

RACE FOR EQUALITY

Challenging racism in the *NHS*

Race for equality: Bargaining on anti-racism in the workplace and model anti-racism policy*

Many Black** staff in the NHS face the injustice of racism and inequality at work every day.

Racial discrimination is not only wrong – it is against the law. It wastes talent, damages staff, hurts patients, and holds the NHS back.

UNISON wants to help all staff to recognise and challenge racism in the workplace and deliver an NHS that respects and values us all. We believe it's everyone's responsibility to report racism – not just Black staff.

**The model anti-racism policy is available as a separate Word document to support this guidance and can be found at www.unison.org.uk/content/uploads/2022/10/26896_support.docx*

***In UNISON, Black is used to indicate people with a shared history and is used in a broad political and inclusive sense.*

What should branches and workplace reps do?

1. Educate yourself

- Make sure union reps have the knowledge and skills to notice, deal with and report racist behaviour in the workplace.
- Reach out to all staff in your workplace and let them know that UNISON is the union for them. Let them know we also represent staff from overseas, regardless of whether English is their first language.
- Find out about the members in your branch e.g. through a survey (use our template survey on our Race for Equality webpage). Do they reflect the ethnic mix of the local community and within your workplace? If not, you may need to think about why this may be the case.
- Listen to your Black members. Never dismiss or trivialise their lived experience of racism or make their issues about you. Ask 'are you okay?' and 'how can I support you?'
- Encourage members to communicate with branch officers and workplace reps to highlight their experiences of racism in their workplace. Undertake an anonymous survey. Share the findings with the employer. There may also be opportunities for more in-depth interviews, open forums & focus groups.
- Make sure Black members are properly represented amongst reps and branch officers and encouraged to become activists throughout the branch at all levels.

The lived experience of Black members in one NHS Trust

In a staff-only area with no access to visitors nor patients, a work colleague had inscribed 'KKK' in the lift service area. Not until the unions threatened to contact the police, did the Trust investigate the incident and remove the graffiti. Some managers still allow patients and visitors on the wards to ask for white-only carers.

Muslim staff who wear the hijab feel they have to remove their head covering to be treated with respect by colleagues. One woman even reported to have been questioned on whether she had experienced female genital mutilation (FGM).

- Set up a Black members self-organised group (SOG) and elect workplace equality reps to support the branch in negotiating and organising. Create a safe space where Black members can connect with each other and share experiences and concerns.

- Encourage activists to attend UNISON training so that they can negotiate on equality.
- Learn from what other branches have done in order to tackle racism and consider how your branch can contribute to an open and inclusive workplace culture.
- Don't think you have to be an expert but think about how you can inform yourself to be inclusive.

2. Request appropriate education for all managers and staff members

- Push for managers to be trained in anti-racism including the application of fair recruitment and selection, performance assessment and dealing with harassment and bullying.
- Ensure staff receive equality and diversity training that specifically includes anti-racism. This should be part of the induction process, with refresher courses available.

3. 'Call out' racism

- If you witness someone's racist behaviour, 'call out' the problem and let them know that their words or actions are unacceptable and will not be tolerated. Racism, in any form, should never be overlooked or excused, regardless of someone's position or title.
- Where possible, and if you feel confident to do so safely, interrupt someone's racist behaviour in order to prevent further harm. Assess the situation before deciding to directly respond. Make sure you and anyone else experiencing the racism are physically and psychologically safe and that it seems unlikely that the situation will escalate.
- If you notice someone's behaviour shows a bias, it may be appropriate to take the person aside to talk to them to highlight their prejudice (sometimes referred to as 'calling in') in order to get the person to change their behaviour and help them to evaluate their judgement in this situation.
- Don't be a bystander – speak up against racism in meetings, with work colleagues, with friends and family, on social media.
- It may feel difficult and uncomfortable to call out racism, but it is important to speak up when no one else will. And remember, if you've never had racist behaviour directed at you personally, your discomfort is nothing compared to the feelings experienced by Black members every day in the workplace.
- Deal with members' complaints about racist behaviour in the workplace or the branch as effectively and promptly as possible. When representing members with race discrimination cases individually, refer these cases under UNISON's race discrimination claims protocol.

4. Negotiate for a more open and inclusive workplace that treats all with dignity and respect

- Press your employer to implement an equality and diversity action plan identifying activities that may help address any inequality in the workplace. Make sure policy statements translate into practical workplace arrangements and that there is a timetable for tackling issues and priorities for action.
- Make sure your employer understands the diversity of their workforce at all levels – in England they should collect this data as part of the Workforce Race Equality Standards. Work with them to take action to address lack of representation where necessary.
- Check that all workplace policies clearly reflect the employer's commitment to equality and diversity. Negotiate a joint working group that involves Black staff members to review policies, particularly disciplinary, grievance and induction, training and development, promotion, supervision, appraisal and recruitment, as well as contractual terms and conditions, and pay structures to assess the impact of the policies on Black staff.
- Within your discussions with your employer, you should ask them to think about how staff are listened to, and their perspective considered at work meetings. Look at who is making the decisions at work and highlight if it is the same few people taking decisions rather than a more diverse group of staff.
- Health and safety risk assessments need to take account of the particular needs of Black staff and should include identifying risks associated with racist behaviour and groups of workers who are most vulnerable.
- Make sure there is an anti-harassment and bullying (dignity at work) policy in place. It should cover harassment by staff as well as from patients, service users, visitors and contractors. It is also important to ensure that all staff are aware of this policy and how it affects them.
- All patients, service users, visitors and contractors need to be made aware of the equality and diversity policy within the organisation and the consequences of not abiding with it.
- Encourage the employer to develop an anti-racism strategy.
- Ask your employer to sign up to UNISON's anti-racism charter – developed by UNISON's Eastern region – to demonstrate their commitment to anti-racism within the organisation.

UNISON case study

In February 2022, Black activists and staff came together to launch a new UNISON Eastern anti-racism charter.

The NHS clinical commissioning groups (CCGs) across Suffolk and north east Essex became the first employer to sign up to UNISON's anti-racism charter. East of England Ambulance Service (EEAS) and Norfolk and Suffolk NHS Foundation Trust are amongst those who have also since signed up. This is now available as a national Race for Equality resource for all UNISON branches to use. www.unison.org.uk/content/uploads/2022/09/26897.pdf

- The pledge ensures, within the first 12 months, the organisation has implemented a clear and visible race equality policy, a programme of anti-racism initiatives and actions and ensures there is a programme of equality training for staff across the organisation. It also stipulates strong measures are implemented to remove any instances of racial discrimination in all its forms.
- Work with your employer to introduce an anti-racism policy and ensure anti-racism principles are enshrined in the organisation's equality and diversity policy and action plan.
- Ask your employer to agree to review all policies and protocols through an anti-racist lens to ensure they reflect the needs of all staff. In particular, this should include the equality and diversity policy and action plan, the dignity at work or harassment and bullying policy including third party harassment, the recruitment policy, disciplinary and grievance policies.
- Ensure that your employer undertakes equality impact assessments for all strategies, policies and procedures to ensure they promote inclusion and anti-racist principles.
- Your employer should ensure that all staff are aware of the anti-racist policy, that they understand their responsibilities, know how to report racist behaviour witnessed or experienced, and know where to go for support.
- Ask your employer to provide anti-racism, unconscious bias and bystander training for all staff members to be able to effectively respond when racist behaviours are witnessed or experienced.
- Training for managers and supervisors should be developed to encourage them to become

active anti-racists and lead with empathy, respect and ensuring safety. They should also be trained to develop skills to deal appropriately with issues related to racist behaviour

- Employers should be working to develop more diverse managers and supervisors, including the use of mentoring. Equality and inclusion should be regarded as key competences of all managers and supervisors.
- All staff must be made aware of the consequences of not following the equality and diversity and anti-racist policies, such as the use of disciplinary procedures and enforcement must be consistent across the organisation.
- Clear procedures for reporting racist behaviour witnessed or experienced, and clear protocols for managers to respond to racism help to cement an anti-racist policy in a workplace.
- All patients, service users, visitors and contractors should be made aware of the anti-racism policy within the organisation and the consequences of not following it. This can be through notices on premises and on websites, and in other communications with third parties that unlawful discriminatory behaviour is not acceptable.
- Work with your employer to develop guidance for staff on how to respond when faced with racist behaviour from third parties such as patients or contractors.
- Your employer needs to consider how racist behaviour, discrimination and harassment may operate outside of the physical workplace environment, e.g. via online communications, in social media platforms, in online training and hybrid working practices, and this should be addressed in the anti-racism policy.
- Appropriate wellbeing support should be made available to members of staff who have experienced racist behaviour. Employers have a duty of care to take steps to protect staff from further racist behaviour.

Contact your regional education teams and / or LAOS to find out what training and resources are available to assist you with negotiating with your employer or promoting the issues in this guide with your members <https://learning.unison.org.uk>

Why an anti-racism policy is good for employers

- Anti-racism and race equality are about social justice.
- Race equality can help the employer access and use diverse talent pools. Taking action is not just 'the right thing to do'. Without action to develop inclusive workplace cultures where people with a diverse range of backgrounds feel able to perform at their best and progress in their organisation, the employer will face a widespread underuse of talent. They will fail to enable everyone to achieve their potential and contribute fully.
- Encouraging greater awareness and understanding of racism and its impact, can help to reduce the chance of complaints, disciplinary action, employment tribunal claims and negative publicity – and avoid the costs and disruption to the organisation.
- It will improve team spirit – an employee or groups of employees who are being discriminated against are likely to be unhappy, less productive and de-motivated, and this can have a negative impact on the whole workforce.
- It will help attract, motivate and retain staff, and enhance the employer's reputation as an employer. If staff who have been discriminated against feel undervalued or 'forced out' and leave, the organisation will run up the costs of recruiting, training and settling in new staff when its reputation as both a service provider and employer may be damaged.
- Research shows a culturally diverse workforce is good for the workplace. When all staff acknowledge differences and learn about others' experiences, productivity and performance increase.

NHS case study

NHS East of England's anti-racism strategy was launched on 1 July 2021
www.england.nhs.uk/east-of-england/nhs-east-of-england-equality-diversity-and-inclusion/antiracism-strategy/

The work includes the collection of equality, diversity and inclusion data of the workforce as the Trust believes it provides a first step to understanding potential bias or barriers to inclusion. It will also identify actions to make improvements, with the goal being to create a fairer and more inclusive NHS.

Action planned to help fulfil the strategy includes:

- Developing educational resources that help people understand racism and its emotional, mental and physical impact
- Learning about allyship and becoming active anti-racists
- Supporting people to confront racial injustices even when it's uncomfortable
- Creating a regional charter that sets out and commits to being anti-racist employers
- Reviewing policies through an anti-racist lens to ensure they reflect the needs of the workforce.

More information

From UNISON

The model anti-racism policy document to support this guidance can be found at www.unison.org.uk/content/uploads/2022/10/26896_support.docx

Race for equality
www.unison.org.uk/at-work/health-care/big-issues/race-for-equality

Challenging racism in the workplace
www.unison.org.uk/content/uploads/2016/11/24073.pdf

Black members equality
www.unison.org.uk/about/what-we-do/fairness-equality/black-members/

Race discrimination (information for members)
www.unison.org.uk/get-help/knowledge/discrimination/race-discrimination/

From other organisations

Developing an anti-racist strategy
www.cipd.co.uk/knowledge/fundamentals/relations/diversity/anti-racism-strategy

Anti-racism and allyship in the workplace: a brief guide
www.bitc.org.uk/wp-content/uploads/2020/08/bitc-toolkit-race-allyshipguide-august20.pdf

Racism and inappropriate behaviours – 5 actions for allies
www.bitc.org.uk/wp-content/uploads/2020/06/bitc-toolkit-race-racismandappropriatebehaviours-June20.pdf

Monitoring Ethnicity: A Comprehensive Guide for Employers
www.bitc.org.uk/toolkit/monitoring-ethnicity-a-comprehensive-guide-for-employers/

Race discrimination
www.acas.org.uk/race-discrimination

‘Being anti-racist in the workplace’ toolkit from Mental Health at Work
www.mentalhealthatwork.org.uk/toolkit/being-anti-racist-in-the-workplace/

Race Equality Matters – formed in response to the Black Lives Matter Movement to turn declarations of commitment and support from organisations and individuals into meaningful change in racial equality both in the workforce & in society.
www.raceequalitymatters.com

Black Minds Matter – a charity connecting Black individuals and families with free mental health services
www.blackmindsmatteruk.com

The Black, African and Asian Therapy Network - home of the largest community of Counsellors and Psychotherapists of Black, African, Asian and Caribbean Heritage in the UK
www.baatn.org.uk

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