, values, behavioural patterns, language, political and economic interests, history, and ancestral geographical base. People can share the same nationality but be of different ethnic groups and people who share an ethnic identity can be of different nationalities. Examples of different ethnic groups, as used by the Central Statistics Office, are: Asian or Asian Irish: Chinese, Asian or Asian Irish: Indian/Pakistani/Bangladeshi, Asian or Asian Irish: Any other Asian background, Black or Black Irish: African, Black or Black Irish: Any other Black background, Other including mixed group/background: Arabic, Other including mixed group/background: Mixed Background, Other including mixed group/background: Other, White: Irish, White: Irish Traveller, White: Roma, White: Any other White background **See:** Racial Equity Tools, 'Glossary'; M Adams, LA Bell and P Griffin; *Teaching for Diversity and Social Justice: A Sourcebook*. (2001); M Mamdani, *Neither Settler nor Native: The Making and Unmaking of Permanent Minorities*, (2020). (Taken from EDI Literary Glossary) **See:** Report on the public consultation on content of Census 2021 and the Census Pilot Survey 2018
Ethnic Minority or Minority Ethnic Group	An ethnic, religious or linguistic minority is any group of persons which constitutes less than half of the population in the entire territory of a State whose members share common characteristics of culture, religion or language, or a combination of any of these. A person can freely belong to an ethnic, religious or linguistic minority without any requirement of citizenship, residence, official recognition or any other status. Following mainly the Human Rights Committee jurisprudence, additional elements as to who is a member of a minority can be summarized as follows: Indigenous peoples may constitute linguistic, religious or ethnic minorities in the States in which they find themselves. Both are not mutually exclusive, nor undermine any applicable rights as a minority or indigenous people. The "territory" to consider in determining whether or not a group is a linguistic, religious or ethnic minority is the entire territory of a State, and not one of its political or territorial subunits; One of the main objective criteria for determining whether a group is a minority in a State is a numerical one. A minority in the territory of a State means it is not the majority. Objectively, that means that an ethnic, religious or linguistic group makes up less than half the population of a country. **See:** *Concept of a minority: mandate definition* - Special Rapporteur on minority issues by the United Nations Human Rights Office of the High Commissioner

Term	Definition
Intersectionality	Intersectionality is the understanding that social inequalities are not just summative, they are mutually constituting. The term was coined by Professor Kimberlé Crenshaw in 1989 to describe how individual characteristics (e.g. race, class, gender) characteristics "intersect" with one another and overlap. The term was originally used by Crenshaw to describe the experience of Black women. That is, that the disadvantage experienced by a Black woman is compounded by the inequalities she faces as a woman and as a Black person, and is distinct from the experiences of a Black man or a white woman. Since then, the term has been used in different ways, and distorted. Crenshaw referred to the term's changing use and meaning in an interview with TIME magazine in 2020 and, when asked to define what intersectionality means today said: 'Intersectionality is not identity politics…it is a lens, a prism, for seeing the way in which various forms of inequality often operate together and exacerbate each other. We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What's often missing is how some people are subject to all of these, and the experience is not just the sum of its parts'. **See**: TIME Magazine, 'Kimberlé Crenshaw and Intersectionality'; Global Society Theory, 'Intersectionality'. (Taken from EDI Literary Glossary)
Institutional Racism	Institutional Racism refers to forms of racism expressed in the *practice* of social and political institutions; to the way, institutions discriminate against certain groups, whether intentionally or not, and to their failure to have in place policies that prevent discrimination or discriminatory behaviour. It can be found in processes, attitudes and behaviours which lead to discrimination through unintentional prejudice, ignorance, thoughtlessness, unconscious bias and racist stereotyping which disadvantages ethnic minority people. Institutional racism relates to the entire institution, including people. Structural and institutional racism create the conditions that make forms of individual racism seem normal and acceptable, making discrimination and violence more likely. **See**: *Dimensions of Racism*, Irish Network Against Racism
Microaggression	The everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalised group membership. Example: "Where are you really from?" **See:** Racial Equity Tools, 'Glossary'; D W Sue, 'Microaggressions: More than Just Race', Ps*ychology Today*, (2010). (Taken from EDI Literary Glossary)

Term	Definition
Race	The term race has its roots in racial categorisation schemes that were promoted by scientists to support worldviews that understood some groups of people as superior and some as inferior. As such, race is a made-up social construct, and not an actual biological fact. While race is a social construct, it is identified as one of the nine equality grounds in The Equal Status Acts (2000-2018). The term is also commonly used in equality work (e.g. race equity/race equality). These uses do not imply the acceptance of theories that attempt to determine the existence of separate human races. Rather, in this context, race is used to call attention to the racialisation of particular groups, the prevalence and forms of racism in society, and the need for anti-racist measures. **See:** PBS, 'Race: The Power of an Illusion' (2003); INAR, 'Race as a Social Construct'; 'Office of the United Nations High Commissioner for Human Rights'; Racial Equity Tools, 'Glossary'. (Taken from EDI Literary Glossary)
Race Equality	Race equality is defined as equal representation, equal experiences and equal outcomes of staff and students from minority ethnic groups.
Race Inequality	Race inequality is defined as unequal representation, unequal experiences and unequal outcomes of staff and students from minority ethnic groups.
Racism	"We understand racism to mean the power dynamics present in those structural and institutional arrangements, practices, policies and cultural norms, which have the effect of excluding or discriminating against individuals or groups, based on their identity, as outlined in Article 1 of the International Convention for the Elimination of Racial Discrimination (ICERD), which provides: '…the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." **See:** Interim Report of Department of Children, Equality, Disability, Integration and Youth's Anti-Racism Committee to the Minister for Children, Equality, Disability, Integration and Youth on 30th November 2020.

Appendix 2 | Response to stakeholder feedback

A number of stakeholders noted that the document could be seen as negatively framed. The "Background" section of the document now includes commentary that recognises the positive work and influence of HEIs in relation to race equality, as well as an acknowledgment of ethnic and cultural diversity as one of the key strengths of Irish HE in recent years. However, the primary principle underpinning race equality / anti-racism work is to acknowledge that race inequality and racism exist and to fail to do so would undermine the level of commitment that the Irish HE sector has to acknowledging and addressing these issues.

Much feedback discussed additions that referred to specific policy recommendations and were quite granular in nature. It was considered that these would be more appropriate to an institutional action plan or specific anti-racist educational programming. It should also be noted that wording in the statement, principles and commitments aligns with the recommendations contained in the Race Equality Report.

As with the previous point, there was a lot of feedback which was either theoretical or referred to specific terminology being used. The document is not prescriptive and the meanings/language to be used should be debated at local level when developing educational programming and anti-racism policies and actions. Such debates can productively feed into future national policy development. Furthermore, much of the language in this document is drawn from the Race Equality Report, the Athena Swan EDI Literary Glossary and the Statement of the National Athena Swan Intersectionality Working Group, in an effort to maintain consistency in national HE policy in this area.

In previous consultations, advice from Traveller groups had been to refer to "minority ethnic groups" only. However, based on feedback as part of the development of these principles, a decision has been made to specifically name Travellers in this document.

There are currently a number of challenges in relation to the capability of HEIs to record student and staff data disaggregated by ethnicity. The HEA encourages HEIs to continue to work in collaboration with all stakeholders to enhance the capability to record this data. The HEA acknowledges that this commitment is made in the context of the need for improved data collection systems for it to be fully achieved and is committed to supporting the sector in achieving this outcome.