

**UUK, TACKLING RACIAL HARASSMENT IN HIGHER EDUCATION —  
A RESPONSE FROM DON'T DIVIDE US**

**About Don't Divide Us**

Don't Divide Us is a loose collaboration of people from all walks of life, and from a range of political backgrounds. The group came together in response to an open letter published in the wake of George Floyd's murder and subsequent BLM protests. We share a commitment to a liberal anti-racism and, while we acknowledge that there are important differences between us, and structural inequalities have not been eradicated, we think a focus on our common humanity is vital for social and ethical progress.

We are an umbrella body where individuals can meet to discuss issues and share ideas on how best to engage with ideas and policies which, in our view, present a risk of divisive, if unintended, consequences. It is with this in mind that, as a group of DDU supporters who work in academia, we feel compelled to draw attention to the potential problems of the Universities UK report. We contacted Universities UK (UUK) with a request for information about their methodology, including sample surveys used, in order to get a fuller picture. These were not made available. In their response a representative of UUK wrote, 'This was not a piece of academic research. Rather, we wanted to build on the extensive evidence base provided by the Equality and Human Rights Commission 2019 inquiry, 'Universities Challenged', along with feedback from our advisory groups and panels, to develop practical guidance.'

The assertion that the EHRC inquiry provides 'extensive evidence', of sufficient general validity to justify wholesale institutional changes, is not supported by the report itself. After careful consideration and analysis of both reports we conclude that their embedded assumptions threaten to undermine relationships of personal and academic trust which are vital for all students and staff if they are to participate in the collective endeavour of intellectual life and benefit fully from their time at university.

We recommend that Universities UK change its focus from policies based on Critical Race Theory and 'microaggressions', and instead look to addressing inequalities by improving the material conditions for both staff and students, examples of which are given towards the end of the paper.

## Introduction

We are concerned that Universities UK's proposals to tackle racism inadvertently foster greater divisions and encourage mistrust among, and between, staff and students. A truly anti-racist society is not defined by the total absence of racism, but by how it responds to the thankfully diminishing instances of bigotry. We should remain vigilant, and where racial injustice takes place, ensure it is dealt with robustly. UK universities have been at the forefront of progressive social change for decades. It was thus shocking when the collective voice for Britain's 140 universities, Universities UK (UUK) — a non-governmental advocacy organisation — released a report in November 2020 called [Tackling Racial Harassment in Higher Education](#) that alleges what amounts to an epidemic of racism across UK campuses. In dealing with this, UUK outlines a series of recommendations to be instituted by University Vice-Chancellors.

The UUK guidance explicitly adopts a framework of Critical Race Theory (CRT).<sup>1</sup> This controversial belief-system alleges that, as UUK puts it, 'white domination is normalised and therefore seen as natural', and that this in turn helps 'white people, who as a collective group benefit from structural racism overall' (p.21). Contrary to the popular perception of universities, UUK warns that the racism which is 'endemic in UK society... also pervades higher education' (p.19).

It should be noted that CRT and the associated initiatives prescribed in the UUK report are specific theories and ideas widely contested amongst academics, anti-racist campaigners, commentators and the public. Yet they appear in the report as a universal gold standard for all to follow. This, in itself, undermines academic freedom and freedom of thought: critics of CRT will be told how they should think about these issues in training sessions, and if they do not agree, will necessarily find themselves writing and speaking against their university's values.

UUK's guidance suggests two routes, one direct and one indirect, to tackle its particular definition of racial harassment. The direct proposals, to ensure that complaints and resolution procedures are fit for purpose, are unobjectionable. But the indirect recommendations, which underpin the whole report, are radical: university leaders need to understand the prevalence of racial 'microaggressions' and systemic

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<sup>1</sup> On the controversies surrounding CRT, see: <https://dontdivideus.com/tag/critical-race-theory/>.

'white privilege', whilst driving through an effort to 'decolonise' university curricula and practices. A prevalence of books written by white scholars on reading lists helps 'perpetuate existing inequalities and are unlikely to reflect the experience or viewpoints of many members of the student and staff body' (p.41). UUK calls on young undergraduates to audit their professors' courses to ensure the 'representation of diversity within materials used in lectures and tutorials' (p.41). In staff training, universities should 'incorporate the concepts of white privilege and white fragility, white allyship, microaggressions and intersectionality, as well as racialised unconscious bias training' (p.47). Through building an 'inclusive culture and environment by setting the tone and expectations of student and staff behaviour' (p.29) senior university managers will inaugurate a truly 'anti-racist' university. If resisted by academics or students, those same managers are asked to 'commit' to there being 'consequences' when the drive for inclusivity is in any way 'breached' (p.29).

The impetus for UUK's recommendations comes from a set of reports produced by the Equality and Human Rights Commission (EHRC) in late 2019. The research for these reports was sub-contracted outside of the university sector to a private company, IFF Research, whose brief was to investigate the extent and nature of racial harassment in UK universities. The work of one small research team drives the sweeping cultural changes now championed by UUK across the entire UK university sector.

In the following sections we show that:

- UUK's guidance and the research on which it is based lack credibility, do not accurately reflect the data and make basic methodological errors;
- UUK's approach is unlikely to improve the problem of racial harassment, as its implementation would promote division by racialising campus relationships;
- by promoting the increased perception and reporting of 'microaggressions', UUK encourages suspicion and resentment.

Through its endorsement of a contested theory of collective racial guilt, UUK may well violate employees' dignity, whilst creating an intimidating, hostile, degrading, humiliating or offensive environment for staff and students alike on British campuses. It will create divisions where there are few.

## **A lack of credibility and rigour**

UUK urges universities to ‘acknowledge the institutional racism and systemic issues that pervade the entire higher education sector, in all institutions’ (p.4). However, UUK admits that it has ‘no regular data that fully identifies the nature, scale and prevalence of racial harassment in higher education’. Instead, it relies on the EHRC’s 2019 report [Tackling Racial Harassment: Universities Challenged](#), which is said to provide a ‘strong evidence base’ (p.22). Let us interrogate that claim.

The inequalities pervading the sector are said to manifest in several ways:

1. Minority representation among university staff: UUK notes that ‘16% of academic staff and 12% of non-academic staff in UK higher education are from Black, Asian and minority ethnic backgrounds. However, at least among academic staff, this proportion falls to just 10% at the most senior levels. Those from Black backgrounds are particularly under-represented, making up less than 1% of professors’ (p.65, n30).

On UUK’s own figures, it appears that ethnic minorities are, if anything, slightly over-represented among academic staff, given that 13.8% of the UK population<sup>2</sup> is from a Black, Asian and Minority Ethnic (BAME) background, compared with 16% of academics. On the specific concern about senior staff, it should be noted that according to [Advance HE](#), one of the leading statistical and data-gathering organisations for British universities: ‘the difference in proportions between white professors (11.2%) and BAME professors (9.7%) was small at 1.5 percentage points’ (although there are significant differences between ethnic minority groups: ‘for example, 15.8% of UK Chinese academics were professors compared with just 4.6% of UK black academics’).

It is also worth noting that the picture for the UK’s student population is similarly diverse, with 454,105 ethnic minority students studying in British universities in 2018–19, comprising 24.3% of UK domiciled students; the intake of new students that year saw the proportion reach the highest recorded figure of 24.6%.<sup>3</sup> Even at Oxford, traditionally seen as a bastion of exclusivity and privilege, more than 22% of its UK

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<sup>2</sup> Figures on the ethnic composition of the UK population are from [Diversity UK](#).

<sup>3</sup> Figures are drawn from [HESA](#), excluding the small proportion of UK domiciled students (c. 1.5%) whose ethnicity is unknown.

undergraduate students starting in 2019 were from BAME backgrounds, up from 14.5% in 2015.<sup>4</sup> When the whole student body is considered, these figures rise appreciably higher; Cambridge, for instance, admitted a cohort in 2020 where BAME students represented more than a third of freshers (34.6%).<sup>5</sup>

2. BAME student underachievement: UUK highlights student attainment as another area of inequality, manifest in 'degree-awarding gaps; student retention rates; graduate outcomes' (p.65, n31). According to the [Higher Education Statistics Agency](#) (HESA) 29% of white students attained first class degrees in the academic year 2017–18, while 13.5% of black students did. This disparity is one reason given to support accusations of institutional racism and racial inequality.

However, HESA data show that 21% of Asians and 25% of mixed-race students also got firsts. When we move down the scale to a 2:1 UK degree classification, 47% of white, 42% of black, 44% of Asian and 49% of mixed-race students received 2:1s. If, as has been asserted, differential attainment is indicative of institutional or attitudinal racism, why do mixed-race and Asian students obtain roughly the same number of firsts and 2:1s as their white peers? Moreover, this degree-specific racism somehow makes itself felt in spite of the fact that exams and essays are typically marked anonymously, with the marker having no idea of the identity or race of any candidate they are examining.

The UUK report fails to consider the question of prior attainment and school experience. Given the changes in institutional and curricula arrangements at school level over decades, it is quite possible that students arrive at university with similar or the same qualifications, but with very different broader educational experiences. A report from Cambridge Assessment finds a correlation between different styles of school pedagogy and the ability of first-year students to write independently.<sup>6</sup> Depending on the chosen degree subject, prior school experience (independent of qualifications) could have a greater or lesser effect on both outcomes and retention rates. These deeper and wider contextual factors need to be considered if we are to understand statistical disparities better and draw conclusions for public education policy.

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<sup>4</sup> Oxford University, [Annual Admissions Statistical Report](#), p.22.

<sup>5</sup> These figures were obtained via a Freedom of Information request from the [Cambridge Tab](#).

<sup>6</sup> Elizabeth Jeffery, A review of the literature examining the pedagogical differences between A level and university, [Cambridge Assessment Research Division](#), 2012.

## Flaws in methodology

In any basic social scientific enquiry, it is incumbent upon the researcher to analyse a range of variables that may help explain observed outcomes — what is called a multivariate analysis. Taking an inequality of outcome within a single degree range, and instead of controlling for variables that may influence this outcome, assuming that a single independent variable (racism) is responsible for the dependent variable (outcome inequality in one degree range amongst the black student population), is methodologically insupportable. Other obvious and important variables to consider here include the fact that a very high proportion of black students come from state schools and that state-school students overall, both black and white, tend to do less well at university than their private-school counterparts. Similarly, the majority of black students go to a small number of post-1992 metropolitan universities, which traditionally award fewer firsts.<sup>7</sup> Other academic studies suggest that the level of congruence between school, community and home cultures can have significant impacts on academic success of Afro-Caribbean pupils.<sup>8</sup> Minimally, before arguing for the existence of pervasive racism on this basis, UUK and others who do believe that attainment gaps can be explained by a single variable need to conduct a methodologically sound analysis.<sup>9</sup>

3. Racial harassment on campus: The main focus of UUK's guidance is student and staff experience of racial harassment. Worrying figures are given (pp.23–5), drawn from the EHRC's 'statistically representative survey of student experiences, and an online call for evidence that heard from 585 students and 378 staff who had personally experienced racial harassment' (p.23). The crucial EHRC claim highlighted by UUK is that 24% of all ethnic minority students surveyed had experienced racial harassment on campus over the duration of their courses (2015–19).

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<sup>7</sup> UK Standing Committee for Quality Assessment, [The Drivers of Degree Classifications](#), 2018, p.10. A quarter of BAME students, and three-fifths of black students, attend 30 universities: see Runnymede Trust, [Aiming Higher: Race, Inequality and Diversity in the Academy](#), pp.10–11.

<sup>8</sup> Jasmine Rhamie and Susan Hallam (2002) [An investigation into African-Caribbean academic success in the United Kingdom](#), *Race Ethnicity and Education*, 5(2).

<sup>9</sup> [Five charts that tell the story of diversity in UK universities](#), BBC, 23 May 2018.

This alarming statistic needs treating with some caution, for there are again a number of problems with the data and the methodology. First, although the non-white population of the UK is 13.8%, ethnic minority students make up 24.3% of the UK student population. Of the 1,009 students surveyed by the EHRC, 526 (52% of the sample) were ethnic minorities, which amounts to 0.1% of the total UK ethnic minority student population. That is quite a small sample, but, when statistically extrapolated, these numbers generate the shocking figures used in media reports<sup>10</sup> which now, in turn, drive UUK's directives to university leaders. If we use the same data and methodology exhibited by the EHRC report, we must assume that some 350,000 white students (9%) in British universities have suffered racial harassment over the same period. If this is true, the UUK guidance makes no mention of it, presumably because of the complications this causes for Critical Race Theory, which does not allow for anti-white racism. If this figure is inaccurate, it can only mean that the other data emerging from the enquiry are similarly unsound.

Given that the sample used in the survey was small, it is common for researchers to conduct multiple samples to correct for sampling bias in an attempt to mitigate errors and to control for the problem of self-selection bias in survey data. No information is given about how the students who completed the survey were selected and contacted. This same problem extends to the lack of sensitivity analysis performed on the independent variable(s) represented by the questions asked by the EHRC-commissioned surveys. To be confident of the results, it is very important to establish how sensitive the outputs are to changes in the inputs. Was the impact gauged of having only 30% male respondents, or of 50% of respondents being based at universities in the top third by UCAS tariff? How much do specific definitions, phrasing and questions contribute to the overall figures reported? For instance, what difference was made by telling respondents that 'derogatory comments / behaviours' could mean 'having your work overly scrutinised'? How clear was it to respondents whether 'racial harassment at your place of study' limited the question to the university campus or referred to the holistic experiences of their life during university study? Given the sweeping changes called for by the EHRC as a result of their analysis, and the widespread cultural change now called for by UUK on the back of these findings, at the very least a more methodologically robust analysis should have been carried out.

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<sup>10</sup> For example, the [Guardian reported](#) that 'the equivalent of 60,000 students nationwide' had reported or experienced racial harassment, and similar claims run throughout UUK's guidance.

Second, the same EHRC report, [Tackling Racial Harassment: Universities Challenged](#), directly called for evidence from those who had experienced or witnessed racial harassment. A [video](#) to advertise the call declared 'It isn't banter. If you've experienced racial harassment at university make your voice heard.' Over the next three months, 585 students and 378 staff reported suffering personal harassment between the start of the 2015–16 academic year to February 2019; a further 260 students and 193 staff came forward as witnesses of such events. The report also surveyed UK universities about their own perception of the problem. The feedback from 141 institutions (89% of those contacted) was summarised as follows: '4 in 10 institutions in our university survey (38%) reported having received no complaints of racial harassment from staff; around three in 10 (29%) received no reports from students. Almost one in five institutions (18%) received no complaints of racial harassment from either group.' British universities employ 670,000 staff and teach 2.3 million students annually. In the three-and-a-half-year period September 2015 to March 2019, when some 5 million students passed through the UK's higher education institutions, the universities surveyed by the EHRC show that approximately 0.01% (559) of their students reported incidents of racial harassment to their universities. Of staff, 0.05% (360) made complaints. While all reported harassment requires serious investigation, these figures can hardly be said to reveal a pervasive problem.

The EHRC authors conclude that the mismatch in their data must indicate large-scale under-reporting of incidents. Although some respondents did report a lack of confidence in their university's ability to address the problem, the EHRC did not explore how widespread such feelings are and to what degree they can explain the major discrepancies in their evidence. Yet it is encouraging that, when students in the EHRC's student survey were asked how well they thought their university was tackling the issue of racial harassment, they were fairly positive:

One in seven (14%) students said that they felt their university was handling the issue of racial harassment very well (scores of 9–10), a further one in four (23%) felt that the university was handling the issue fairly well (scores of 7–8). Less than one in twenty (3%) students said that their university was not handling the issue at all well [scores of 1–2]. Four in 10 students (39%) felt unable to answer the question and selected 'Don't know'.<sup>11</sup>

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<sup>11</sup> EHRC, [Racial harassment inquiry: survey of university students](#), October 2019, p.27.

Moreover, while 2% of ethnic minority students felt that racial harassment was a big problem and 8% somewhat of a problem, 70% ranged from a response of not particularly a problem to no problem at all.<sup>12</sup> When ethnic minority students were asked how worried they were about being personally subjected to racial harassment at their place of study, 87% responded from neutrality through to not at all worried, with the last being the largest group at 43% of the total.<sup>13</sup> Over a three-and-a-half-year period, universities across the whole of the UK dealt with on average one complaint of racial harassment a year, with only 3% of those students who did report racial harassment feeling unhappy with how their universities handled their complaints.

### **UUK's recommendations promote division on campus**

The data do not constitute a sufficient basis, therefore, for UUK's claims about ingrained inequality and discrimination being widespread across the sector. Instead, the truth of the claim is assumed on the basis of Critical Race Theory. Adopting this framework allows UUK to 'know' that 'inequality is embedded in structures, processes, culture and behaviours' in British universities (p.21). UUK clearly states the ideology that underpins its analysis: 'This guidance draws on the framework of critical race theory. This proposes that racism is an ordinary rather than abnormal experience, supported by societal structures, and that "colour blindness" will only rectify the most overt forms of racism while maintaining structural inequalities' (p.21). Far from acknowledging that this is a contested theory with questionable empirical validity, and that other approaches could be brought to a study of this kind, UUK ignores the fact that by no means all academics will accept this divisive and controversial approach to a study of this scale and importance. Unconcerned by its partisan approach, UUK endorses the 'concepts of white privilege, fragility and allyship, and intersectionality' (p.12), and presents these ideas as if they were simply self-evident truths rather than contested claims rooted in a theory of the collective racial guilt of white people and 'whiteness'.

On this partisan basis, UUK seeks to roll out CRT-informed training across the board, recommending that these programmes should 'incorporate the concepts of white privilege and white fragility, white allyship, microaggressions and intersectionality, as

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<sup>12</sup> In addition, 6% did not know and 14% were neutral.

<sup>13</sup> EHRC, [Racial harassment inquiry: survey of university students](#), October 2019, p.26.

well as racialised unconscious bias training'.<sup>14</sup> Far from encouraging cohesion during this process, the report explicitly recommends dividing BAME staff and students from their white peers when talking about racism (p.45).

In the same spirit, UUK advises that universities are in need of 'decolonisation',<sup>15</sup> since 'curricula that are based on Eurocentric, typically white voices will perpetuate existing inequalities and are unlikely to reflect the experience or viewpoints of many members of the student and staff body' (p.41). The idea implicit here — that the domination of 'white voices' must be challenged by 'privileging a more diverse range of voices' (p.41) — suggests that staff and students can be classified as having distinctive 'voices' in education according to their skin colour or ethnic background. Despite acknowledging that 'BAME' people are 'not a homogenous group' (p.34), the report nevertheless pits black people against white, the latter understood as 'a collective group [who] benefit from structural racism' (p.21). It is not made clear anywhere in the report how these radical recommendations could help reduce instances of racial harassment.

In fact, there is some reason to think they could worsen race relations. As education researcher Ruth Mieschbuehler has recently pointed out in a [report for Civitas](#), current thinking about inequalities in education 'racialises relations on campus':

The consequence of grouping students is that it drives a wedge between people and removes any sense of our common humanity. It forces us to see other people's skin colour and acts as a divisive force. It also forces group identities upon students and ignores their individuality.

The divisive assumptions of policies based, in UUK's words, on 'a racially conscious approach' (p.42) mean that only one factor — ethnic grouping — is taken into account when examining disparities in education. As outlined above, other variables — such as class or socio-economic background, levels of academic aspiration, prior educational achievement, caring responsibilities, term-time employment, or any of the many other things that can impact on success at university — are routinely ignored. This decision seems to be driven more by ideology than by methodology.

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<sup>14</sup> On the problems with unconscious bias training, see: <https://dontdivideus.com/tag/unconscious-bias/>.

<sup>15</sup> Well aware of the broad range of this term, the report notes that it 'can also refer to the wider structures of an institution, and not just academic course content' (p.66, n.62).

Mieschbuehler also observes that this approach involves a new kind of ‘deficit talk’ that treats students (particularly those from ethnic minority backgrounds) as ‘essentially vulnerable and unable to cope’. In this view, students are unable to ‘take charge of their own learning’ because they are ‘disadvantaged by hierarchical power relations and inbuilt institutional and social biases’. This is a highly contentious assumption, arguably one that patronises many young people who simply want to be treated and regarded in the same way as their peers.

### **The UUK report encourages suspicion and resentment**

A view of students as vulnerable victims-in-waiting is also promoted through the prominence UUK gives to ‘microaggressions’. These are defined (in the document’s [Annexes](#)) as ‘Everyday, subtle and insidious forms and acts of racism that send a denigrating message to those who belong to racially minoritized groups.’ Microaggressions are said to be ‘just as damaging as overt racism’ (p.46), with ‘equal implications on mental health and wellbeing’. Examples include statements such as ‘You are so articulate’, ‘I’m not racist. I have several Black friends’, and ‘I believe the most qualified person should get the job’. In interpreting such statements as racist microaggressions, neither the circumstantial context nor the speaker’s intent is considered to be relevant. As UUK states, ‘if an incident is perceived as racist by the victim, then it should be treated as such, irrespective of the intention’ (p.12). UUK is thereby fostering an environment where academic staff are fair game for accusations of racial ‘microaggressions’ without any scope for defence. Given UUK’s unequivocal endorsement of CRT, it is very hard to see how its guidance maintains an environment for preserving employees’ dignity. Instead, there is a very real possibility of creating an intimidating, hostile, degrading, humiliating or offensive environment for staff and students alike.

This is amplified by the fact that UUK wants to ensure that all microaggressions are reported and their outcomes assessed. As well as encouraging minority students to interpret everyday interactions as potential ‘microaggressions’, UUK also calls on universities to implement ‘bystander training to support staff members and students to call out racism’ (p.12). Whether or not any aggressive or hostile intent lies behind an incident, and whether or not the speaker was even conscious of an alleged racial dimension, if the recipient — or a bystander, when the recipient is oblivious to the issue — feels that the comment had a racial dimension, it merits report and investigation.

The guidance also calls on universities to institute systems of ‘anonymous reporting’ (p.53). UUK expects that if universities follow its advice, there will be an ‘increase in reports of racial harassment’ — something that ‘at least in the short term, should be seen as a positive development’ — and hopes that incidents where ‘issues were resolved informally’ will still be recorded and passed on to senior administrative staff (p.55). UUK does not reflect on the alarming possibility that an organisation which does not see a spike in complaints will be deemed to have failed in its commitment to stamping out racism, when it is perfectly possible that the opposite is true. Rolling out anonymous reporting is unlikely to help any individual student. Instead, if such guidance were implemented, the main beneficiaries would inevitably be management, who would thus gain new metrics for assessing staff and new powers to discipline them. The campus would experience the very opposite of a reduction in racial tensions: ethnic minority lecturers and students would be encouraged to be constantly on-guard for potential slights and snubs; their white counterparts would live in fear of anonymous denunciation.

Any cases of racial discrimination and harassment in universities should of course be dealt with swiftly and seriously, but seeking to inflate the tiny number of reported incidents through anonymous reporting of ‘microaggressions’ will not help anyone. It may end up providing a rationale for managers to discipline staff for misreading gestures and body language.

In general, the blanket endorsement of CRT by senior university administrators will not address the long-term structural inequalities in higher education. For example, at the most selective universities, only 5% of disadvantaged young people enrol compared with the national average of 12%. Even if they do get in, young working-class people struggle to stay, with an 8.8% dropout rate, compared with 6.3% of their peers from better-off families. Part-time students from lower-income backgrounds have dropped by a massive 42% over the past six years.

UUK could push for practical measures to help, such as improving working conditions and pay for all staff, and narrowing the pay gap between rank-and-file, often casualised, lecturers and overpaid university executives. For students, alleviating the problems of debt and term-time working, and addressing the socio-economic inequalities that limit access to higher education for young people from working-class backgrounds, would also be welcome. These measures would address the material

and practical difficulties faced by some students that can affect their studies, and would not divide people on the basis of race.

## **Conclusion**

To conclude, UUK has issued to its member institutions guidance based upon exiguous evidential support, flawed methodology, a controversial theoretical framework and sweeping generalisations. We agree with the Universities Minister, Michelle Donelan, who stated that:

Our world-leading higher sector is an engine of social mobility and provides life-changing opportunities for thousands of students from ethnic minority backgrounds every year. We must stamp out racism wherever it exists, including on campuses, but we are concerned that the Universities UK report makes a number of unproven allegations of ‘institutional racism’ in the sector, and that by using divisive phrases like ‘white privilege’ it underplays the important work universities do to widen access to all students.

Whilst decades of progress on racism are reflected in the friendly, open and trusting academic and personal relationships characteristic of university life, the UUK guidance divides and re-racialises the campus. Our students, our staff, and our society at large deserve better than this.