

Mr John Gilchrist
Freedom of Information Officer

22 June 2018

Ref: FOI/May 2018/ David Batty

By email to david.batty@guardian.co.uk

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Dear Mr Batty

Your request for information received on 3 May 2018 has been dealt with under the provisions of the Freedom of Information Act 2000 (FOIA).

You asked:

Under the Freedom of Information Act 2000 or the Freedom of Information (Scotland) Act 2002, please provide me with the following information regarding racism – including racial harassment and discrimination, and institutional racism – at your university or college.

N.B. The six years I would like data for are the following academic years:

2012-13
2013-14
2014-15
2015-16
2016-17
2017-18

QUESTIONS:

Training

1. Do you provide training for staff on dealing with racism, both in regards to racial discrimination and racial harassment?

1.1 Does this training cover institutional racism?

1.1b Does it cover implicit bias?

1.2 Is the training provided part of the general equalities and diversity training or dedicated training?

2. Is the training mandatory for all staff, i.e. academic and other staff?

3. Do you provide training for students on dealing with racism, both in regards to racial discrimination and racial harassment?

3.1 Is the training mandatory for all students?

Support & advice

3. Who at the university or college provides a first point of contact for students affected by racism? Please specify their job titles and whether they are students or staff.
4. How many people work in these roles?
5. How many of these people are BAME (black, Asian and minority ethnic)?
5. What training or qualifications are these people obliged to have beyond any general training on equalities and diversity sexual available to other/all university or college staff?
6. How many student services' advisors have undergone specific training to deal with racism? Does this cover institutional racism?

Student investigations

7. Is it mandatory for university or college staff who investigate a student complaints of racism to have specific training on handling such investigations, e.g. dedicated training on what constitutes racism, implicit bias and institutional racism?
8. Are staff investigators allowed to investigate complaints of racism involving colleagues from their department?
9. If so, how often has this happened?
10. What procedures are in place to prevent such conflicts of interests in these investigations?
11. Is it mandatory for college staff who sit on complaints panels and in appeal hearings that deal with a complaint of racism to have undergone specific training on this issue?
12. On how many occasions have complaints about racism been investigated by an all white (non-BAME) team?
13. How many investigating officers – or whatever you call the people who investigate student complaints – are BAME?

Human resources

14. Is it mandatory for HR staff investigating an allegation of racism to have specific training in this field?
15. What proportion of and how many HR staff are BAME?

Staff-on-staff harassment

18. Who or which department takes the lead role in investigations into staff-on-staff racism?
19. Is it mandatory for university or college staff who investigate staff complaints of racism to have specific training on handling such investigations, e.g. dedicated training on what constitutes racism, implicit bias and institutional racism?

Policy

Does the university have a dedicated policy on institutional racism? If not, is there a policy that covers institutional racism – and what is its name?

University Response

Training

1. All the content you have identified is covered as part of our general Equality and Diversity training package.
2. Yes, this training is mandatory for all academic and professional support staff.
3. Training as such is not provided, however In line with Middlesex University London's commitment to tackling racial discrimination and harassment, before the last academic year (2016/2017), we implemented new 'Cause for Concern' procedures to make reporting easier, either by individuals or their friends.

In partnership with the University's Student's Union we promoted the procedure and the issues widely to ensure that all students were aware of what do to if they had concerns.

Support & advice

3. The University's Designated Safeguarding Officers (staff) would provide the first point of contact to initially address any concerns raised through our 'Cause for Concern' procedure.

4. We currently have in place 10 DSOs of which two at least are always on duty to respond to concerns as soon as they are reported.

5. The BAME status of our DSOs are withheld under section 40(2) of the Freedom of Information Act which covers the personal data of third parties where complying with the request would breach any of the principles in the Data Protection Act 2018. It would not be fair to the data subject to disclose their personal data as we owe a duty of confidence to applicants and disclosing the BAME status for this small amount of individuals would on balance make it likely that some of these individuals would be identifiable, therefore so the University considers the information to be exempt from disclosure. So in accordance with Section 17 of the Freedom of Information Act 2000, (the Act), this letter acts as a Refusal Notice.

5. We have a dedicated institutional training programme in place for all our DSOs

6. We would need clarification on the term *student services' advisors* before a respond could be provided.

Student investigations

7. There is not a requirement to have an additional training beyond the University's general Equality and Diversity training.

8. An assessment of whether this is appropriate would be made on a case-by-case basis.

9. We do not have a specific reportable record for this.

10. Staff involved have a duty to raise a conflict of interest if one exists. Human Resource Services would then make the necessary decision on whether the Investigation Manager for the complaint needed to be changed.

11. see response to question 7.

12. We do not keep records of the ethnicity of every individuals who sits on a student investigation panel so we do not hold the information that you have requested.

13. See above.

Human resources

14. No, but HR staff have had a number of employment training updates about how to run and support an investigation. Where we have cases that are very sensitive we often discuss with our legal advisers prior to the investigation. The HR Business Partner works closely with the Investigation Manager through the process to assist them.

15. We have 7 staff in HR who are BAME which is 33.3% of the total department.

Staff-on-staff harassment

18. Human Resource Services with support from the Faculty or Service in which the alleged incident has taken place.

19. see previous responses.

Policy

The Grievance and Disciplinary, Bullying and Harassment and Equal Opportunities Policy all cover this issue and our institutional approach to responding to it.

I trust this satisfies your request sufficiently. Under the Freedom of Information Act 2000, you have the right to complain about the University's response to your request for information. If you have such a complaint, you may contact Mrs Teresa Kelly, Clerk to the Board of Governors, Middlesex University, Hendon campus, London NW4 4BT, tel: 020 8411 6018, t.kelly@mdx.ac.uk within 40 days of the date of this letter for a review of the University's decision. If you remain unsatisfied with the outcome of that complaint, you may seek further recourse by lodging an appeal with the Information Commissioner.

Yours sincerely

John Gilchrist
Freedom of Information Officer