

COMMITTEE ON EQUALITY OF OPPORTUNITY

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Title: LIFTING EVERY VOICE

The attached paper has been produced by Roger McKenzie of the Public and Commercial Services Union.

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LIFTING EVERY VOICE

A Report and Action Programme to address institutional racism at the National Assembly for Wales.

A Report by Roger Mckenzie on behalf of the Public and Commercial Services Union.

Dedicated to the memory of Stephen Lawrence

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Lift Every Voice and Sing

Lift every voice and sing

Till earth and heaven ring

Ring with the harmonies of liberty

Let our rejoicing rise

High as the list'ning skies

Let it resound loud as the rolling sea.

Sing a song full of the faith that the dark past has taught us

Sing a song full of the hope that the present has brought us

Facing the rising sun of our new day begun

Let us march on till victory is won.

-James Weldon Johnson

EXECUTIVE SUMMARY OF RECOMMENDATIONS

1. The Assembly should formally adopt the definition of institutional racism as put forward by the Stephen Lawrence Inquiry Report. (Page 11)
2. The acceptance of the definition should be circulated to all Assembly staff and Assembly Sponsored Public Bodies (ASPB's). (Page 11)
3. ASPB's should be formally encouraged to adopt the same definition of institutional racism where they have not already done so. (Page 11)
4. The establishment of a joint working party with representatives of the black community and the

- trade union to bring forward recommendations on the establishment of pre-entry training programmes for the black community. (Page 22)
5. All persons who are likely to be involved in any part of this process should be trained in the policies and procedures as regards equality as well as the law. (Page 22)
 6. No member of staff should be allowed to participate in this process unless they have undertaken this training. (Page 22)
 7. All posts, of whatever grade, should be advertised and open to competition. (Page 23)
 8. Equal weight should be given to external and internal applicants for posts with the only principle being that an applicant meets the job and person specifications. (Page 23)
 9. The practice of recruiting to generic grades, such as Clerical Officer, Executive Officer or Higher Executive Officer, should be ended and replaced with specific job titles with their own competencies and job descriptions etc. (Page 23)
 10. There should be one standard application form that is used for all vacant posts. (Page 23)
 11. Monitoring forms should be retained by the personnel section on an entirely confidential basis with strictly no access by an appointment panel. (Page 24)
 12. The data from these forms should form part of the basis of the annual report of progress on equal opportunities. (Page 24)
 13. All appointments must be on the basis of the individual competence to do the job. (Page 24)
 14. Appointment panels should be involved in the whole process from short-listing to final appointment. (Page 24)
 15. Any panel member not able to take part in any one part of the process should not be able to participate in the final selection process. (Page 24)
 16. Panels should be no larger than 3 persons for most posts and should consist of the relevant head of division or section, a personnel specialist and one person, of a grade senior to that being appointed, from another division. (Page 24)
 17. The sifting of applications to agree a shortlist should be a two level process. (Page 24)
 18. All questions asked during the interview must only relate to the person specification. (Page 24)
 19. All candidates must be asked the same questions. (Page 24)
 20. All interviews should be scored on the basis of a common scoring system. (Page 24)
 21. The discussion on scores given to each candidate should take place on the completion of all interviews. (Page 25)
 22. Trade union representatives should be invited (with proper notice) to observe all interviews. (Page 25)
 23. Every new member of staff should have an induction programme. (Page 25)
 24. A system of mentoring should also be introduced. (Page 25)
 25. A new and separately funded development scheme should be created specifically for black members of staff. (Page 25)
 26. A joint management and trade union working party should be established to develop the details of such a scheme. (Page 26)
 27. An equality clause for inclusion in the appraisal scheme of all members of staff at the earliest opportunity. (Page 26)

28. There should be specific training on the use of this clause for all staff. (Page 26)
29. That the Assembly works with the trade union to agree a system of equality proofing for appraisal schemes. (Page 29)
30. The team of staff within the EPU who are directly involved in developing and monitoring race equality initiatives should be substantially increased. (Page 30)
31. The relocation of the EPU outside its current position within the structure of the Assembly. (Page 30)
32. The EPU should report directly to one of the Assembly Senior Directors. (Page 30)
33. There should be an upgrading of the Head of Unit post to one commensurate with the Senior Civil Service. (Page 30)
34. Training on race should be compulsory for all staff at all levels of the organisation. (Page 33)
35. This training should be specific on race at induction level with more detailed specific sessions at later dates. (Page 33)
36. Race related training should also be mainstreamed within all training offered by the Assembly. (Page 33)
37. Assembly Members should be subject to the same mandatory training requirement as staff. (Page 33)
38. A written implementation strategy to be presented to Assembly members within no more than three months. (Page 35)
39. The implementation strategy should be made public. (Page 35)
40. Endorsement of part one of the action plan. (Page 39)
41. Endorsement of part two of the action plan. (Page 41)
42. The Assembly should make sufficient funds available for the CRE to commission an independent audit of progress on the action plan. (Page 42)
43. This independent audit should be conducted on an agreed timetable (between the Assembly and the CRE) and should make suggestions on any adjustments that the Assembly should make in its implementation strategy. (Page 42)

CHAPTER 1 INTRODUCTION

The Inquiry into the murder of Stephen Lawrence, Chaired by Sir William McPherson, reported to Parliament in February 1999. Apart from its wide-ranging findings relating to the conduct of the

Metropolitan Police in the case the Report also addressed the need for all public bodies to take practical measures to challenge institutional racism and to positively promote racial equality.

The inquiry report argued that institutional racism pervades all areas of an organisation's life. This is most acute in terms of the processes and the attitudes and behaviour of individuals within those organisations. It therefore follows that to identify, challenge and overcome institutional racism requires wide-ranging and deep-seated changes within organisations.

For any organisation to be successful in challenging institutional racism a twin track strategy is required. The first track requires a change to policies, practices and procedures which have allowed institutional racism to take root. The second track involves an organisation challenging and changing the attitudes and behaviours of individual employees which have led or could lead to discriminatory practices and outcomes.

The National Assembly for Wales approached me in the early part of 2000 asking me whether I would be prepared to conduct a wide-ranging study of what was regarded as institutional racism within the Assembly. This was to be part of the overall objective of the Assembly to ensure a more inclusive Wales. It was also a recognition that, in many ways, the Nation had so far failed to achieve this goal.

Rather than attempting to conduct a behind the scene review of its policies and practices Assembly members took the bold step of publicly announcing their intention to conduct a wide ranging assault against institutional racism within the organisation. Importantly, the Assembly also recognised its leadership role and its duties as an employer, service provider, and service commissioner and as a key player in the Welsh economy. In contrast to seeing this review and Action Plan in a narrow context the Assembly recognised the example it could set to the rest of the Welsh economy in tackling institutional racism. I wish to place on record my congratulations to the Members of the Assembly for this bold and important step.

The review of the Assembly was to be conducted through a unique Partnership Project between the Assembly and the Public and Commercial Services Union (PCS). PCS is the largest Civil Service union in the United Kingdom (UK) with some 260,000 members employed across all major UK Government Departments and Agencies as well as public sector linked bodies. This membership includes a sizeable number of staff at the Assembly and a large number of bodies with which the Assembly is linked. This positions PCS as a major stakeholder in Wales and a logical partner for the Assembly to work with on this important issue.

The Partnership Agreement was signed by Edwina Hart AM, Assembly Finance, Local Government and Communities Minister and John Sheldon, Joint General Secretary of PCS, and began in July 2000. The Agreement highlighted three significant challenges faced by any organisation in responding to the Lawrence Report. The first is an identification as to the extent of institutional racism, secondly, the steps required to eliminate the discrimination and thirdly how to positively promote racial equality. The following report sets a framework for meeting these challenges.

The document "Better Wales" sets an important context for this report. Within Better Wales three major themes are identified for the Assembly. These are sustainable development, tackling social disadvantage and equal opportunities. It is crystal clear that the latter two themes relate directly to the issues tackled in this report.

The modernising government agenda of central government is also a critical guiding force behind this report. There is a clear view from government that all areas of government must take positive steps to increase diversity amongst the workforce and to eliminate those barriers that exist to realising the potential of all staff and thereby contributing towards improved services to the public. This commitment from the government has been vital as a contribution towards developing an extensive response to the Lawrence report. This report celebrates the notion of race equality as a key means of bringing about a modernised public service. It is my contention that without equality there cannot be a modernised public service capable of meeting the challenges of the 21st Century.

Throughout this report I have not sought to apportion blame to any individuals or groups of people. This would be counter-productive and would only serve to create a blame culture. My aim is to provide a comprehensive and coherent route map for the Assembly to tackle institutional racism. Not to live in the past but to learn from it.

On a final note I do believe that one of the serious problems of race equality work over the years has been short-termism. You will see that this Report breaks that cycle and presents a short, medium and long-term strategy for change. The aim here is to build firm foundations from which real progress in achieving race equality within the Assembly and Wales as a whole can take place.

My view is that we need to move beyond short-term solutions for what are serious and deep-seated problems. Problems which are interwoven into the very fabric of society. These problems need to be addressed in a systematic and practical way which is why the action plan for the Assembly is set out in the format that it is. The very nature of racism means that the recommendations set out in this report should not be seen as a panacea. It will not address all of the ills of the world in one mighty blow. What it does represent is the start of a process where many mistakes will be made along the way but where, with the right commitment, real and lasting progress can be made.

There have been far too many Reports on racism and equality that have filled too many dusty and creaking bookshelves. This Report has been written with action in mind and I trust that those persons who are in senior decision making levels will ensure that this would not have been a wasted exercise. Whilst some may disagree with some of the detail of this report I would urge that eyes are kept firmly on the prize and that the detail does not become an excuse for inaction. This report should not suffer the same fate as the Fulton Report (1968) which outlined fundamental and far reaching changes to the civil service. Sadly, these changes were delayed by those with a vested interest in ensuring change never took place.

When all said and done time will tell how serious the Assembly is in wanting to change the current

situation in any sort of fundamental way. Others will judge whether progress is being achieved and the contributions made towards that change. As the title of this report suggests the Assembly has, in the words of the poem by James Weldon Johnson, the opportunity to "lift every voice" so that everyone can be heard and is able to play their part in building the nation of Wales. That is the task addressed by this report.

Acknowledgements

I wish to thank the National Assembly for Wales and the PCS for the opportunity to conduct this study. I should also thank the Trades Union Congress (TUC), my new employer, for agreeing to allow me to continue this work through to its completion. The whole process has been an immense learning exercise for me as well as an enjoyable (if often tiring) experience.

I also wish to thank Edwina Hart for her personal support and commitment to this project. Put simply, the Project would not have taken place without her personal commitment to anti racism. Charles Willie at the Assembly Equal Opportunities Unit has provided unstinting support, which has often gone far beyond the call of duty. This is a testament to his personal and professional commitment to anti racism. Jon Shortridge, the Assembly Permanent Secretary must also be thanked for his enthusiasm and commitment to this work.

At PCS my former colleagues within the Equality Department managed my absences in Cardiff with the good (often acidic) humour. I am grateful to them for the support and encouragement that they gave me at all times. John Sheldon, the Joint General Secretary of PCS, has consistently proved his commitment to race equality even when others were doubtful of some of the projects that we worked on. I hope that this Report is something that he can look back on with pride in his retirement.

Without the support and assistance of colleagues in PCS Wales this Project would have been impossible. In particular I wish to thank Jeff Evans, PCS Senior National Officer in Wales and Alison Burrowes, PCS Race Equality Officer in Wales. Both have provided incredible support and commitment to this Project and I know they will make sure that the recommendations are taken forward. I also thank the members of PCS in Wales who have shown real commitment and enthusiasm for this work. Andy Williams deserves special mention for his personal support.

And finally, I would like to thank all Members and staff at the Assembly who gave of their time and support for this project. I have been impressed by the serious way that everyone within the Assembly has approached this issue. This bodes well for the future implementation of the action plan and recommendations.

The following chapter sets out some of the key concepts and terminology used throughout this report.

CHAPTER 2 KEY CONCEPTS AND TERMINOLOGY

This chapter sets out some of the key concepts and terms that guide the debate and strategy making on racial equality.

Institutional racism

The Stephen Lawrence Inquiry Report defined institutional racism as:

"The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, ethnic origin...(which)...can be seen or detected in processes; attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people."

The importance of this definition is that it recognises that the processes by which any organisation operates can have an impact in fostering racial disadvantage. Having said that it also clearly indicates how individuals within organisations, at the end of the day, must assume responsibility for making sure that these processes do not create discriminatory barriers.

The first recommendation of this report is that the Assembly should formally adopt this definition. My second recommendation is that this action, together with the text of the definition, should be circulated to all Assembly staff and Assembly Sponsored Public Bodies (ASPB's). ASPB's should be formally encouraged to adopt the same definition where they have not already done so.

Equal opportunities

There have been three main interpretations of the term equal opportunities over the years.

- **Equal treatment**

This approach assumes that as long as a person does not deliberately discriminate against another person that equal opportunity will exist. To achieve this, in simple terms, unfair treatment should be forbidden which will mean that inequality will be eradicated.

- **Equal access**

Equal access is the notion that hidden barriers may exist at the point of competition and

that these should be removed.

- **Equal share**

The equal share approach recognises that positive steps need to be taken to enable a fair share of opportunities and outcomes to take place.

Responses to racial equality issues

In very general terms there are three approaches that have been used to respond to racial equality issues.

- **The colour blind approach**

This is where the existence of the black community is to all extent and purposes ignored. This is usually characterised by racism and race equality not being seen as important, particularly in predominantly white areas.

This approach was explicitly criticized by the Lawrence Inquiry report.

- **Cultural diversity**

This is the focus on cultural diversity rather than the existence of racism. This approach recognises that the cultures of the black community need to be encouraged and supported but fails to address the fundamental issue of racism. An example of this approach can be seen in the Civil Service where approaches such as Managing Diversity predominate.

- **Anti-Racist model**

This approach tries to ensure that the organisation in question reflects the multi-racial nature of the society in which we live. It recognises that racism is a problem for both black and white people (although for different reasons), and tries to develop effective policies and procedures to deal with racism.

This is the approach on which this report is based.

The Legal Framework

Race Relations Act 1976

For over a generation the main piece of legislation dealing with race discrimination in the UK has been the Race Relations Act 1976. There are two key concepts arising from the existing Act that, in the

context of this report, need to be understood. These are direct and indirect discrimination.

- **Direct discrimination**

Direct discrimination, under the terms of the existing legislation, is where a person is treated less favourably on the basis of race, colour, nationality or ethnic origin. The intention of the alleged discriminator is irrelevant in the consideration of whether direct discrimination has taken place.

- **Indirect discrimination**

Indirect discrimination, under the Act, takes place, whatever the intention, if the effect of a policy, procedure or practice can be shown to be unjustified in terms of the job requirements or that it has a disproportionately negative impact on one race, colour, nationality or ethnic origin.

Race Relations (Amendment) Act 2000

The Bill to amend the Race Relations Act has recently received its Royal Assent.

The Act strengthens the legal definition of indirect discrimination but perhaps most notably will introduce a new duty on public authorities to promote race equality.

The duty to promote is three-fold and involves:

- A general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups;
- Specific duties on some or all of the public authorities to help their performance under the general duty. These duties will be enforced by the Commission for Racial Equality (CRE).
- CRE Codes of Practice to provide practical guidance to public authorities on how to fulfill their general and specific duties.

As the new duty will fully apply to the Assembly the action plan contained within this report is timely and should make a significant contribution in assisting the Assembly to meet its new legal obligations.

The next chapter sets out some of the historical background to this report and debates on racial inequality.

CHAPTER 3 HISTORICAL BACKGROUND

Academics, such as Miles (1989) and Leech (1986), contend that the word 'racism' has only begun to achieve general usage since the early part of the 20th Century. Whilst it is clearly not within the remit of this report to conduct an extensive critical examination into the nature of this particular beast an initial understanding of racism as a social construct is critical to our understanding of the need for organisational action in this arena.

Bulmer and Solomos (1999) offer at least a useful starting point towards a working definition of racism when. They and other authors, such as Wilson (1973), suggest that racism is an ideology "based on (i) beliefs that a designated racial group is either biologically or culturally inferior and (ii) the use of such beliefs to rationalize or prescribe the racial group's treatment in society, as well as to explain its social position and accomplishment." (Bulmer and Solomos, 1999, p.4).

This working definition raises at least two critical issues. These are the issues of racial biological determinism, or more plainly, the notion that whites are genetically superior to blacks. Secondly, the use of this theory to determine the supremacy and treatment by the 'dominant' white group over the 'inferior' black group. This is not the place to enter into a potentially lengthy debate on this dangerous and somewhat insulting notion however, at this juncture it suffices to say, as Marable, the African American academic points out, race is "rooted in the structures of exploitation, power and privilege" (1991, p.188). Marable further contends that race is "an artificial social construction, which was deliberately imposed on various subordinated groups of people at the outset of the expansion of European capitalism" (ibid.). Adnett (1989) supports the notion of a social construction of racism which provides the justification for a dominant group to discriminate against a subordinate group on a widespread basis.

The analysis of notions of race and racism by Marable, Adnett and others such as Hyman locate the discourse within the realms of an historical power relationship between unequal social aggregates. The subordinate black racial group finds itself divorced from the levers of power and authority not through some accidental historical event but because of exploitation. By accepting this view one must, I believe, also locate the discourse on racism on a wider basis than the labour market alone. Strategies to overcome the impact of racism must, therefore, I suggest, be located within a wider view of the wider forces that impact on decisions that are taken at the workplace.

Much of the work to address race discrimination within the Civil Service has focused on the low representation of black workers within the service as a whole but with particular emphasis on the more senior levels of the service. The Cabinet Office statistics for 1997-1999 show "the proportion of civil servants ethnic minority origin was 5.7%" (1999, p.23). This compares to the 1992 figure of 5% (ibid.) thus revealing only a minimal increase in the global figure. The highest number of ethnic minority staff can be found at the Department of Health and the Home Office (13.8% and 12.4% respectively).

This data could be misleading in two ways. The first is that the definition of an ethnic minority does not only include black workers but also relates to anyone who defines himself or herself as any sort of ethnic minority. Secondly, where there is an incomplete return from the self classification exercise some

Departments will visually decide on a persons ethnic classification whilst other will use a system of "management top-up" which means that all those who did not reply will be classified as White. The purpose behind the latter approach being the desire not to over-estimate the number of black staff within the workplace. Both methods can hardly be described as entirely accurate and so therefore the figures, whilst of interest and of some use in a bargaining sense, can be considered to be not wholly accurate.

The most fundamental issue, however, is the reduction of race equality within the Civil Service to a numbers game. Whilst it is obviously a laudable goal to increase the global Civil Service figure of black workers as well as the numbers within individual departments, agencies or indeed the Assembly, there is a risk of reaching a watershed in senior posts after which you can claim "job done". Marable (1996) termed this approach "symbolic representation" (p.76). This is the notion, Marable goes on to contend, that if a black person is appointed to a senior post then somehow black people as a group are symbolically empowered by that appointment. This approach also rests on the notion of being able to "fix" racism (as if it were akin to a health and safety problem) by having more black people in senior positions. It fails to deal with the need to tackle the structural nature of racism (as I pointed out above) and its everyday manifestations played out on a day-to-day basis within the workplace.

The extent of this approach is emphasised by Susan Corby (1999) in her general study of equal opportunities in public sector employment. Corby provides an important and convincing argument that "progress towards equality is threatened by actions affecting the public services generally" (1999, p.95). The issue here, therefore, is the need for public sector organisations, such as the Assembly, to consider how far other initiatives designed to provide more efficient overall services may actually harm equality of opportunity.

Historically the picture of racism in employment goes beyond the issue of promotion opportunities to more senior positions. The picture begins with the need to overcome barriers to secure access to employment. Within the Civil Service the evidence of Cabinet papers from a previous Conservative Government in 1954 shows the determination to keep black workers out of the Service (The Times, 1985). It is interesting to note that it was less than forty years later, in 1990, that Conservative Government introduced a programme within the Civil Service designed to encourage access to and promotion within the Service.

This desire of past Governments to exclude black workers from the Civil Service needs to be set within a wider context of exclusion from the labour market as a whole. The Labour Force Survey (LFS), a quarterly survey of 61,000 households in the UK provides a useful statistical base from which to measure the extent of this overall disadvantaged position within the labour market. There are three main measures of labour market exclusion provided by the LFS. The first is International Labour Organisation (ILO) unemployment which measures those aged over 16 who have been looking for work in the past four weeks and are available to start work within 2 weeks. The second is the employment rate which measures the percentage of the working age population in employment. The third is the economic inactivity rate, which measures the percentage of the working age population who are jobless, but not who are defined as ILO unemployed because they have not been actively seeking work.

In the Spring of 1999 the ILO unemployment rate for black people stood at 13% as compared to 11% in Spring 1990 (LFS, 1999). During the same period the rate for White people stood at 6% (the same level as in 1990). The trend represented by these statistics is towards a widening of the unemployment gap between black and white workers during the 1990s. The decline in the employment rate for black workers is also significant during this period. Between 1998 and 1999 there was a 1% decline during a time when the rate for white workers increased by the same amount (LFS, 1999). Overall the gap between black and White workers has widened during the 1990s from 15% in 1990 to 19% in 1999 (LFS, 1999). On economic inactivity the LFS showed that in the Spring of 1999 20% of White people were inactive (LFS, 1999).

Whilst the data relating to economic activity can partly be explained by the increasing proportion of young black people staying in full time education (LFS, 1998) it is still clear that black workers face a disadvantaged position in overall terms with regard to unemployment. Not only is there evidence of a disadvantaged position but it appears, from the evidence above, that the position is worsening.

It would be a mistake, however, to see this whole issue as economically driven. The wider experience of the black community in experiencing racial harassment in the communities in which we live is of central importance to an understanding of the impact of racism and therefore the development of strategies to overcome discrimination.

Ramdin (1999) observes that "13% of the members of ethnic minorities suffered 'some form' of racial harassment, while 12% were racially 'abused or insulted' over a twelve month period" (1999, p.331). Ramdin estimates that by taking this alongside the black population of England and Wales (2 million) then "an estimated 20,000 persons had been racially attacked, 40,000 persons were victims of property damage and 230,000 persons were either racially abused or insulted" (1999, p.332). These figures, therefore, represent over a quarter of a million people who have experienced racial harassment of one form or another. I would contend that the experience of harassment and discrimination more generally in wider society is a mirror image of the experiences of black workers in the workplace.

The picture in Wales

This section examines the historical presence and contribution made by the black community to Wales.

In Britain, the cities of Liverpool, London, Bristol and Cardiff have the longest settled black population. Those living in Liverpool and Bristol were originally slaves and they came to Britain earlier than those in Cardiff. At that time i.e. the early 1800's Cardiff was not a slave port. Then in the late 1800's Somali, Yemeni and West African sailors visited Cardiff regularly aboard coal ships. These communities then settled in Cardiff and their numbers gradually began to increase.

Wales has for a long time been richly diverse and culturally mixed. Since Roman times a succession of people have arrived and departed for a variety of reasons including invasion, refuge from persecution and economic pressures.

Over half of the ethnic minority population in Wales now lives in Cardiff. In terms of occupation, the largest group of black people in Wales were seamen. Dumped from tramp steamers or attracted by the prospect of casual work, the earliest black community in Wales dates back to 1870. Thirty years later, Cardiff was second only to London in the proportion of its population that was foreign born, and about 700 of these were Africans and West Indians.

Cardiff docklands has a rich and unique history. It was through the hard labour of thousands of immigrants and their descendants that Cardiff earned the title of the "coal metropolis of the world". It was through generations of positive interaction between peoples of different races that the docklands became one of the most famous communities in the world and Cardiff developed a reputation - not always deserved - as a mecca of racial harmony.

The people worked on the tramp steamers and dredgers, in the dry docks and docksides, in the steelworks and factories, in the offices and shops. Cardiff's industrial and maritime history was largely built on their backs.

Cardiff's black population had been reduced following the race riots in 1919 (the first of its kind in the United Kingdom), which saw the inclusion of long term residents among those repatriated to the West Indies. Nevertheless, almost at the beginning of the world recession in the 1920s, the British Government issued the Special Restriction (Coloured Alien Seamen) Order in 1925. Supposedly introduced to exclude non-unionised alien seamen from employment. It was, in fact, to exclude all black seamen by registering them as aliens.

After the Second World War there was an increase of migration into Cardiff. Britain was going through a period of reconstruction and there was not enough cheap white labour for the task in hand. Government ministers personally went to the West Indies and encouraged people to migrate to Britain with the motto "your mother country needs you". So, the 1950's saw major immigrations from the West Indies. In the late 1950's and 1960's people began to migrate from India and later Pakistan, Bangladesh and Hong Kong. The 1970's and 1980's saw an influx of people from Vietnam and later, in the 1990's, saw an influx of people arriving from Somalia as a result of the Civil War in their country.

Most Somali immigrants have been men who have traditionally lived in boarding houses and continued to maintain families in Somalia. They are all British citizens and would visit Somalia about twice a year.

It is estimated that Cardiff has approximately 9-10% non-white population with Pakistani, Bangladeshis and Indians forming the largest groups. They are followed by people from mixed race, of which Cardiff has the largest population in the UK. This is a very Cardiffian group with no language difficulties and which is culturally fully integrated. Therefore, it must be assumed, any discrimination against this group is based purely on the colour of their skin.

Other ethnic minority groups in descending order are Africans, Afro-Caribbean's, Somalis, and people

from the Middle East, Chinese, Vietnamese, Italians, Poles, Maltese, Greeks and Turks.

The current picture in Wales has been, to a large extent, determined by these historical facts. The proportion of ethnic minority staff in the Civil Service, in 1999, was 0.9% as compared to 1% of the economically active ethnic minority population of Wales (Spring 1999). Whilst at a glance these figures may suggest a virtual correlation the progression to senior levels of the Civil Service continues to remain well below what it should be. In addition the use of the term ethnic minority may well be somewhat misleading, as this does not necessarily refer solely to people from visible minority groups. I touch on the issue of low levels of representation in the chapter dealing with employment policies and practices (chapter 5).

The following chapter looks at policy making.

CHAPTER 4 POLICY MAKING

Introduction

The involvement of the black community in the development of policy within the Assembly and its subsequent implementation and evaluation is an area that can be used to engage and involve and build legitimacy. This is not an area where there has been a substantial and coherent involvement from any section of the community however in the context of this report there is an overwhelming necessity to find ways of engaging the black community. In simple terms, I believe it is fair to say, if there is a deficit of involvement from the population at large then the position for the black community will be worse. It is therefore incumbent on the Assembly to take steps to ensure that all of its structures and procedures allow for the full involvement of the black community.

This chapter concentrates on the final part of the process of deciding on policy i.e. the committee process. This is against the background of an understanding that the Assembly Policy Unit is undertaking a fundamental review of the area of consultation and participation in the entire policy process. There will, therefore, be no attempt to pre-empt the outcome of this review.

I intend to briefly review how the structure currently operates and its potential for the future.

Current position

The Assembly has established a standing committee on Equality of Opportunity. The role of the committee is to audit the arrangements within the Assembly for the promotion of equality of opportunity. It is also a requirement for the committee to submit an annual report to the Assembly on equality of opportunities. The function of this committee reaches beyond merely ensuring that the Assembly does not fall foul of the law. It is also a proactive committee that seeks to shape the equality

agenda of the Assembly. The work on the implications of the Stephen Lawrence Inquiry Report is a case in point.

The committee has members from all political parties represented on the Assembly and is advised by senior representatives from the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission. The committee is characterised by the serious and consensual way that it discusses the issues that are placed before it and the stringent scrutiny role that it exercises.

ASPBs and other service providers are called, from time to time, to report to the Assembly on their strategies for equality. This is a powerful scrutiny role for the committee that I will return to below. In addition the committee also calls on individuals with a particular expertise to give advice to them on matters under consideration.

Models

There are numerous models for the way that equality can be addressed through democratic structures. I would suggest that the model adopted by the Assembly is broadly right. It enables detailed considerations to be made of very substantial and often complicated issues. The committee also, in seeking advice from those statutory bodies that work in the equality field, is clearly making every effort to ensure that decisions taken are additionally informed aside from that provided by civil servants.

The use of working groups, I believe, is a vital means of examining specific issues such as the education implications of the Lawrence Report. This, I suggest, is good practice so long as these working groups are given strict deadlines by which reports must be provided. Open-ended working groups, in my view, tend not to provide the necessary focus of minds.

There has historically been a level of debate about whether there should be a specific race equality committee or working group. I have usually taken this view. In the context of the Assembly, however, I would not suggest that it is appropriate, at this stage, to embark on this road. I have been impressed by the ability of the Assembly to set up specific issue working groups that can concentrate the minds of officials and, indeed, Members. Given these factors I see no immediate reason to make any changes in the current practices. Having said that it is good practice to maintain a constant and critical review of the operation and effectiveness of the committee.

Scrutiny

As mentioned earlier, the scrutiny role of the committee is, I believe, of particular importance. For example, the fact that ASPBs can be called to explain their equality policies can support the leadership role that the Assembly seeks to exercise in this arena. The aim, for the Assembly, must be to encourage those organisations with which it has a relationship to adopt equality strategies consistent with its own. The financial relationship that exists between the Assembly and the ASPBs is a powerful incentive for organisations to take the necessary steps. The scrutiny role of the committee can expose areas of

weakness as well as identifying good practice that can be shared to other organisations.

Future work

Elsewhere in this report I have suggested that an annual report of the progress being made to achieve the action plan should be presented to the equality of opportunity committee. There should be a clear timetable that outlines when such a report will be presented to the committee and then to a plenary session. This is important so that those officials charged with implementing and monitoring the action plan are clear about the timetable that they are working too.

CHAPTER 5 EMPLOYMENT POLICIES AND PRACTICES

Introduction

A critical part of the steps taken by the Assembly to eliminate institutional racism must be to examine and, if necessary, revise its employment policies and practices. The basic fact is that the National Assembly for Wales hardly employs any black people. The numbers of black staff currently employed by the Assembly should be a significant embarrassment to an organisation that has one of its major bases in the heart of the oldest black community in the UK.

This statement is not meant to be offensive it is merely pointing out one of the truly major challenges facing the Assembly. Unless the Assembly can make real and lasting progress in this area the black community will simply not believe that the other initiatives that may be undertaken are designed to achieve genuine results.

The fact that the Assembly employs so few people from the black community raises some important questions. Do the black community apply for vacant posts? What posts are advertised? Are there any posts that are not advertised but can lead to permanent positions? How and where are posts advertised? Do the posts advertised make the best of the skills that are available within the black community? What are the skills available within the black community? Are there any career development opportunities if you do manage to get a post at the Assembly?

Potentially this chapter could be extremely long. Indeed this chapter could easily have formed the totality of the report. I have sought to simplify matters by addressing myself to the central areas of employment policies and procedures starting from pre-employment to career development. A number of the areas highlighted in this section are already applied within the Assembly. The format of this chapter merely seeks to provide a complete picture of what is considered to be good equality practice. I must stress that this chapter is not a criticism of the personnel function within the Assembly. It is clear that they have struggled gainfully with a lack of resources. A later section of this chapter will make recommendations on this matter. This will aim to ensure that the extra tasks and responsibilities

suggested within this report can be met by an already, clearly stretched, yet effective, personnel function.

Pre-employment

This section begins from the premise that one cannot assume that the Assembly is the employment of first choice for the black community. It also assumes that there are significant skills already in existence within the black community but that these skills may not necessarily match those that the Assembly currently identifies as meeting its requirements.

The success of the other recommendations contained within this report may well go some way towards changing the perceptions that may exist within the black community of the Assembly. If the Assembly is seen as a white dominated organisation (which it is) with little or no opportunities for black workers (which also appears to be the case) it is far less likely that black people would apply for any vacant posts. Perceptions of the organisation are therefore key to increasing the number of black applicants for posts.

A further significant determinant of an increase in applications for posts from the black community is whether there is a skills or competency match between the Assembly and the black community. There is no doubt that there are high levels of skills already in existence within the black community at all levels of the administrative chain. The extent of this will need to be identified by further qualitative and quantitative research but the evidence so far suggests to me that an amount of systematic capacity building needs to take place within the black community.

The capacity building to which I refer relates to enhancing the skills that exist within the black community to make them more competitive in applying for vacant positions either within the Assembly or other similar posts. This will require the Assembly identifying resources and mechanisms to provide pre-entry training to targeted communities. **My recommendation here is that the Assembly should establish a time specific joint working party with representatives of the black community and the trade union to bring forward recommendations on the establishment of a pre-entry training programme for the black community.** The working party should include within its considerations:

- The resources necessary to establish such a scheme
- The numbers of participants in such a scheme
- How participants would be recruited to the scheme including criteria
- The period of time that such a scheme would run per participant and its overall duration
- The components of the scheme i.e. the balance between on the job training and academic learning
- The review mechanism for the scheme.

Training

To be involved in any part of the recruitment and selection process requires an understanding of not only

the legal obligations of the Assembly but also a clear understanding of the policies and procedures that are in place. Given this **my recommendation is that all persons who are likely to be involved in any part of this process should be trained in the policies and procedures as regards equality as well as the law. I would strongly recommend that no member of staff should be allowed to participate in this process unless they have undertaken this training.** Failure to do this may well open the Assembly to possible future legal challenges.

Advertising posts

My first recommendation in this section is that all posts, of whatever grade, should be advertised and open to competition. Secondly, equal weight should be given to external and internal applicants for posts with the only principle being that an applicant meets the job and person specifications.

The Assembly will also need to ensure that posts are clearly advertised (using language translations where necessary) within the media used by the black community as well as in black community centres and gathering places. Consideration should also be given to the use of job fairs offering actual posts rather than just the potential of posts.

My next recommendation has been the subject of much discussion over the years within the civil service. This is that **the practice of recruiting to generic grades, such as Clerical Officer, Executive Officer or Higher Executive Officer, should be ended and replaced with specific job titles with their own competencies and job descriptions.** Essentially this would represent a move away from the generalist to the specialist. It is also a realisation of the proposals set out over 30 years ago in the excellent Fulton Report which was never implemented by government. This initiative would go some way towards recognizing the skills that already exist within the black community in specialist areas rather than assuming that a general role is all that is required in a modernised public service.

It seems somewhat problematic to me that if one has an interest or expertise in, for example, economic development and one applies for a generic post you may never get to work in that field. This seems to me to be an opportunity to modernise an employment system designed for a bygone era. Any move to a new system would need to be agreed with the trade union and an agreed job evaluation scheme established to facilitate its implementation.

Application forms

My recommendation is that there should be one standard application form that is used for all vacant posts. The form should ask applicants to provide the following information:

- Name
- Address
- Contact telephone number (plus email)
- Employment history
- Other non employment history that may be relevant (e.g. voluntary group activity)
- Educational qualifications
- Membership of any outside or professional bodies
- Statement of application
- Detachable ethnic and disability monitoring form

Monitoring forms should be retained by the personnel section on an entirely confidential basis with strictly no access by an appointment panel. The data from these forms should form part of the basis of the annual report of progress on equal opportunities.

Appointments

All appointments must be on the basis of the individual's competence to do the job. There should be no other criteria. The problem, historically, is that it is difficult to argue that many employers, including the Assembly, the Welsh Office and the rest of the Civil Service, have adopted such a criteria. To argue that it has been the case would be to suggest that black workers have not been competent to enough for the Civil Service. This, of course, would be abject nonsense.

The appointment system must be easily understood, transparent should never be on the basis of an all white male panel. **Appointment panels should be involved in the whole process from short-listing to final appointment. Any panel member not able to take part in any one part of the process should not be able to participate in the final selection process.**

Panels should be no larger than 3 persons for most posts and should consist of the relevant head of division section, a personnel specialist and one person, of a grade senior to that being appointed, from another division. The only exception to this rule should be where a specific case can be made to show that more panel members are needed. In any case there should be no more than 5 panel members.

Short-listing

The sifting process to agree a shortlist should be on two levels. The first level should consist of each panel member individually putting forward a pre-agreed number of candidates for the shortlist from applications received by the deadline. This must be based solely on matching applicants to the job and person specification. The second level would only come into play if there was significant disagreement on the proposed shortlist between panel members. This level would

involve a short-listing meeting where only those areas of disagreement would be discussed and a final shortlist agreed.

Interviews

All questions asked during the interview must only relate to the person specification. All candidates must be asked the same questions with the only variant being the ability of interviewers to ask supplementary questions based on answers to previous questions.

All interviews should be scored on the basis of a common scoring system. The most commonly used system involves using a scale of 1 (as the lowest) to 5 (as the highest) with the facility for pre-agreement by the panel on weightings being given to specific questions.

The discussion on scores given to each candidate should take place on the completion of all interviews. Once a leading candidate has emerged a further discussion should be held on whether or not to appoint to the post. All scores should be handed to the personnel representative for retention for a reasonable period of time.

Observers at interviews

The practice of inviting observers to sit in on interviews is now becoming a widespread practice. Already in Wales the South Glamorgan Probation Service invites a black external advisor to sit in during their job interviews. Whilst I do not make this a specific recommendation at this stage I do believe that the Assembly should positively investigate the use of external advisors in this way. It seems to me that it may well add an extra dimension to opening up of the civil service and to the process being seen to be more transparent. The only reason I leave this as a potential aspiration at this stage is because I believe that there is a case that the recruitment and selection process needs to be seen by everyone to be offering a level playing field for everyone. The inclusion of black observers only at this stage would, I believe, send a mixed message out to the wider community.

I do recommend that trade union representatives should be invited (with proper notice) to observe all interviews. This would tackle some of the issues raised in the previous paragraph whilst providing an independent view of the conduct of the interview process. These representatives should play no part in the proceedings save being introduced to the candidate and their role explained.

Induction

The principle should apply that **every new member of staff should have an induction programme.** This programme should include an opportunity for new members of staff to familiarise themselves with the personnel arrangements of the Assembly as well as an opportunity to meet with staff from other areas within the organisation. **A system of mentoring should also be introduced.**

Career development

Each member of staff should already have the opportunity to identify their own personal development requirements as part of their annual appraisal report. **Additionally a new and separately funded development scheme should be created specifically for black members of staff.** My recommendation is that **a joint management and trade union working party should be established to develop the details of such a scheme** but I would strongly recommend something similar to the Realising Potential scheme that operates within the DHSS. The Realising Potential scheme is an annually recruited scheme which allocates a specific training sum per participant and allows for mentoring and work shadowing. The results of this scheme within the DHSS have been most impressive. These results have shown a significant increase in the numbers of black staff gaining access to posts of a more senior level. A key principle in relation to this scheme is that it should not replace funds made available for general career development initiatives.

Appraisal schemes

PCS has substantial difficulties with the concept of appraisal schemes linked to pay in performance related pay schemes. This is clearly not a topic for discussion here. The use of appraisals, however, is something that I believe can be of positive benefit in ensuring that equality is mainstreamed and imbedded into all of the activities of the Assembly. The use of an equality clause within the appraisal scheme used within the Assembly will mean that all members of staff will have to include measurable targets for equality within their annual work plans. I therefore recommend **that the Assembly begin discussions with the trade union with the aim of agreeing an equality clause for inclusion in the appraisal scheme of all members of staff at the earliest opportunity. There should be specific training on the use of this clause for all staff.**

Other areas of the civil service have experienced significant problems of disadvantage for particular groups of staff in relation to the operation and outcomes of appraisal schemes linked to pay. To ensure that these problems do not arise at the Assembly it is recommended **that the Assembly works with the trade union to agree a system of equality proofing for appraisal schemes.** This should include a system for regular monitoring of the outcomes of performance related pay as regards particular groups of staff.

Personnel Function

The areas outlined within this chapter and, indeed many other parts of this report, place extra responsibilities on the Assembly personnel function. There is, in this context, a strong argument to increase the resources available to personnel. This is something best decided upon when officials make recommendations on the overall resources required to implement the action plan contained within this report. I feel it important, however, to highlight the critical role that the personnel function will play in the implementation of this report working closely with the Equality Policy Unit and the extra resources it will need to fulfill this role.

It would be easy for some to consider that the matters referred to in this chapter are a direct criticism of the personnel function of the Assembly. This is absolutely not the case. All I have sought to do in this section is to map out the totality of what has become considered as good equality practice in the areas of employment practice to which I have referred. Rather than isolate small sections of this process I felt that the full picture would allow everything to be kept in context.

CHAPTER 6 EQUALITY POLICY UNIT

Introduction

I have taken some time to highlight how the Equality Policy Unit operates because I believe it has, arguably, the central role in ensuring that the recommendations and action plan set out in this report are implemented.

Background

The Equality Policy Unit's role is assist the Assembly in meeting its statutory obligations in respect of equality and in meeting the equality objectives in "Better Wales" and in delivering Better Government.

Objectives

The Equality Policy Unit's objectives fall into four areas:

- acting as a catalyst for, and promoter of, change;
- providing a centre of expertise and advice on best practice;
- in support of that function, maintaining a dialogue with organisations

representing minority and disadvantaged groups;

- assisting and supporting the work of the Equal Opportunities Committee.

Under those headings the Unit's work involves the following.

- Promoting change
- Providing advice and expertise
- Promoting and facilitating dialogue between and with outside agencies
- Provide support and guidance for the Equal Opportunities Committee

Present role, responsibilities and structure

The Structure and responsibilities of the unit are as follows:

EPU/A

G7 Implementation of Equality Audit recommendations

HEO Policy advice on promotion of equality of opportunity

AA Production of Assembly equal opportunities action plan and annual report on progress achieved in promoting equality of opportunity

Support of the Standing Committee for Equality of Opportunity

Cross Cutting Issues (Social Inclusion, Objective 1, Sustainable Development etc)

EPU/B

HEO Policy advice and guidance on promoting gender issues, including

P/T EO sexual orientation

EPU/C

HEO Policy advice and guidance on promoting disability issues

EO including the Disability Discrimination Act 1995 and Disability Rights Task Force Report

EPU/D

HEO Policy advice and guidance on promoting Race issues, including

EO Immigration and Asylum.

EPU/E

HEO Training development, awareness raising, research, information database **EO** and publicity on all equality issues

EPU/F

HEO Policy advice and guidance on Human Rights Act, European Legislation,

P/T EO Interdepartmental Contacts (Reports to Head of Division).

AA General Admin support

Post 'A' is the main point of contact with Assembly Divisions responsible for providing the inclusion of equality issues in Divisional Plans and will progress chase and monitor the fulfillment of Operational Plans and Better Government objectives. This post is supported by 3 'specialist' posts (B, C and D).

Posts B to D are responsible for developing links with equality organisations and promoting commitments between them and the Assembly Divisions. They will develop a 'knowledge base' in their specialities which will be transferred to policy divisions as part of the process of 'mainstreaming' equality issues.

Post E is responsible for developing new and effective forms of training that will raise the general awareness of equality issues in the Assembly and its bodies, and to develop a comprehensive Equality Information System.

Post F is responsible for the administration of the Human Rights implementation and European legislation issues.

Future role, responsibilities and structure

To ensure that the process of continuous improvement in equality of opportunity takes place the role, responsibilities and structure of the EPU will, in my view, need to be strengthened.

The monitoring of progress towards achieving the recommendations set out in this report would be a substantial drain on the resources of the Unit. Indeed there is a danger that such a task, without additional resources, would damage other specific and crosscutting

Equality initiatives, with which the EPU is involved. For this reason **I am recommending that the team of staff who are directly involved in developing and monitoring race equality initiatives is substantially increased.**

I make no recommendation as to the number of additional staff that such a substantial increase would represent. I am well aware that other areas of equality work have a strong case for additional resources. This factor suggests the need for a positive overall upgrading of the staffing compliment within the EPU.

With the exception of posts related to specific short-term projects, all additional staff should be appointed on a permanent basis. This would not only provide the continuity that appears to be lacking within the EPU at times, but would also, in my view, contribute towards improving the quality of outputs.

In reality the staffing compliment could be increased continuously, seemingly, without end. The purpose of this recommendation is not to build a huge bloated bureaucracy or to erect an equality empire. The safeguard against this would be the principle, established elsewhere in this report, of specific jobs for specific purposes. In other words unless the need for a specific and titled post can be demonstrated then no additional post should be created. The application of such a review process should not, however, be an excuse for developing the role and responsibilities of the EPU.

The increase in staffing compliment to the EPU alone would not necessarily ensure the continuous improvement on race equality that is clearly required. Factors, such as authority within the structure of the Assembly are also key determinants to making progress.

The EPU, as mentioned earlier within this chapter, is currently located within the Public Administration, equality and Public Appointments Division (PEP) and is headed by a Grade 7 who, in turn, reports up the chain. This creates the, sadly, all too common Civil Service practice of information filtration. It could be argued that such filtration of information and policy proposals make a positive contribution towards refining policy. In equality terms, however, such a filtering of ideas and initiatives can often be used as a means of delaying change.

The EPU needs to be seen and to have very real authority within the Assembly. Without an actual and perceived authority the EPU will, in blunt terms, be ignored or marginalised. This will particularly be the case when measures that challenge many of the longest standing practices and procedures are being proposed or vested interests are being challenged.

The structural location and leadership of the EPU within the Assembly are issues of critical importance. For these reasons and others outlined in this chapter that **I am recommending a relocation of the EPU outside its current position within the structure of the Assembly.** I further recommend that **the EPU should report directly to one of the Assembly Senior Directors and that there should be a consequent upgrading of the Head of Unit post to one commensurate with the Senior Civil Service.** The upgrading of the Head of Unit would be a clear recognition of the authority of the post and the additional staff management responsibilities mentioned earlier.

It is my belief that without the status of the EPU being raised the ability of the Assembly to achieve the real change required will be seriously jeopardised. Whilst recognising that the responsibility for making

progress is not merely a matter for the EPU (which is dealt with elsewhere in this report as mainstreaming) I urge adoption of the recommendations set out in this chapter.

The next chapter looks at training as one of the central methods of ensuring that the recommendations and action plan set out in this report are implemented.

CHAPTER 7 TRAINING

Introduction

The access, by any worker, to employment opportunities is, in my view, primarily determined by the operation of the labour market. For Black people, however, equal access to job opportunities is also influenced by the decisions taken by individuals within organisations which have a discriminatory effect - whether deliberately or unconsciously.

This section looks at one of the strategies that can be used to overcome the barriers that exist within the Assembly to equal access for Black people as well as achieving cultural change within the organisation.

Current training provision

Training for the Assembly is currently provided by Training Services Wales on a contractual basis. The provision by this organisation includes an offer of a 1-day general equal opportunities course. The information that I have is that this course has not been provided in recent times due to a low number of applicants.

The EPU is currently involved in reviewing the existing provision but it is I believe fair to say that equal opportunities training in a general sense is non-existent as is specific training on race equality.

Four main Areas of race related training

Over the years there have been four main areas which have emerged as the basis for race related training in the workplace. These are:

- providing information and advice on the implications of relevant legislation and the CRE Code of practice
- improving the ways in which both individuals and systems operate in a multi-racial society
- increasing awareness of racism and prejudice, both at an individual and institutional level; and
- assisting staff to work in anti-racist ways.

I will deal with each of these four 'methods' in turn below.

Aims and Approaches

The sharp debate in training is whether programmes should be aimed at changing attitudes or behaviour or both. It is not the purpose of this report to indulge in a long philosophical debate between the approaches. It is enough to state within this report that I am emphasising the goal of behavioural change whilst not ignoring the need for attitudinal adjustments.

It is the case that individuals bring their personal feelings, values and beliefs with them to work every day - no matter how much we might say that people should "check their attitudes at the door" on their way into work and pick them up on their way out. This is simply an unrealistic expectation. We should realise, however, that attitudes are extremely difficult to change and where you can shift people, in this respect, it is only likely to be on a minimal basis and possibly for only a temporary period.

The fact is that training resources are often scarce and time is also limited - particularly if, as I urge below, that all staff are exposed to the training. The best use of the limited time and resources available is for the organisation to accept that individuals learn by example and reinforcement particularly from a senior management level. If people understand what is acceptable and what is not acceptable from an early point then the task becomes easier, in race relations terms, as the whole culture of the organisation becomes geared to equality.

Planning for race-related training

Key questions

There are a series of fundamental questions that need to be answered before any attempts are made to plan race related training programmes. These include:

1. Why undertake the training?
2. What needs analysis is required and what are the priority areas, by employee group?
3. What training and experience do the trainers themselves require?
4. Should we do the training ourselves or should someone else do it for us?
5. What are the objectives of each training session or programme?
6. What are the appropriate training methods and forms?
7. What is the relationship of race-related training to other training programmes?

8. How do training efforts interact with the other steps the organisation should take to ensure effective implementation of the organisations equal opportunity policy?

9. How can the evaluation be undertaken?

Compulsory or Voluntary?

Much training provision within organisations is on the basis of staff volunteering to take part. The only exception to this is normally where new regulation or laws or put in place which require staff to have an understanding of new requirements or (in law) on Health and Safety at Work. For race related training voluntarism effectively means that only those who already have an interest in the subject take part and those who really need the training are not exposed to the issues.

My recommendation is that training on race should be compulsory for all staff at all levels of the organisation. This training should be specific on race at induction level with more detailed specific sessions at later dates. Race related training should also be mainstreamed within all training offered by the Assembly. This would be a recognition that all aspects of the work of the Assembly have an equality implication that needs to be addressed by all staff at all times.

Whilst recognising the time difficulties for Assembly Members in attending training sessions it is obvious that they have a key role as leaders of the organisation and in policy-making terms. In both these respects the impact of Members attending training would be highly significant and beneficial to the Assembly.

In my view it would be a significant error to allow the training on the implications of this report as well as on existing and new responsibilities to be provided on a "hit and miss" basis. It is my **recommendation, therefore, that Assembly Members should be subject to the same mandatory training requirement as staff.** This would provide leadership by example as well as place Members in a more advantageous position to develop, make and see through the implementation of Assembly policies recognising the race equality implications at each stage. I am aware of the practical difficulties for Members of this proposal but the positive benefits of such a step I believe out-weighs any difficulties. This is, I suggest a strong incentive and opportunity to pioneer new modes of training provision designed specifically for participants with busy schedules. I would strongly urge the involvement of Members in the design of such new modes of delivery.

Measuring success

This report does not suggest that the approach, in these respects, should be any difference. The four areas mentioned above remain the cornerstone of training strategies aimed at identifying and challenging racist behaviours and attitudes. The question that is asked here is whether the actual outcomes from

training programmes, which are many and varied, have assisted organisations and individuals to tackle racism.

The problem that arises is how one would go about the task of measuring the success of training programmes. To measure success in terms of the number of race discrimination complaints one receives would be, at the best of times, inadequate. In the Assembly, given the very low number of Black staff in post, such a measure would be foolhardy. Perhaps more appropriate would be the continuous assessment and support for individuals who have undergone training.

Such a continuous support suggests that race related training would not be the one off, once and for all approach adopted by some organisations. In fact the recommendation, already made in this chapter is that race related training, whilst being specific, would be mainstreamed within the overall training package offered to staff by the Assembly.

The practicalities of tracking individuals within the Assembly would need to be thoroughly considered within the Assembly but this must be done if the positive (or negative) impact of race related training is to be measured in any meaningful terms.

Training Provider

The question of who provides training for the Assembly on equal opportunities generally and race equality specifically is a matter of central importance to the success of the strategies outlined in this report. The current contractual obligation to Training Services Wales, as I understand it, does not preclude the Assembly deciding that someone else is better placed to deliver specific parts of the training programme.

Earlier in this chapter I pointed out that this was an opportunity to find new modes of training delivery for equal opportunities. New modes of delivery may also mean using a wider resource of providers to deliver specific areas of work. I do not intend to pre-empt the good work already under way within the EPU to review this critical function. I would urge the Assembly, however, not to close the door on being able to make the best use of the wide range of expertise that exists elsewhere within equality and race related training.

The next chapter sets out an action plan for the Assembly.

CHAPTER 8 ACTION PLAN

This action plan is a checklist which summarises the range of action involved in considering, planning and implementing a racial equality programme. It is based on a concept developed by the CRE and has been adapted for the specific use of the National Assembly for Wales.

The first part of the checklist is in three parts:

- Commitment
- Action
- Outcomes

The second part of the checklist sets milestones for the Assembly to achieve in developing its race equality programme. In simple terms, the first part is a checklist of what needs to be done whilst part two provides a framework and timetable within which to change can be achieved.

The concept

The concept of this action plan is not new. It is firmly based on the standards approach pioneered by the Commission for Racial Equality. I have sought to adapt this approach for the specific use of the Assembly.

How the action plan works

The first part of the action plan is essentially a list of what needs to be done. The second part outlines a systematic means of achieving progress. I am suggesting, in simple terms, that the Assembly needs to satisfy itself (and those monitoring progress) that it has achieved each level (from level one upwards) before moving onto the next level. By so doing the Assembly will be able to build firm foundations for race equality rather than adopting what might be called a piecemeal approach.

The next step

Should the Assembly agree to this action plan officials should be charged with developing **a written implementation strategy to be presented to Assembly members within no more than three months (developed in partnership with the trade union)**. This strategy must include a full list of all those officers who will be responsible for each part of the implementation of the action plan. It should also be clear about the membership of the various working groups mentioned throughout this report. Perhaps most importantly the question of resources (see chapter 10) required for the implementation of the strategy must be clearly set out. It is also my **recommendation that the implementation strategy should be made public**.

ACTION PLAN - PART ONE

COMMITMENT

- The Assembly should have a written racial equality policy, or a section on race equality within an equal opportunity policy, clearly linked to the organisation's aims and objectives.

- There needs to be a clear and constant public commitment, from the highest political and administrative levels of the Assembly, emphasizing the value placed on equality of opportunity.
- The race equality policy needs to be negotiated with the union and placed under continuous joint review.
- The Assembly should communicate the policy and programme to:
 - all employees
 - all applicants and potential job applicants
 - all customers and clients
 - all suppliers of goods and services
 - the public.
- The Assembly needs to develop an action plan, in partnership with the trade union (in line with the approach taken in this report) covering:
 - the role of senior management
 - the clear named responsibility for implementing the policy
 - the annual resources devoted to implementing the policy
 - clearly agreed objectives and targets
 - timetables and timescales for each stage of implementation
 - the mechanism for joint methods of measuring progress
 - consultation procedures with outside institutions and the wider community.
 - the role of line managers
 - the rights and responsibilities of individual employees.

ACTION

- The Assembly should collect information by ethnic origin on:
 - key areas of personnel practice including pay
 - staff in post
 - applicants for all posts
 - the labour market
 - users of services and customers, through market profiles.
- The Assembly should use this information to analyse:
 - the current position
 - the effects of the organisation's employment practices on different ethnic groups and the reasons for these effects
 - gaps in the service provided and the reasons for these
 - what objectives and targets to set
- The Assembly, as an employer, should review the following in detail:
 - recruitment channels
 - job criteria against the requirements of the job
 - selection methods, including tests against required performance
 - training needs
 - promotion routes and procedures
 - disciplinary action
 - staff appraisals
 - pay levels
 - selection for dismissal, redundancy, transfer or redeployment.
- The Assembly, as a purchaser and provider of goods and services, should review the following in detail:
 - its purchasing policy
 - giving ethnic minority led businesses a fair chance
 - setting standards for ASPB's and contractors where this is legally permitted.
 - its marketing plans
 - to reach all sections of the community.
- The Assembly should conduct detailed reviews of:
 - its progress in achieving its objectives
 - its action plans, including targets, objectives and timetables

- The Assembly should introduce policies and procedures, including review mechanisms, covering:
 - racial harassment and victimisation
 - reporting and recording racist incidents (including 24 hour reporting facilities)
 - grievances
 - disciplinary matters
 - health and safety (taking account of cultural factors)
 - dismissal
 - redundancy
 - transfer and redeployment
- The Assembly should provide training on the action programme for:
 - Assembly Members
 - all managers at every level
 - human resource or personnel officers
 - all staff
- The Assembly should develop targeted training and development programmes specifically for black staff.
- The Assembly should include black communities in its business and community links programmes using activities such as:
 - developing links with schools, universities and colleges and community groups
 - work experience programmes including mentoring and ‘shadowing schemes’
 - co-operating with other employers in developing and sharing good practice, such as local employers’ equal opportunities networks

- pre-employment training schemes
- sponsoring awards or bursaries for individuals from ethnic minority groups, where this is legally permitted
- provide staff and other resources to community groups
- encouraging black led business to tender for contracts
- sponsorship of black community projects.

OUTCOMES

- The Assembly, as an employer must be able to show that:
 - it has removed unfair barriers to entry and progress in the organisation
 - it has attracted staff from diverse backgrounds
 - there is a better understanding of race issues among staff and a greater appreciation of the advantages of diversity
 - black staff feel more appreciated
 - staff are more confident about expressing their views and concerns because they know that they will be heard
 - it has a reputation as a good equal opportunity employer
 - there is a good atmosphere at work because the harassment policy and procedures are effective and staff are aware of their rights and responsibilities
 - recruitment and other selection is more cost-effective because of lower staff turnover
 - grievances are fewer or are dealt with more effectively.
- The Assembly, as a supplier and purchaser of goods and services is able to show that:
 - it has more black customers and clients
 - services to minority groups have improved
 - it has persuaded other employers, including ASPB's to develop more effective equal opportunity policies
- The Assembly, as a corporate citizen, is able to show that:
 - there is more good will towards it amongst all communities
 - it is widely recognized as an active participant in and supporter of the black community
 - it is becoming known as an organisation with a genuine commitment to racial equality.

It is my recommendation that part one of this action plan is endorsed by the Assembly.

ACTION PLAN - PART TWO

MILESTONES FOR RACIAL EQUALITY

LEVEL 1

- Plans have been made to collect ethnic origin data (after consultation with the trade union and black staff).
- The areas to be audited have been identified and the scope of each audit and type of analysis determined.
- Publicity has been given to the monitoring programme and the objectives explained.

LEVEL 2

- Information has been collected about the sex and ethnic origins of:
 - staff in post
 - applicants for jobs, promotion and training
 - customers and clients using market profiles.
- Analysis by ethnic origin and sex has been completed on data concerning:
 - staff in post (by level, function, section and location)
 - incidents and complaints of harassment.
- The data on clients and customers has been analysed to find out how much they benefit from the goods and services provided by the Assembly.

LEVEL 3

- Analysis of the data on applicants, success rates for jobs, promotion, redundancies and training has been completed.
- Data has been collected and analysed by ethnic origin and sex on:
 - grievances
 - disciplinary action
 - performance appraisal
 - pay
 - training
 - staff dismissed or leaving for other reasons
- Progress is being regularly assessed and annual reports have been submitted to the most senior

levels on the following:

- participation ratios
- seniority ratios
- application ratios
- career progression rates
- Revisions have been made to the racial equality programme to deal with barriers in areas such as:
 - selection and assessment criteria
 - the range of services provided
- New targets have been set for short, medium and long-term goals and overall objectives revised.

LEVEL 4

- Staff surveys are being conducted at regular intervals.
- Profiles of service users and clients have been checked to assess the impact of the racial equality programme.
- The Assembly's programme has been assessed internally and audited externally.

LEVEL 5

- The action taken by the Assembly as a corporate citizen is being regularly evaluated.
- The monitoring results are being published in an annual race equality programme progress report.
- Improved staff attitudes towards the organisation have been reflected in surveys.

It is my recommendation that the Assembly endorses part two of this action plan.

CHAPTER 9 MONITORING PROGRESS

The framework for monitoring the progress of the action plan is set out within the plan itself. The process of continuous assessment of the plan is an integral part of the approach. As an analogy, it would be foolhardy to set out on a long journey without periodically checking that you are moving in the right direction. This process is no different.

Whilst Assembly Members and senior staff will be concerned to ensure that progress is being made and will use the monitoring methods outlined in the action plan and elsewhere there is a need for people outside the organisation to be satisfied as to the veracity of the claims being made. To satisfy this understandable need for verification I am recommending an added layer of monitoring.

I have already made reference within the report about the role that the Commission for Racial Equality will, no doubt, wish to play in monitoring the impact and success of the policy. This, in

fact, is an integral part of the verification framework that I would wish to see put in place. My recommendation, above and beyond the general involvement that the CRE will have in monitoring the action plan, is that **the Assembly should make sufficient funds available for the CRE to commission an independent audit of progress on the action plan. This independent audit should be conducted on an agreed timetable (between the Assembly and the CRE) and should make suggestions on any adjustments that the Assembly should make in its implementation strategy.**

CHAPTER 10 RESOURCES

Whilst many of the issues covered within this report are simply good practice measures and therefore should not be financially expensive a number will have a cost attached to them. The simple fact is that any race equality strategy or indeed a change of strategy or structures in any policy area will have a level of cost attached to it. The decision that needs to be taken is whether or not the organisation is genuinely serious about tackling inequality and the cost of not implementing the strategy set out. If it is serious about the need for change, as I believe that it is, then the costs will need to be met.

I have very deliberately stayed away from direct considerations of cost. There are plenty of officials within the Assembly who can provide chapter and verse on costings. My role is to point out what, in my opinion, needs to be done to tackle institutional racism within the Assembly.

In chapter 8 I refer to the need for full costings on this report to be part of an implementation report to be provided no more than three months after this report is agreed (as I hope it will be). The costings must be seen alongside the overall objectives set out in the report rather than as a separate financial exercise. Equality is not a financial exercise it is a question of what is right and proper for an organisation seeking to modernise and improve its services and to be more reflective of the community that it seeks to serve.

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