

ual:

the exchange

How can compassionate pedagogy mitigate the causes of racial harassment?

Exploring the recent **EHRC**
Executive Report (2019)
universities challenged.



Carole Morrison, AEM Senior Lecturer LCF, Siobhan Clay, Educational Developer, AEM CCW and UAL coordinator

Co-authored by Jheni Arboine, Senior Lecturer CCW AEM

ual:

the
exchange

Aims

- Knowledge sharing; key findings from the report
- Frame compassionate education/pedagogy
- Discuss experiences and approaches to supporting colleagues and students
- Raise awareness and signpost resources

ual:

the
exchange

Discussion in pairs/3's:

- ❖ What do you consider to be compassionate pedagogy?
- ❖ Recount a time when you have experienced it or seen it in action

ual:

the
exchange

Compassion in Education, a definition:

→ *'notice, not normalise, ones own distress or disadvantaging, or that of others, and take action to reduce or prevent it'*

→ (Gilbert, cited in University of Hertfordshire (2019) *Compassion in Education* website. Available at: <https://compassioninhe.wordpress.com/> Accessed: 9 December 2019)

ual:

the
exchange

Contents

Foreword	4	Institutional learning and improvement	84
Executive summary and recommendations	6	Leadership and culture	94
Methodology	21	Annex A : Respondents and non-respondents	104
What is racial harassment?	23	Annex B : Legal protections	109
Experiences	26	Bibliography	113
Reporting and complaints	44	Glossary	115
- Reporting incidents of racial harassment and making a complaint	44	Contacts	119
- Routes and barriers to reporting incidents and pursuing complaints	52		
- Complaints handling and redress for students and staff	68		

ual:

the
exchange

Key points from the summary report:

- Micro-aggressions
- Impact on mental health
- Under-reporting and subsequent lack of action
- Role of management
- Staff lacking confidence in knowing what to do
- Perpetrator; students and staff
- Public Sector Equality Duty (PSED)

ual:

the
exchange

Discussion in pairs/3's:

- ❖ Look at the key points and discuss what they mean to you.
- ❖ And how would you define racial harassment?

What is racial harassment?

How does the Equality Act 2010 define racial harassment?

The Equality Act 2010¹¹ says that a person harasses another if they engage in unwanted behaviour related to a relevant protected characteristic and the behaviour has the purpose or effect of:

- violating the other person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Unwanted behaviour will amount to harassment if it has such an effect, even if that was not the intended purpose of the behaviour. In deciding whether behaviour has

that effect each of the following must be taken into account:

- the perception of the person
- the other circumstances of the case, and
- whether it is reasonable for the behaviour to have that effect.¹²

Race is a 'relevant protected characteristic' for these purposes, as are age, disability, gender reassignment, religion or belief, sex, and sexual orientation.¹³

Not all behaviour that is experienced as offensive will be unlawful harassment under the Equality Act 2010. For example, students' learning experiences may include exposure to course material, discussions or speaker's views that they find offensive or unacceptable, and this is unlikely to be considered harassment when balanced against the right to freedom of expression.¹⁴

¹¹ S.26(1) Equality Act 2010.

¹² S.26(4) Equality Act 2010.

¹³ S.26(5) Equality Act 2010. 'Pregnancy and maternity' and 'marriage and civil partnership' are not relevant protected characteristics' in relation to harassment. The harassment provisions apply to 'religion or belief' and 'sexual orientation' only in some contexts including employment and education but not in the context of service provision or associations.

¹⁴ Article 10 of the European Convention on Human Rights. See our guidance: '[Freedom of expression: a guide for higher education providers and students' unions in England and Wales](#)' and '[Freedom of expression: a guide for higher education providers and students' unions in Scotland](#)'.

ual:

the
exchange

How does UAL fare against these recommendations?

- **17%** of complaints from home students were made by BAME students whilst white home students made up 79% of complaints (Arts SU Attainment report 2019 p.13)
- In 2018, **3** of upheld student complaints (of a total of 29) pertained to 'discrimination and human rights' (UAL Student Appeals and complaints report, 2018 p.17)

ual:

the
exchange

Key recommendations from the summary report:

- Protections, transparency and scrutiny
- Effective redress mechanisms
- A change in university culture

ual:

the
exchange

Activity

→ Intersection of the report findings and
compassionate pedagogy

Examples of compassionate teaching

[You might want to consider writing a personal Manifesto of
Compassionate Pedagogy]

Discussion: How do we signpost students and staff?

- **New Complaints Guidance for Staff**
<https://artslondon.sharepoint.com/sites/CanvasContent/Documents/3.-New-Complaints-Guidance-for-Staff.pdf>
- **Arts SU Academic Processes Advice**
<https://www.arts-su.com/page-holder/your-union/students-union-advice-service/academic-advice>
- **HR Bullying and Harassment documents**
<https://canvas.arts.ac.uk/sites/explore/SitePage/45443/bullying-harassment>

ual:

the
exchange

Reference & resource list

- **EHRC Report (2019)** *Tackling racial harassment: universities challenged*. Available at: <https://www.equalityhumanrights.com/en/publication-download/tackling-racial-harassment-universities-challenged> (Accessed 10 Dec 2019)
- **Arts SU attainment report** (2019) PDF available from Arts SU
- **Student Minds (2019)** *University Mental Health Charter*. Available at: <https://www.studentminds.org.uk/charter.html> (Accessed 10 Dec 2019)
- **Decolonising the Arts Curriculum: Perspectives on Higher Education** Zine1
https://issuu.com/susanbubble/docs/final_decolonising_zine2.compressed
and Zine2 (2019)
- **University of Hertfordshire** (2019) *Compassion in Education*. Available at: <https://compassioninhe.wordpress.com/> (Accessed 10 Dec 2019)



ual:

the
exchange

Thank you!



Carole Morrison c.morrison@fashion.arts.ac.uk

Siobhan Clay s.clay@arts.ac.uk

