# Model anti-racism policy

The following policy can be used in the workplace to promote a working environment that is actively anti-racist.

Please note that the text in square brackets ***[…]*** indicates where you need to complete information specific to your workplace, or else are notes for you to consider in relation to your negotiations.

Please do adapt and develop this policy as appropriate to your workplace. It may be more appropriate for your workplace to incorporate important aspects within an existing equality and diversity agreement and action plan, rather than negotiating a new separate stand-alone policy focusing on anti-racism. But it should clearly highlight the commitment to active anti-racism, reflected in all workplace policies, procedures and practice.

## Statement of commitment

***[The agreement could start with a joint statement or pledge committing to active anti-racism, aiming to tackle all forms of racism in the workplace.]***

***[Name of employer]*** and the trade unions are committed to providing an inclusive and supportive working environment for everyone who works here, and we recognise appropriate steps should be taken to achieve this. We believe that all staff, patients, service users, visitors and contractors have the right to be treated with fairness and respect.

***[Name of employer]*** and the trade unions recognise that racism exists in the workplace and in healthcare. Racism and racial discrimination can present in different and varied ways, including direct and indirect discrimination, racial vilification, race-based harassment, hostile work or learning environments, lateral violence, and casual comments (e.g., microaggressions or ‘banter’). It may be experienced face to face or in written communications, on the phone, while using social media and any other form of online interaction including email communication.

***[Name of employer]*** and the trade unions are committed to anti-racism. We recognise that it is more than just being ‘not racist’ but involves taking action to create conditions of greater inclusion, equality and justice. This includes a zero-tolerance approach to racist behaviour, irrespective of how it is expressed.

***[Name of employer]*** and the trade unions will actively identify, challenge, prevent, eliminate and change the values, structures, policies, programmes, practices and behaviours that perpetuate racism. We will work together to make radical changes that close inequality gaps by advancing opportunities and ensure the experience of racism in the workplace and in healthcare is eradicated.

***[Name of employer]*** and the trade unions are committed to a shared set of principles and actions that include:

* championing a racially diverse workforce
* not tolerating racist behaviour internally and externally wherever it arises in relation to the organisation, and ‘calling out’ racism
* providing training for all staff on unconscious bias and what being anti-racist means
* addressing racial inequality in the workplace, and improving opportunity and access to services and employment.

***[Name of employer]*** will set and regularly review strategy to improve racial equality, diversity and inclusion so that the organisation reflects the communities it serves.

Although thisstatement prioritises ‘race’ and racism, ***[name of employer]*** and the trade unions are, of course, mindful of the intersection of racism with the other types of discrimination related to the other protected characteristics of:

* age
* disability
* gender reassignment
* marriage and civil partnership
* pregnancy and maternity
* religion or belief
* sex/gender
* sexual orientation.

## Aims

Our ambition in developing this policy is that ***[name of employer]*** becomes a more inclusive organisation and workplace where people from a diverse range of identities, ethnicities and cultures feel inspired and supported to achieve their very best work.

***[Name of employer]*** aims to dismantle barriers across the organisation and build a more inclusive and representative workplace and leadership that embraces diversity, calls out discrimination and puts equality at its heart.

***[Name of employer]*** aims to set out expectations of behaviour by our staff, protect all staff from racism and foster a working environment that supports the dignity and respect of all workers and is free from any form of bullying or harassment.

***[Name of employer]*** recognises the impact of racism upon staff members’ wellbeing and aims to benefit the welfare of individual members of staff; retain valued workers; improve morale and performance, and enhance the reputation of ***[name of employer]*** as an employer of choice.

## Scope of policy

This policy applies to all staff who are employed by ***[name of employer]*** on and off the premises, including those working away from their main workplace setting or normal place of work, and those on temporary contracts.

This policy is supported by and developed with the trade unions representing the employees. It will be communicated to all staff using a variety of methods including training, information and publicity, team briefings, departmental meetings and in-house publications.

This policy is part of ***[name of employer]’s*** commitment to equality and diversity.

This policy is part of ***[name of employer]’s*** commitment to ensuring the health, safety and wellbeing of all the workforce.

## Legal background

By law, (under the Equality Act 2010 or in Northern Ireland, under the Race Relations (NI) Order 1997 and subsequent amendments) ***[name of employer]*** must do everything it reasonably can to protect staff and job applicants from race discrimination.

***[Name of employer]*** also has a responsibility – a 'duty of care' – to look after the wellbeing of our staff and will take steps to prevent race discrimination happening in the first place.

***[Name of employer]*** recognises that anyone who discriminates against someone at work is responsible for their own actions, but ***[name of employer]*** can be held responsible too under 'vicarious liability'.

As a public sector organisation, ***[name of employer]*** also has an extra legal responsibility to stop discrimination, under the public sector equality duty.

## Anti-racist measures

All workers will be made aware of ***[name of employer]***’s anti-racist policy and will be expected to comply with this policy.

A copy will be made available to all staff on the intranet, and a copy will be provided to all new workers on induction. Where possible, the policy will also be available to all staff on the intranet in translated versions for linguistically diverse workforce.

Additionally, the policy will be available in various languages and accessible formats such as braille, large print and sign language.

***[Name of employer]*** will:

* collate, disaggregate and analyse staff and management data to understand barriers and areas of inequalities facing our Black staff at different levels
* publish disaggregated data, including ethnic pay gap and the ethnic profile of our senior management, and monitor progress in addressing race inequality amongst senior managers
* increase representation of Black employees at senior levels through setting ambitious targets that deliver real change and year on year progress, emphasising our commitment to sharing power
* use our influence over our contractors and those we work in partnership with, to ensure they comply with and meet the standards of ***[name of employer]***’s anti-racism policy
* raise awareness and communicate our commitments to this anti-racism policy internally and externally to engage all staff, patients and service users
* undertake equality impact assessments for all strategic-level decisions
* establish protocols for monitoring, evaluation and accountability to further our anti-racism objectives, including reviewing
	+ recruitment processes to identify and address race disparities in equality of opportunity
	+ exit interview results to identify and address race disparities in retention of staff members
	+ promotional processes to identify and address race disparities in equality of opportunity
	+ discipline and grievance to identify and address race disparity in outcomes of comparable cases.

***[You may also want to refer to any ethnicity pay gap action plan in place, as well as the equality and diversity policy and action plan as appropriate to your organisation, providing details of where more information can be found].***

***[Name of employer]*** will provide anti-racism education, induction, training and professional development opportunities for all staff. This will include information on what constitutes racism. For managers and supervisors, training will also cover their particular responsibilities, including for recruitment and promotion processes.

All staff are responsible for attending such education and training as required.

***[Name of employer]*** will provide specific training for Contact Officers and all managers and supervisors potentially responsible for investigating complaints.

Staff have mechanisms to report racism in the workplace or in the provision of health-related care or services, and have it addressed and prevent future instances. (More information in the section headed [‘reporting racism’](#_Reporting_racism) below.)

## Responsibilities of managers and supervisors

All managers and supervisors must comply with this policy in the workplace and in the provision of health-related care or services.

Managers and supervisors should ensure that all workers are aware of this policy and understand their own and the employer’s responsibilities.

Managers and supervisors have a particular responsibility to ensure that within their area of control, everyone has the right to be treated with dignity and respect. They should:

* always challenge any unacceptable behaviour in the workplace
* respond to complaints of racism swiftly, sensitively and objectively and be aware of behaviour that would cause offence, if necessary reminding workers of expected standards
* deal explicitly with the racist behaviour of third parties (such as patients, service users, visitors or contractors) with a view to withdrawing service or ending a contract or banning them from the premises if the behaviour does not stop.
* ensure that this policy is followed and that there are thorough investigations if required.

Service users/patients should be advised of their right to seek healthcare elsewhere but that all employers do have a duty to protect their staff from abuse.

Should the perpetrator of the racist behaviour be a patient undergoing emergency care or who does not understand the situation due to an underlying pathology, it may be appropriate to challenge the behaviour at a point when they may be able to understand, including in writing at a later date. (See also the section headed [‘Dealing with the racist behaviour of members of the public and contractors’](#_Dealing_with_the) below.)

A Contact Officer ***[or suitably trained member of HR as appropriate to your workplace]*** will assist any line manager in dealing with complaints of racism.

All complaints of racism must be dealt with confidentially and in accordance with the data protection policy.

Managers and supervisors have an additional responsibility to be exemplars of acceptable behaviour. They should be aware that an abuse of their positional power will send mixed messages about what is acceptable behaviour, and will only serve to condone racism.

A line manager’s failure to actively implement this policy within their area of responsibility or to fail to deal with racist behaviour when they become aware of it could constitute a breach of the policy and disciplinary action may be taken.

## Contact Officers

***[Name of employer]*** recognises that there can be difficulties in raising the issue of racism particularly if:

* the racist behaviour is coming from a worker’s immediate manager or supervisor
* the worker is reluctant to raise the matter with their manager, or feels the manager may lack the skills, knowledge or sensitivity to deal with complaints of racism
* the worker finds the prospect of using the formal procedure intimidating.

***[Name of employer]*** is committed to ensuring that such potential difficulties are overcome so that all experiences of racism are raised and can be acted upon.

To help ensure this a specially trained officer(s) – the Contact Officer(s) – has/have been designated to deal with complaints of racist behaviour and to offer advice to workers who believe that they or their colleagues have experienced racist behaviour.

The main role of the Contact Officer(s) is to:

* provide sympathetic assistance to workers with complaints of racism
* explain to them how the procedures for making a complaint operate
* establish the main details of any complaint
* channel the complaint to the appropriate manager for action if the worker decides to take the matter further.

***[Name of employer]*** will ensure that Contact Officers receive special training in carrying out their role. Contact Officers will discuss cases in complete confidence and will not divulge information to any other person without the agreement of the worker.

A worker who comes to the Contact Officer(s) to talk about an experience of racism, is under no obligation to take further action.

The Contact Officer(s) are there to help workers decide what they want to do and workers are not obliged to refer their complaints to the Contact Officer(s). It is entirely up to them whether they do so.

However, the nomination of Contact Officer(s) is an additional means of ensuring that such workers are not discouraged from bringing forward complaints.

A list of Contact Officer(s) can be found ***[provide details of where to find this list.]***

## Responsibilities of workers

All staff are expected to contribute to an anti-racist workplace. They have a duty to assist in the creation of a respectful, safe and productive working environment, where all forms of racist behaviour are unacceptable.

Every worker has a personal responsibility to:

* ensure they understand what racist behaviour is, including subtle racial discrimination and microaggressions
* be aware of how their behaviour may affect others and to uphold the standards of behaviour set within the team
* work within the policy guidelines including co-operating fully in any investigation undertaken
* be aware of racism and challenge unacceptable behaviour, whenever it is safe to do so.

Possible ways of intervening include:

* ‘calling out’ the racist behaviour if it is safe to do so, making it clear that it is unacceptable
* checking in with anyone who has experienced racist behaviour after it has taken place
* documenting and reporting incidents of racist behaviour whether they are the target of the racist behaviour or they have witnessed it, or supporting targets of racist behaviour in reporting it, and co-operating in an investigation into racist behaviour. Reporting is necessary in order to address the issue both for the worker’s own well-being and that of their colleagues. (More information in the section headed [‘reporting racism’](#_Reporting_racism) below.)
* being aware of their own conduct and avoiding colluding with inappropriate behaviour.

If a worker’s behaviour is found to be racist or they have discriminated, harassed or victimised another worker, then they will be seen as having committed a disciplinary offence.

## Trade union involvement

Consultation will take place with the recognised trade unions on the implementation, development, monitoring and review of this policy.

Trade union representatives will be given training equal to that of managers and supervisors and sufficient time to carry out their duties. Trade union representatives are able to assist their members who have been the targets of racist behaviour, including supporting them in making complaints.

***[Name of employer]*** encourages all members who are concerned about racist behaviour to speak to their trade union representatives.

***[Name of employer]*** will allow trade union representatives and members paid time off to attend union provided training courses on anti-racism.

***[Name of employer]*** will support the union’s activities on raising awareness and tackling the issue of racist behaviour amongst their members.

## Reporting racism

Racist behaviour will be treated as a disciplinary offence. Appropriate disciplinary action, including warnings, compulsory transfers (without protection of wages or salary), and dismissal for serious offences, may be taken against any worker who violates this policy. Abuse of power over another worker will be taken into account when deciding what disciplinary action to take. ***[Ensure that these details are reflected in the disciplinary procedure.]***

***[Name of employer]***will take seriously and investigate any complaints of discrimination, harassment or victimisation, using the agreed procedures and respecting confidentiality.

A worker can deal with racist behaviour in various ways, ranging from asking the person to stop the behaviour, to informal discussions with the Contact Officer, or to making a formal complaint.

You do not have to be the target of the racist behaviour to make a complaint about it. If you see it happening or become aware of the problem, you have the right to complain about it. Tackling racism is everybody’s responsibility and active bystanders can have an especially important role in combatting racism.

Some people are unaware that their behaviour in some circumstances is racist. If it is clearly pointed out to them that their behaviour is unacceptable, the problem can sometimes be resolved. With this in mind, this policy includes informal as well as formal action to deal with complaints of racism.

**Informal action**

1. If appropriate, a worker who has experienced racist behaviour or has witnessed it should ask the person to stop the behaviour and make it clear what aspect of their behaviour is offensive and unacceptable, and the effect it is having (sometimes referred to as ‘calling in’). This can be done either verbally or in writing. If the worker feels unable to approach the person responsible for the racist behaviour directly, a Contact Officer, work colleague or trade union representative can make this initial approach.
2. If a worker is approached informally about stopping their racist behaviour, they should not consider the reaction to be oversensitive nor the incident to be too trivial. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. An apology and assurance that the behaviour will not be repeated may be enough to end the matter.
3. If a worker who has experienced or witnessed racist behaviour is unable to adopt the above approach, or the racism is of a very serious nature, they can approach a Contact Officer who will provide informal advice in confidence. No further action will be taken without the consent of the worker making the complaint.
4. If a worker complains of racist behaviour but does not want to take the matter any further, the employer will keep a record of the complaint and periodically check in with the worker to find out if the situation has improved. The employer will respect the wishes of the complainant but there may be some circumstances where the racism is of such a serious nature that the employer will need to take action because of the high immediate risk to the safety of the complainant, their colleagues or someone else who may come into contact with the perpetrator. In such situations, the employer will put in place appropriate safeguards to prevent further discrimination, harassment or victimisation of the complainant.

**Formal action**

If informal action does not stop the racist behaviour, or a formal complaint is made from the outset, the complaints procedure should be initiated and a formal report should be made. Throughout this procedure, the complainant and the person against whom the complaint is made has the right to be accompanied by a trade union representative or by a colleague, and to seek informal advice from a Contact Officer.

1. A worker who has experienced or witnessed racism should formally report the alleged act or acts to their line manager, or if the perpetrator is the line manager, a more senior manager. Where possible, the worker should set out details of the complaint in writing with specifics as to dates and times and an account of what the racism consists of.
2. All complaints will be handled and investigated in a timely and confidential manner. The complainant will be invited to a meeting with the manager within ........................ ***[specify the time limit]*** of reporting the racist behaviour. The worker has the right to be accompanied by a trade union representative or a work colleague at this meeting.
3. Confidentiality will be maintained at all times including by witnesses spoken to as part of the investigation, subject to any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the complainant, or to others. Workers shall be guaranteed a fair and impartial hearing whether they are the person accused of racist behaviour or the person experiencing or witnessing it. Breach of confidentiality may be a disciplinary offence.
4. As a first stage in a thorough investigation of the complaint, a senior manager will arrange to interview separately both the complainant, and the person against whom the complaint has been made, with a representative if requested. Wherever possible the investigator will not be the same person who hears the complaint nor any subsequent appeal, in order to help ensure independence and objectivity.
5. A target timescale for completion of the investigation will be set and communicated to the complainant, along with updates on progress. Should the target timescale not be met, a clear explanation should be given to the complainant by ***[name of employer]***.
6. Wherever possible, ***[name of employer]*** will try to ensure that both the complainant, and the person against whom the complaint has been made are not required to work together while the complaint is under investigation. In a serious case, the person against whom the complaint has been made may be suspended while investigation and any subsequent disciplinary procedure are undertaken as a precaution for the protection of the complainant or to prevent interference in the investigation. Such suspension will be for as short a time as possible, will be on full pay and is not considered a disciplinary action.
7. Following the investigation, the senior manager will give a detailed response in writing to the complainant including outcomes wherever appropriate or possible, including action taken to address the specific complaint if it is upheld, and any measures taken to prevent a similar event happening again in the future.
8. Disciplinary action up to and including dismissal may be taken in accordance with the staff disciplinary procedure if a complaint of racist behaviour is upheld. Appropriate adjustments will be made to enable the complainant to participate in the disciplinary process without fear of victimisation. ***[Ensure that these details are reflected in the disciplinary procedure.]***
9. If the racist behaviour is believed to be a criminal offence, such as a hate crime, the senior manager should advise the complainant to report the matter to the police as soon as possible and give them appropriate support. In cases where the police are involved, ***[name of employer]*** will liaise with the police regarding the disciplinary process and take advice on how to conduct a fair process. ***[Ensure that these details are reflected in the disciplinary procedure.]***
10. If it is believed that there is an ongoing risk of serious harm to an individual, the senior manager will contact the police themselves and inform the complainant that they have done so.
11. Workers shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against a worker for complaining about or assisting in an investigation of racism is a disciplinary offence. ***[Ensure that these details are reflected in the disciplinary procedure.]***
12. Any decisions taken under this procedure do not preclude any worker from pursuing a grievance in the usual way under the staff grievance procedures and/or reporting the matter to the police should they believe that a criminal offence may have been committed.
13. The complainant has the right to appeal against the decision following the investigation within ........................ ***[specify the time limit]*** of receiving the decision from the senior manager. Any appeal must be made in writing, stating the reasons for the appeal.
14. An appeal meeting will be arranged with a more senior manager not previously involved in the procedure who will consider the appeal. The worker will be given the opportunity to put forward their case and explain why they are not satisfied with the outcome. The meeting may be adjourned by the person hearing the appeal if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible.
15. The decision of the person hearing the appeal shall be final.

## Dealing with the racist behaviour of members of the public and contractors

***[Name of employer]*** also recognises that it has a responsibility to protect workers from racism at work by members of the public and contractors. All staff have the right to be treated with respect by the public they provide services for or work with.

The racist behaviour of patients, service users, visitors and contractors will not be tolerated.

When racist behaviour by patients, service users, visitors or contractors is witnessed or experienced, staff should:

1. Make the environment safe. If the racist behaviour is believed to be a criminal offence, such as a hate crime, this may mean calling the police or security services, removing the perpetrator from the environment and/or considering moving the person who is experiencing the racist behaviour to a safe space temporarily for their protection and wellbeing.
2. ‘Call out’ the racist behaviour, making it clear that it is unacceptable. Be specific and give examples of the language/ behaviours that are abusive. Warn the perpetrator that they will have to adjust their behaviour or they may be asked to leave the service.

Workers are always encouraged to report incidents of racist behaviour to their line manager and/or Contact Officer, whether they are the target of the racist behaviour or they have witnessed it. Reporting is necessary in order to address the issue both for the worker’s own well-being and that of their colleagues.

All complaints will be handled and investigated in a timely and confidential manner. (See also the section above [‘Responsibilities of managers and supervisors’](#_Responsibilities_of_managers)).

Steps will be taken to prevent racism from patients, service users, visitors and contractors with warning notices on display, warning individuals about their racist behaviour, banning them from the premises if the behaviour does not stop, and reporting any criminal acts to the police. ***[amend as appropriate specifying how this will be communicated to patients, service users, visitors and contractors].***

Contractors will be required to comply with this policy as part of their contract. ***[Ensure that these details are reflected in the wording of contracts and any cancellation clause.]*** Any complaint will be taken seriously and investigated, and may lead to the immediate termination of their contract, to the banning of them from the premises if the behaviour does not stop, and reporting any criminal acts to the police.

## Review and monitoring

Adequate resources will be made available to fulfil the aims of this policy.

This policy will be reviewed jointly by unions and management, on a regular basis. The initial review of effectiveness will take place six months after this policy comes into effect. Thereafter, reviews will be carried out at intervals of not more than 12 months.

***[Name of employer]*** will also periodically monitor how successful it is in creating a workplace free of racism by other means which may include confidential staff surveys, training, raising awareness of racism and discrimination in general and undertaking risk assessments.

## Support for workers who have experienced racism

***[Name of employer]*** recognises that racist behaviour can impact those who experience or witness it and can affect job performance and cause stress, anxiety or other mental health as well as physical health problems.

Where it has caused deterioration in job performance, this will be treated as a health problem and the person will be encouraged to seek help under the terms of this policy.

Access to independent and trained counsellors will be available to all staff. This service will be strictly confidential between the counsellor and member of staff. No details or records will be disclosed without the written permission of the member of staff concerned.

Workers who have experienced racist behaviour will be offered paid time off to attend counselling sessions. Contact details of counsellors will be publicised in ***[state where]*** so that staff can make arrangements for counselling as and when they wish.

Confidential support, practical information and advice is also available for individual employees from the employee assistance programme. ***[include a link or signpost to further information.]***

Where the workers’ complaint is not upheld, or it is upheld but results in disciplinary action short of dismissal of the wrongdoer, mediation and/or an offer of redeployment may be offered to affected parties.

## Further information

Trade union contacts ***[complete details]***

Equality Advisory and Support Service (EASS) – for England, Scotland and Wales

[www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

For advice on discrimination issues 0808 800 0082

Equality Commission for Northern Ireland

028 9050 0600

Email: information@equalityni.org

## Signatories

This agreement is made between ***[name of the employer]*** and UNISON, a registered trade union.

This agreement comes into force on:

Date:………………………………..

This agreement will be reviewed on:

Date:………………………………..

SIGNED ……………………………. for ***[name of the employer]***

DATE ………………………………..

SIGNED …………………………….. for UNISON

DATE ………………………………..