RACE EQUALITY AND THE FORESTRY COMMISSION

FINAL REPORT

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EXECUTIVE SUMMARY

1. Background
This report presents key findings from an investigation carried out by Forest Research between October 2004 and October 2006 into the application of the Forestry Commission's Race Equality Scheme (RES).

The research identified factors that can restrict access of Black and Minority Ethnic (BME) groups to woodland recreation, attitudes and responses of FC staff towards race equality, examples of good practice, and recommendations for FC.

The research comprised fieldwork in Northants Forest District, interviews with FC and non-FC staff, and a literature review. The fieldwork involved focus groups and accompanied site visits to Salcey Forest with members of four BME community groups, local community leaders and local FC rangers.

2. An active, targeted and positive response
The Race Relations (Amendment) Act 2000 requires a fundamental repositioning of race equality within the priorities of FC.

A passive 'Countryside for All' approach is no longer sufficient to meet the requirements of the Act. Instead, FC must *actively* promote race equality.

3. Race Equality Scheme
The responsibilities and expertise required to implement the Race Equality Scheme extend beyond the scope of Human Resources, and need to be tackled strategically, at all levels of the organisation.

FC should consider producing a generic 'equality scheme' covering race, disability and gender, following other agencies including Defra.

4. Race equality impact assessment
All existing FC functions and policies, which are relevant to the general duty, require a race equality impact assessment. If there are shown to be differential impacts on ethnic groups, FC needs to act to promote greater equality.

5. Clarifying relevant functions and policies
The list of functions and policies currently given in the current FC RES needs to be replaced by a longer list that is based upon the items given in the three country strategies.

The majority of items in the three national strategies score highly for their potential relevance to the race equality duty. This is the case for nearly all policies for recreation, tourism, community development, regeneration, health and education.

6. Proportionality
Proportionally less effort should be spent on policies, and geographical regions, that are judged to have relatively small impacts on BME groups, but this judgement must be based on evidence.

7. Ethnic monitoring
FC needs to ensure that ethnic categories are incorporated into existing monitoring of the profile of visitors to FC sites and of FC staff. Additional qualitative and

quantitative monitoring arrangements, and new performance measures, will be required for other functions and policies.

8. Publication and access to information
Translations of FC leaflets, documents and signs need to be proportionate to local needs, and planned through consultation with local BME representatives.

9. Diversity training
Diversity training for staff needs to be planned and implemented strategically for the entire organisation. Training by Forestry Training Services could be supplemented with targeted local level training involving local BME partners.

10. Partnerships
Improved partnership working can be a cost-effective response to the new equality legislation.

FC must ensure that the planning and management arrangements of its partnerships meet its statutory racial equality duties.

11. Procurement
The RES also covers procurement of goods, services or facilities. All procurement functions of FC must meet the requirements of the duty.

12. Outreach and local engagement
At the local level, outreach work with BME communities is probably the most important action that will allow FC to respond positively to the Act.

Additional resources, training, and commitment for outreach from managers may be required along with its inclusion in Forward Job Plans with related performance targets.

Good outreach can act as a driving force that strengthens several other functions of FC relevant to its RES. Relationships can be established, which may facilitate further BME involvement.

13. Employment and volunteering
FC needs to respond to under-representation in its staff profile identified through ethnic monitoring, for example, through positive action that encourages BME applicants.

FC should encourage volunteering by BME groups, to extend the benefits to a more diverse range of people, but also because it may encourage BME applications for employment.

14. Research
Further research could be focused on the following topics: a) catchment area studies for particular woodlands or districts, b) improved methods for impact assessment, consulting and monitoring, c) barriers to recruitment of BME staff and volunteers, and d) FC's relations with Gypsies and Travellers.

15. RES three yearly review
FC are required to review its list of functions, policies and proposed policies that are relevant to the general statutory duty every three years.

1. INTRODUCTION

Background

This report presents the main findings and recommendations that arose from research conducted by the Social and Economic Research Group of Forest Research (FR) between October 2004 and October 2006 to investigate the application of the Forestry Commission's Race Equality Scheme (RES). The overall aim was to provide information that will assist the Forestry Commission (FC) in fulfilling its duties under the Race Relations (Amendment) Act 2000. A key objective of the study was to recommend how the RES could be improved upon, and implemented by managers in different parts of the organisation.

The findings and recommendations presented here also draw on a literature review, and in particular the recent body of research carried out concurrently as part of the Countryside Agency's Diversity Review. The Review sought to identify attitudes and needs of under-represented groups, including Black and Minority Ethnic (BME) groups, in relation to countryside access (CA 2005a), and perceptions of countryside service providers towards social inclusion (CA 2005b). The research informed Defra's recent Diversity Action Plan (Defra 2006). Both the Review and the Action Plan were supported by FC. From the start, the study reported here was designed, through dialogue with CA, to supplement these initiatives by focusing specifically on the particular circumstances faced by FC in relation to BME groups.

Race Equality Scheme

There are three new areas of legislation in the field of equality and diversity that require compliance by FC and most other public authorities:

- The Race Equality Duty, in force since 2001, and enforced by the Commission for Racial Equality (CRE) on the basis of the Race Relations (Amendment) Act 2000. See: http://www.cre.gov.uk
- The Disability Equality Duty will be enforced by the Disability Rights Commission (DRC) from December 2006, on the basis of the Disability Discrimination Act 2005. See: http://www.drc.gov.uk
- The Gender Equality Duty will be enforced by the Equal Opportunities Commission (EOC) from April 2007, on the basis of a new Equality Bill. See: http://www.eoc.org.uk

The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, gives most public authorities, including FC, a statutory general duty to promote race equality. When carrying out its functions under the general duty, FC must aim to:

- Eliminate unlawful racial discrimination
- Promote equal opportunities, and
- Promote good relations between people from different racial groups

To help public authorities meet the general duty to promote race equality, orders have been made under the Act that give specific duties in the areas of policy-making, service delivery and employment. These are the basic steps that must be taken to meet the general duty. Under the specific duties covering policy and service delivery, most public authorities, including FC, must publish a Race Equality Scheme. The FC RES must include the following:

1. A list of the functions and policies (including proposed policies) that have been assessed by FC as being relevant to the general duty to promote race equality.

2. A description of FC's arrangements to:
- Monitor FC policies for any adverse impact on promoting race equality
- Assess, and consult on, the impact that policies FC are proposing to introduce are likely to have on promoting race equality
- Publish the results of assessments, consultation, and monitoring
- Make sure that the public have access to information and services, and
- Train FC staff on the general duty and the specific duties

All public authorities bound by the general duty are also subject to an employment duty, unless specifically exempted. They must monitor, by racial group, the numbers of: a) staff in post, and b) applicants for employment, training and promotion. Since FC has 150 or more full-time staff, it must also monitor the number of staff from each racial group who: a) receive training, b) benefit or suffer detriment as a result of its performance assessment procedures, c) are involved in grievance procedures, d) are the subject of disciplinary procedures, and e) cease employment.

For more information, the following key documents can be downloaded from the CRE site: http://www.cre.gov.uk/publs/cat_duty.html.
- Statutory code of practice on the duty to promote race equality
- The duty to promote race equality: a guide for public authorities
- Ethic monitoring: a guide for public authorities

There are separate codes and guides for England and Wales, and for Scotland, although the differences in content are insignificant for practical purposes.

Investigation into the application of the FC's Race Equality Scheme

FC published its first draft RES in November 2003. Subsequent feedback from CRE asked for more detail, particularly with respect to consultation with BME groups about functions and policies, monitoring impact, and access to information about services. Meanwhile, reactions from managers and conservators indicated that many of them felt that the RES was not relevant in the light of a perceived absence of minority groups in their areas of operation. Others asked for more guidance on how to implement the Scheme. As a result, the Social Research Group (now Social and Economic Research Group) at FR was commissioned to provide further guidance on actions required by FC to meet the requirements of the Act.

The study aimed to provide information about factors influencing use of FC woodlands by BME groups, and to recommend how the RES could be improved upon and implemented. The project was managed by Dr David Edwards at FR and conducted in collaboration with an independent consultant, Dr Sue Weldon.

The research was divided into two phases. Fieldwork for Phase One was conducted between March and August 2005 in Northants Forest District, involving focus groups and accompanied visits to Salcey Forest with four different BME communities. This phase focused on the attitudes and behaviour of BME groups towards woodlands (see Sections 2 and 3).

Phase Two focused on the responses of FC towards race equality, and consisted of a broader GB-wide investigation including semi-structured interviews with 18 conservators, forest managers, rangers and front-line staff in England, Scotland and

Wales, inside and beyond FC, between November 2005 and February 2006 (see Section 4).

The interviews for Phase Two engaged staff in open-ended discussions about whether and how current practices could be re-examined in the light of the RES. Many aspects of local and regional policy and practice were explored (see Appendix 4). Discussions varied according to the role and character of the participant, and gave people an opportunity to indicate their levels of awareness, highlight areas of concern and to acknowledge where they needed further guidance or training in diversity and race awareness. The responses were helpful in portraying a more realistic picture of the current situation and how it is changing. A selection of people from other government agencies and non-government organisations were also interviewed, in particular to explore features of good practice.

The focus of this study is on the specific duties for policy and service delivery: the areas where FC Human Resources Department (HR), which is leading on FC's diversity and equality agenda, were considered most likely to benefit from additional guidance. Some findings and recommendations however apply to the specific duties placed on FC as an employer. While focusing on race equality, many of the findings and recommendations are of relevance to other areas of equality.

Structure of the report

Following this introduction, Section 2 describes the methodology for Phase One, and gives an account of the focus groups and site visits. Section 3 summarises findings regarding attitudes and perceptions of BME groups towards woodland use, and the physical, economic, social and cultural factors that influence access. This section draws from the Phase One fieldwork, supplemented by additional literature, including related work carried out as part of the Diversity Review (CA 2005a and 2005b). Section 4 focuses on responses of FC towards race equality, and includes examples of good practice from within and outside the organisation. This section draws largely from the interviews conducted in Phase Two. Section 5 gives recommendations for FC to respond positively to the race equality duty drawn from the research and where relevant supplemented by guidelines from CRE.

There are five Appendices. Appendix 1 lists the people and agencies that were involved in the research and acknowledges their generous help. Appendix 2 gives the interview questions used during Phase Two. Feedback from the two FC rangers who participated in Phase One, Cheryl Joyce and Jo Roberts, is given in Appendix 3, followed by Appendix 4, 'A Duffers' Guide to Making Contact with Ethnic Groups', written in response to their experiences. Appendix 5 gives CRE definitions of race, ethnicity, discrimination and other relevant terms, and finally Appendix 6 gives guidelines for race equality impact assessment, summarised from the CRE site.

2. THE NORTHANTS CASE STUDY

Aims and methodology

The investigation into the application of FCs Race Equality Scheme began in October 2004 with a literature review and scoping study comprising some 20 meetings and interviews. As a result, subsequent research was divided into two phases. Phase One comprised a case study in Northants Forest District, and Phase Two involved a series of interviews as part of a GB-wide investigation. The methods and finding of Phase One are reported here.

Key research questions for the case study were identified as follows:

a) How and to what extent do the attitudes and perceptions of specific ethnic minority groups influence their use of public and private woodlands in the district?
b) What are the features of best practice in promoting race equality by countryside service providers, both within and beyond FC?
c) How do we determine levels of participation, satisfaction, relevance and appropriateness of FC functions for ethnic minority groups, which can be used as benchmarks to monitor progress in promoting race equality?

Northants Forest District was chosen for the case study because it has a range of sizeable BME groups and woodland types located both on the urban fringe and in isolated rural areas. The Forest District Manager (FDM) had identified a need for the research and agreed to support it.

The case study used qualitative methods, although available statistics on ethnicity were also sought from FC and other sources. The study began with semi-structured interviews conducted with relevant FC staff, local government, NGO, and community representatives, and members of BME groups including users and non-users of FC services. These interviews guided the research design.

The case study itself was conducted between March and August 2005. Fieldwork involved four focus groups on separate days in June and July with four different BME community groups. Each focus group was followed immediately by an accompanied site visit to Salcey Forest, an ancient semi-natural woodland managed by FC with good facilities for visitors approximately eight miles south of Northampton. Salcey was chosen following discussions with the FDM.

BME participants

The BME community groups that were selected for research were as follows:

1. *Pravasi Mandal, Wellingborough.*
   A group of six South Asian elders, mainly women. Nearly all grew up in rural areas of South Asia and East Africa. Some could not speak English; Gujurati was a common language. One or two had physical disabilities.

2. *Somali Youth Forum, Northampton.*
   A group of seven Somali teenage boys aged 17-19, most had been born in UK but were the sons of immigrants who arrived in UK around 1990 to escape the war in Somalia. All were fluent in English.

3. *Association of Black Children, Wellingborough.*

A group of nine Afro-Caribbean children (and one Asian girl from East Africa), both boys and girls, between ages eight and thirteen. Most had strong links to their parents' former home. One had special educational needs.

4. *Dostiyo Asian Women and Girls Association, Northampton.*
   A group of nine Asian women and four children living in central Northampton. All could speak English with a range of abilities.

Action research

The case study used an action research methodology that actively involved BME participants, community leaders, and two local Community Rangers from Northants FD. The aim was to go beyond an 'extractive' one-way research process that tried to determine BME attitudes and needs. At different stages of the site visits, the rangers took a lead role in helping participants to interpret the environment around us, including organised activities for the children from the Association of Black Children. Their views during the feedback session on how each group interacted with the environment (and with each other) provided additional insights into BME attitudes and perceptions and how these compared with non-BME groups that they had taken around the forest. Similarly, four community leaders, one representing each group, were actively involved in the focus groups, site visits and feedback session.

Involvement of local community leaders and rangers also allowed us to facilitate and observe the formation of new relationships between rangers, community leaders and BME communities. This helped us to develop ideas about how to improve outreach, and how its role could be extended to support several other functions required of FC to implement its RES, including community consultation and involvement, staff training, ethnic monitoring, and communication. The networks that have evolved between participants have already led to repeat visits to Salcey, and the emergence of the trust and familiarity necessary for BME communities to help local managers achieve other goals, e.g. race equality impact assessment, or advice on translation.

Composition of BME groups

Given the modest size of the study, it was not appropriate to consider working with a statistically representative sample of the BME population. Instead, the four groups were assembled from different BME community organisations with the overall aim of reflecting the full diversity within the local BME population, in particular in relation to age and gender, and to some extent ability and socio-economic status. Each group was relatively homogenous in composition, allowing some generalisations, and comparisons, to be made. All participants had one key characteristic in common: they all lived in inner urban areas of Northampton or Wellingborough. To a large extent this was a reflection the background BME population. It means that many of their attitudes and preferences may have been a reflection of their inner city residence (and relatively low incomes) rather than ethnicity *per se*. As discussed in Section 3, it is difficult to separate the influence of ethnicity from these other factors when trying to understand the causes of under-representation of BME groups among woodland users.

Recruitment of participants

A 'snowballing' approach was used to assemble each group of participants. With the support of the Countryside Access Officer at Northants County Council, contact was made with ethnic community representatives, and four were selected who were keen to participate. They were asked to invite up to ten research participants from their

respective communities, based on a discussion of the requirements of the research. As a result, within each group, everyone knew each other, and their social interactions during the focus groups and site visits became an additional source of data. This approach to recruitment was seen as more naturalistic and informative than bringing together 'representative' strangers from 'off the street', who would not normally have chosen to visit the countryside together. Fieldwork more closely resembled the kind of outreach activities that need to be conducted by Community Rangers.

The focus groups and site visits

The focus groups were held in the premises of the respective community groups in Northampton and Wellingborough. They took place on different days, during the morning, and each lasted for approximately two hours. Each was guided by a common protocol that covered the following themes: introductions; experiences of the outdoors; associations with woodlands; access and ownership; activities and facilities; economic and cultural barriers to woodland use; economic and social values of woodlands; volunteering and employment. Two dozen A4 laminated photographs, selected from the FC photo library, were used to prompt discussion at various points. The sessions ended with an explanation of who had commissioned the research, what it hoped to achieve, and plans for the afternoon site visit.

The discussion continued informally over lunch, after which all participants and researchers travelled by minibus to Salcey Forest. The groups were led slowly on a circular walk while the researchers observed and took notes on how they interacted with the environment and with each other. The rangers took turns on different days to point out things of interest, identify wildlife, or explain the herbal or culinary uses of different plants, according to the interests of each group. The exception was for the children's group, who instead were allowed a long period of unstructured play, followed by a series of short organised activities to encourage interaction with the environment in multiple ways. Each visit ended with refreshments and a feedback discussion at the Salcey Forest Café before returning together to their respective community group premises.

Interactions with woodlands

The focus groups and site visits generated a rich body of insights about the relationship between attitudes and perceptions of BME participants, their awareness of opportunities provided by FC, reasons for under-representation, and the actions FC need to take. There was considerable diversity between each of the four groups in terms of their interaction with the woodland environment. While there was also significant variation between individual participants, each group had a distinctive attitude and mode of interaction. This led us to conclude that their non-ethnic characteristics, in particular age and gender (and the objectives of respective community groups) are more significant in shaping attitudes and behaviour than factors directly relating to ethnicity *per se*, as outlined below.

i) Pravasi Mandal
The Asian elders from Pravasi Mandal, who were mainly women, were enthusiastic and engaged throughout the day. On arrival at Salcey they headed straight for the children's playground area and some even had a go the swings with much excitement. The visit reminded them of walks with family and friends while growing up in East Africa or South Asia, and several started singing and clapping along to a traditional song. As they walked they often reached out from the path to pick flowers and leaves to smell them and discuss their potential herbal qualities.

ii) Somali Youth Forum
By contrast, the group of Somali behaved in ways that resembled other teenage boys from a similar urban environment. Although they enjoyed the trip, they were more reserved, less prepared and less comfortable with the physical environment, and their comments and actions were more obviously shaped by their position and performance within their peer group.

iii) Association of Black Children
Most of the Afro-Caribbean children thoroughly enjoyed the unstructured play, which was spent playing hide-and-seek over an increasingly large area of dense woodland. Later, their interest was lost during many of the structured activities.

iv) Dostiyo Asian Women and Girls Association
The young mothers from Dostiyo were reserved throughout the day, taking cues on how to respond from the researchers and rangers, but, again, they appeared to value the unusual experience of participating in a social research project and visiting a woodland.

Overall responses

On the whole, responses were positive, and there was genuine interest from some of the participants in the prospect of repeat visits. (Members of Pravasi Mandal have returned several times since.) Many of the attitudes towards woodlands reflected those typically found in the non-BME population. There were similar concerns for example regarding personal safety, and problems with dogs. Barriers preventing woodland recreation reflected those of other urban residents with low incomes, in particular the problem of lack of transport.

Several participants described personal encounters with racism. These had taken place in everyday urban settings, and there was a shared view that racism was a potential problem everywhere rather than one associated with visits to the countryside. There was very little evidence that participants felt unwelcome in Salcey Forest. They all appeared unselfconsciously to enjoy the walk and café experience, and to integrate with the numerous non-BME users (who had all arrived in private cars or on mountain bikes). Indeed, the regular users appeared to pay more attention to the exotic-looking visitors than the visitors did of the regulars. However, many participants felt relaxed because they were part of a large organised group, and only a small number said that they would revisit the site with only their partner or family. Without outreach work by local rangers, and transport facilities organised through community groups, our research participants and people like them would not know about the benefits of woodland recreation and would not be able to visit woodlands like Salcey.

Feedback

In August 2005, a feedback meeting was organised at County Hall, Northampton, attended by both researchers, both rangers, and three of the four community leaders. Freddie D'Souza, the Countryside Access Officer, acted as host, which helped to consolidate links between project participants and the County Council. The discussion centred on their experiences during the site visits, and what FC should do to encourage greater BME representation among woodland users. A CD of photos from the site visits was given to each group.

3. ATTITUDES AND BEHAVIOUR OF BLACK AND MINORITY ETHNIC GROUPS TOWARDS WOODLANDS

Evidence for under-representation

The most important conclusion to make from this study is that any given BME group is not a single homogenous category. There is arguably as much diversity in attitudes and behaviour in relation to woodlands within the BME population as there is within the UK population as a whole. To understand fully the attitudes, preferences, needs and barriers to access, it helps to disaggregate each BME group in terms of the gender, income, disability, and location of each individual, and the number of generations the family has lived in UK. Even then, it is difficult to make generalisations.

Overall, there is good evidence that the BME population is under-represented among woodland users, when compared to their representation within catchment area populations. This conclusion is supported by national and local statistical evidence and is in line with the experience of managers and regular woodland users throughout most of GB. Under-representation does not necessarily mean discrimination, and no evidence of unlawful discrimination by FC was encountered during the research. The evidence-base regarding under-representation of BME groups is, however, insufficient for FC to respond positively to the challenges faced by the new equality legislation, in particular the need for assessment and monitoring of functions and policies for possible differential impact on BME groups as part of the RES.

Currently FC makes use of the Countryside Agency's UK Day Visit Survey and the FC's Public Opinion of Forestry surveys to obtain aggregate statistics of the numbers of BME people visiting woodlands. This is supplemented by the results of ad hoc visitor surveys in individual FC sites either commissioned centrally or by local managers. There are also systematic 'All Forests' surveys of visitor numbers using a sample of sites throughout Scotland and Wales, with a more restricted sample in UK. Ethnicity has not always been used as a category in these surveys. Reports on FC visitor surveys can be obtained from http://www.forestry.gov.uk/forestry/ahen-5gcdvl.

Even when ethnicity is included in visitor surveys, the information it provides is of limited value. Typically we can conclude that there is under-representation of BME groups, but we are unable to say whether under-representation is the result of informed choice, lack of knowledge, unlawful discrimination, or other reasons. Visitor preference surveys that include a qualitative dimension rarely add further insights into BME preferences for the simple reason that under-represented groups are, by definition, not included in the survey. The best methodology for determining visitor numbers, reasons for under-representation, and preferences and needs of users and non users, is through catchment surveys which compare the visitor profile with profile of residents in the area surrounding a given woodland, supplemented by qualitative surveys of users and non-users. One example of this approach is FR's evaluation of Active England projects in FC sites.

Factors influencing access

The rest of this section presents the findings regarding BME attitudes and preferences in terms of factors influencing access. Four reasons were identified by

this study, which may prevent people with BME backgrounds from participating more fully in the opportunities provided by woodlands in UK. These are:

a) economic factors (leading e.g. to restricted access to transport)
b) lack of awareness, knowledge, familiarity, confidence or interest
c) cultural attitudes and preferences
d) feeling unwelcome or out of place

The idea of 'barriers to access' is often used in this context. A more accurate way to conceptualise 'barriers' would be to see them as 'sets of reasons' for under-representation, or 'factors' that can shape interactions of different members of the BME population with woodlands as both a physical and social space. For FC, it is not just a matter of removing barriers, but one of responding to the specific needs of BME groups in different local contexts. The factors are outlined in turn below.

The first two factors (economic, and lack of awareness) are arguably the most significant. Neither is due to ethnicity *per se*, but is a reflection of the fact that the majority of BME people live in urban poor communities. The white neighbours of BME people in these communities may experience these factors in the same way as BME people themselves.

The primary economic factor is restricted access to a car due to low household incomes. This has a fundamental impact on ability to visit those FC sites that cannot be accessed easily by public transport or on foot. Lack of awareness can be a barrier experienced by individuals or households, and also a cultural barrier shared by members of a particular community or sector of the population regardless of its ethnic composition. Clearly, lack of transport can also enhance a lack of awareness of woodland recreation.

Unlike the first, the second pair of factors (cultural attitudes and preferences, and feeling unwelcome or out of place) is directly linked to ethnicity. The ways in which these are experienced are likely to be specific to different individuals and groups within the BME population and few generalisations can be made. They reflect the fact that woodlands are not just a physical resource but also a social space involving contact with other people (cf. CA 2005a: 88). In the context of accompanied site visits, as part of our case study in Northants, the social space of Salcey Forest proved to be a safe and supportive environment.

1. Economic factors

The majority of literature on ethnicity and countryside access highlights lack of transport and other economic factors to explain under-representation of members of the BME population. Despite the importance of this factor, there was little further discussion of the issue in the literature, or indeed during fieldwork with BME communities for this study. For example, the Diversity Review simply noted that the link with poverty is "hardly surprising given that they are more likely to be less well off than White people" (CA 2005a: 43). It appears that the problem is so clear that there is little need to spell it out.

2. Lack of awareness, knowledge, familiarity, confidence, or interest

The second set of factors, of comparable significance, and often closely linked to the first, involves a lack of awareness about the opportunities and benefits of woodland recreation. For members of poor urban BME communities, there may be very limited knowledge of good places to visit, how to get there, what to do there, what to wear,

and so on, and very few people within their social networks to tell them or encourage them. Lack of knowledge may be enhanced through problems reading English language promotional material that is more directed towards traditional users of the countryside.

Lack of awareness may be linked to a 'cultural habit' within a household or community (regardless of ethnic composition) whereby the ways in which people choose to spend their spare time is conditioned by established patterns of behaviour that can extend back to childhood. Recent research has demonstrated a clear link between childhood use of woodlands and subsequent positive attitudes towards woodland recreation during adulthood.

A reported lack of interest, or 'time', for woodland recreation often turns out to be linked to lack of awareness which, in turn, is due to lack of opportunity to experience the positive benefits woodland visits can offer. Fieldwork during this and other studies indicated how enthusiasm rapidly followed an enjoyable visit to the woods, and how some BME participants subsequently 'made time' for woodland recreation (e.g. Pravasi Mandal. See also CA 2005a: 46).

We must not forget that, in some cases, under-representation may also simply be due to informed choices on the part of individual members of the BME population, who are well aware of woodland recreation, and have the resources to access woodlands, but simply prefer to do something else. This may be shaped by the cultural norms of a particular ethnic community, but the point is that there are no 'barriers' to be removed and no reason for intervention.

3. Cultural attitudes and preferences

There are multiple views held by woodland managers and the general public regarding the attitudes, preferences and patterns of use of the countryside by BME groups. Some of these views appear to be grounded in good evidence, but there are risks in making generalisations and assumptions, and in over-emphasising their significance.

One common perception is that ethnic and religious groups, such as Buddhists and Hindus, have belief systems and associated mythologies, which promote a respectful, appreciative and conservative attitude towards nature. Such beliefs may be important for some members of BME communities, but available evidence does not suggest that they are necessarily any more important for them than for the non-BME population (cf. CA 2005a: 16). Even though such beliefs and myths may not significantly shape the everyday interactions of BME people with woodlands and trees, their use in forest-based cultural events could be a valuable way to integrate more BME people into the woodland visitor profile (see Section 4).

On the whole, BME cultural attitudes and preferences towards the countryside and woodlands differ little from those of the non-BME population. As mentioned above, attitudes are shaped partly by the same factors such as lack of transport and awareness as other non-BME members of the same communities. Reporting on research by Askins (2003) the Diversity Review noted that: "Some research participants categorically stated that their limited use of the countryside had nothing to do with their ethnicity *per se* and all to do with their lifestyle as urban-dwellers." (CA 2005a: 17). This finding reflects the experiences of both the Somali teenagers and Afro-Caribbean children during the accompanied visits, whose interactions with the woodland, in many ways, hardly differed from other groups of urban teenagers and children (cf. Burgess 1995).

Some generalisations can be made. In particular, it is useful to distinguish between first generation immigrants from developing countries and people with BME backgrounds who grew up in UK (CA 2005a: 36). The meanings attached to woodlands and woodland recreation by first generation immigrants are likely to be shaped by the experience and values from their country of origin. This was the case for the Asian elders group, Pravasi Mandal during this study. The accompanied visit prompted multiple positive, often nostalgic, comparisons and cultural connections with the countryside and trees from their rural upbringing in South Asia and East Africa (see Section 2).

First generation immigrants may also have equally strong negative associations. For some people from developing countries, the countryside may be associated with negative images of the poverty, drudgery and 'backwardness' of rural life, which they may have worked hard to escape by striving for a more 'modern' urban lifestyle. Similarly it has been suggested that the countryside in UK may be associated with danger as a result of cultural associations from countries of origin, although there is little evidence for this (cf. Burgess 1995). Whether positive or negative, or indeed a mixture of both, there are numerous examples in the literature of cultural associations which are at least partly linked to ethnicity (BEN / CA 2003, BEN, 1999, 2002, 2003, CA 2005a: 17; Tolia-Kelly 2004).

Some BME communities, for example with origins in South Asia, like to visit the countryside in large family or social groups and for the trip to include a picnic or barbeque. This preference is partly cultural, reflecting patterns of use from their countries of origin. The social and cultural significance of food appears to be an important factor behind this pattern of use. In some cases the size of the party may be a reflection of the need for a greater level of organisation – to find the necessary transport, select the location, and plan the journey – made necessary by the economic barriers and lack of awareness of FC sites faced by poorer urban communities. Some kind of community leader may have been necessary to make the visit possible, and as a result it becomes a much bigger event than would be required for a white middle class family with access to a car and good knowledge of the countryside. A related reason is the confidence and sense of safety that large groups can provide, when entering an alien environment and social space. This reason is linked to the fourth factor, below, i.e. the sense of being welcome and belonging in the countryside (Askins 2003, Burgess 1995, CA 2005a: 19). This set of reasons fits well with the experiences of the group of Asian mothers who visited Salcey Forest as part of the study reported here.

Another part of the explanation for the preference of some BME communities to visit in large groups lies in the high value many non-BME people appear to attach to the "solitude and contemplative activities which the countryside affords" (CA 2005a: 48). This observation makes sense alongside a related finding during this study, and by the Diversity Review, that more managed sites including man-made features were often preferred to wilderness areas.

4. Feeling unwelcome or out of place

It is often asserted that people from BME backgrounds feel unwelcome or out of place in the countryside. Two perspectives can be useful to understand this issue: a focus on belonging and a focus on racism.

BME groups tend to be under-represented among woodland recreation users, and BME people are aware of this, directly through woodland visits or indirectly through

the media, education and public discourses. This fact alone may act as a barrier, and BME people may simply chose to spend their spare time among people from their own community since it is likely to be more relaxing.

However, under-representation can also be interpreted as an indication that BME people are not just absent, but not welcome, and do not belong in the countryside. Part of the cause is not just the fact of under-representation among woodland visitors, but under-representation more broadly, in photos (and languages) used in promotional material, among forestry employees and decision-makers and in consultation and policymaking. Nature programmes on TV are rarely presented by people representative of BME communities.

Some have gone further by arguing that the countryside is closely associated in the popular imagination with the 'true' national identity, a refuge from the negative influences of urban multicultural life. This association reinforces the view that BME communities only belong in inner cities (Agyeman 1989, Agyeman and Spooner 1997, CA 2005a: 16, King 2004, Macnaghten and Urry 2000). While such ingrained attitudes may seem impossible to challenge, there is evidence that more inclusive images and language in leaflets and interpretation can encourage members of BME groups to visit woodlands.

Regarding racism, there is significant evidence to show that many members of BME communities have either direct experience of racism from visits to the countryside or through residence in rural areas, or have heard about racist incidents in rural areas from others. For example, the Diversity Review noted that: "According to many research participants, prejudiced attitudes towards ethnic minorities were one of the main factors that accounted for the under-representation of BME people in the countryside." (CA 2005a: 35). Later they assert: "fear of racism was a key barrier to countryside use for this group, and very many had experienced, either personally or vicariously, racism in various forms. They felt safer in the familiar, multi-cultural world of the city." (CA 2005a: 92). Racism and sense of belonging was discussed at length during some of the focus groups, as part of the Phase One research. For the Asian elder women from Pravasi Mandal, while the risk of racist encounters was a significant factor, it was not considered much more significant that the risk of racism in more familiar urban settings (cf. Chakraborti and Garland 2004, Henderson and Kaur 1999, Walker 2000).

Another part of the issue of BME sense of belonging, and perceived risk of racism, concerns employment, recruitment and volunteering. There are remarkably few BME people in the FC staff profile, a situation that is reflected across other agencies in the countryside sector. Partly this is due to the fact that they are recruiting people from rural areas to carry out work with rural related skills, and there are fewer BME people living in rural areas. However, there are other factors, needs and solutions, which would need to be identified in a separate study (see Section 5). Volunteering groups in woodlands rarely include members of BME communities, and the culture among white middle class volunteers may appear threatening. Volunteering by asylum seekers (because paid work is prohibited) can have considerable psychological benefits for participants.

4. RESPONSES OF THE FORESTRY COMMISSION TOWARDS RACE EQUALITY

This section outlines the attitudes, understandings and responses of FC staff and other countryside service providers towards BME groups, the factors influencing access, and how to encourage greater numbers to visit FC sites. These findings are based primarily on interviews conducted during Phase Two of the study.

Level of awareness

FC has changed considerably over the last two decades, from a resource-oriented to a people-oriented organisation. A large proportion of the day-to-day activities of forest managers is now often dominated by the needs to manage their relations with the public. A new breed of forester is entering the sector with strong training in the social dimensions of forestry.

This shift is universally acknowledged among FC staff but many also admit that knowledge, skills and confidence required to engage with a more diverse range of groups within the population has not yet taken hold. Front-line staff often lack the necessary skills and confidence to carry out consultations and outreach with BME communities. This situation is not restricted to FC, and is found throughout the countryside sector.

Most of the managers interviewed were aware that their visitor profile is a narrow, predominantly white middle class segment of their catchment area, and they acknowledged that they are having difficulty reaching under-represented groups. In respect of BME groups, the overall impression given by managers is that there is very little to know. Where there is evidence of BME involvement it tends to arise from community work in urban areas.

One frequent response from FC staff on the topic of race equality can be paraphrased as: “Our doors [or gates] are open to all. It’s up to them [BME groups] to come and visit if they want to.” This attitude is grounded in the notion of ‘Countryside for All’. The belief is that such a policy is sufficient with respect to BME groups, and that outreach work beyond their area is not part of their remit. There is much to be done before all staff understand that this passive paradigm is no longer sufficient to comply with the new equality legislation, and that FC must now actively promote equality in all areas that may impact differentially on BME groups (see Section 5).

Understanding diversity

There is a tendency among some FC staff to think of BME groups as having similar barriers, preferences and needs, without realising that there are other cross-cutting factors, such as gender, age and income, that can be more important in shaping individual attitudes and behaviour. Young mothers with children, or teenage boys, from similar neighbourhoods have much in common regardless of their ethnicity.

As explored above many of the factors influencing BME attitudes towards and use of woodlands are little to do with ethnicity *per se*, but are shared by members of the same poor urban communities. Similarly, a shared sense of not belonging in the countryside and the related risk of racism or discrimination may be felt across many ‘visible’ ethnic minorities. However, there are many exceptions, including white immigrants from Eastern Europe who may comprise large minorities in many areas.

One of the reported reasons why woodland managers may homogenise ethnic groups is a lack of confidence over what is and is not politically correct. As the Diversity Review explains: “it’s unclear to a white, male, middle class site manager how they should talk about a black person. If they call a Pakistani person Indian will this cause offence?” (CA 2005b: 74). Countryside service providers, including FC staff, may consider it safer to “homogenise their visitor base rather than address the needs of smaller individual groups” (CA 2005b: 26).

During the Phase Two interviews, the identities of BME groups were typically concealed within the terms ‘under-represented’ and ‘socially excluded’, so that community outreach work in deprived areas within conservancies and forest districts was implicitly assumed to be engaging with BME groups. There was a tendency to link social deprivation and race inequality. This is because statistics and indicators suggest that most people from minority ethnic groups live in deprived urban areas. As a result, an awareness of cultural diversity issues tends only to arise when regional policies focus on urban regeneration and district mangers form partnerships with urban providers (although new initiatives and good practice have, in many cases, arisen out of these partnerships). However, BME exclusion is not always just about social deprivation. There is a need to address race equality as an issue in its own right because, as discussed in Section 3, discrimination can also be experienced as an effect of cultural blindness that sees rural areas as the exclusive domain of white people.

Inclusion of BME groups in planning

Examination of national and regional forestry strategies for this study identified no specific references to BME access or engagement. Managers are aware of this omission and give various reasons for not having addressed it to date. Regional and national policy frameworks have been developed through consultation with major government and non-government agencies, and with key businesses and local government. However, in most cases specific minority groups were not directly consulted. It was argued that their needs would have been represented by other agencies. Policy documents were often examined in general terms to make sure they were not socially exclusive. In some cases, Regional Advisory Committees and other partnership networks, who are often more familiar with social exclusion issues, have prompted some consideration of BME inclusion in policy and planning.

Public involvement in Forest Design Plans tends to be restricted to ‘local people’ within a narrow catchment area. Many hold the view that consultation with a broader range of people for Forest Design Plans, that involve technical woodland management schemes, would be inappropriate and a waste of time. One FDM explained: “Ninety nine percent of people aren’t interested. They are only interested in litter and dog-poo, toilets and vandalism.” While this view may be valid, few alternative means of engagement with BME and other groups are being implemented or considered.

In areas where local communities reside within designated National Parks or AONBs, their interests are represented (usually through Parish Councillors) on consultative panels or advisory groups. These have a narrow membership. For example, an advisory group for a forest in southern England with a considerable number of visitors had 80 represented organisations, but none of them represented BME groups (or young people’s groups). The composition of the panel reflected local residents, and the dominant group of users, but was largely elderly, white and middle class.

When asked if the new regional policy frameworks could be screened for racial equality and discrimination, some managers said that they felt that they were not qualified to address race issues specifically. There is uncertainty about the circumstances in which it is legitimate to ask visitors to define their ethnicity and it was felt that guidance is needed in this area.

Employment and volunteering

Regarding recruitment, interviewees offered no accounts of specific proactive moves towards reaching out to BME groups, or to any other under-represented groups. One interviewee explained: "We don't actually seek applicants because we know that as soon as we advertise we'll have 50-100 applicants without even trying." It appears that vocational jobs in forestry are virtually 'handed down' from father to son or within local communities living in a specific area.

Volunteering schemes are running in many Forest Districts, where there are sufficient staff to manage them. Volunteering is often seen as a way into paid employment, although few examples were encountered where volunteer recruitment targeted BME groups as opposed to a more general focus on 'socially excluded' areas. A recent initiative, put forward by Northants Forest District will target asylum seekers for voluntary work placements and the development of employment skills. This kind of initiative has also been proposed as a way of engaging Gypsies and Travellers.

Communication and promotion

Communication with the public occurs via traditional means, by placing leaflets and newsletters in libraries and tourist information centres. FC managers acknowledge that these are not reaching the majority of non-users, and that they certainly do not communicate with non-English speakers.

Photographs tend to portray a traditionally narrow group of users although increasingly they include BME people and other under-represented groups. Many people responsible for promotional materials appear to be sensitised to the political need for diversity in their choice of photos, and the impact that this can have on public attitudes towards diversity. The same cannot yet be said for translation of text into other languages, although as outlined in Section 5, additional consultation with BME groups will be needed to establish precisely how and where this should be done to add value.

Diversity training

Internal training and staff development courses are available to everyone in the organisation. However, FC training courses aimed specifically to address diversity issues have had to be cancelled due to lack of uptake. Interviews with Forestry Training Services (FTS) confirmed that diversity training is not seen as a priority despite the fact that several managers and staff expressed a need for support and guidance in this area. Although interest had been expressed by individuals, the training was seen as a low priority [by their managers] compared to operational or safety training. Some FTS trainers would like to see diversity training given more priority at the highest level and given at least as much priority as health and safety, a view that is certainly in keeping with the equality duties for race, disability and gender.

Some forest managers reported that they had used external sources of training for diversity awareness, for example from the Black Environment Network (BEN). One

stated reason was that internal training could reinforce existing stereotypes and prejudices: “If you are going to raise awareness and alter stereotypes it has to be external.” As outlined in Section 5, a diversity training strategy would be strengthened by both general and specific training at national and local level, possibly involving FTS in collaboration with a range of partners organisations.

Partnerships

Devolution and regional governance has helped to bring in numerous partners. For both the Conservators and the Forest District Managers, working with partners has meant being exposed to social issues and to some extent taking on their social agendas. One conservator explained:

> One of the things that gives me confidence that we don’t overlook these [diversity] issues is that because, increasingly, we work with a wide range of other organisations, including Regional Assemblies, Local Authorities etc., and a lot of the partners have fairly sophisticated inclusion processes and consultation processes that look to include and reflect the needs of different communities. […] I think we are getting a bit of that by association.

Partnerships can fund rangers, who are a key requirement for meaningful engagement with local communities. Joint bids with partners sometimes bring in staff with new areas of expertise. The East of England Region Conservancy, in partnership with the Regional Development Agency has created the post of Social Development Advisor whose task it is to work with partners on social inclusion and health issues. One local manager admitted that previously this social agenda had been a “huge gap in [their] knowledge and understanding”.

Constraints to BME engagement

Managers realise that community engagement and outreach work is a necessary pre-requisite to reaching a wider group of users. Many rangers would like to do more outreach, if it were included in their Forward Job Plans and given a higher priority. One District Forester explained how difficult it is to prioritise equality:

> The barrier is, well we are running round in circles trying to do everything. The thought of trying to engineer to engage with people who come from a minute proportion of the population and form no part of our visitor base seems artificial. It’s certainly not prejudice. It just gets lost in the other stuff!

Rangers need more guidance and support from their managers, who in turn require support from above. Many feel uncertain about how to communicate with BME groups or how to justify spending time on this. The issue has not been given priority compared with other pressing concerns, such as health and safety.

The researchers asked where staff looked for examples of best practice regarding engagement with BME groups. Managers and rangers who defined pro-active community engagement as part of their remit found it difficult to identify examples of good practice.

Good practice within FC

Managers of Community Forests have often been more pro-active in engaging with diverse communities, but there are still very few cases of targeted BME involvement. One example was provided by a Thames Chase Community Ranger who decided to

engage with a wider group of users. In bringing his experience of working with a diversity of ethnic groups in other countries he was aware that many other cultures have a close religious connection with the environment and he felt that it was strange that they had no means of expressing this. Through a process of community relations and networking he was able to set up a situation that allowed a local Hindu Society to hold the annual Diwali festival and fireworks for over 500 people at the Thames Chase Forest Centre.

Another FC initiative focused on taking people from BME communities in inner city areas of Bristol to cycle in the Forest of Dean. This initiative arose out of a partnership between Life Cycle UK and FC. A crucial additional factor was the networking and expertise provided by the Bristol Race Equalities Council. The initiative is reported, along with other health-related projects, in a Forest Research publication (O'Brien 2005). See http://www.forestresearch.gov.uk/fr/INFD-5ZBBG5

The REACT health project arose out of a partnership between the Mersey Forest, the Central Liverpool Primary Care Trust and the Countryside Agency. The project aimed to minimise the risk of coronary heart disease and obesity within high-risk communities in Liverpool, including some BME groups, by involving them in community forest type activities. In addition to removing barriers to engaging in physical activities, another positive outcome has been to raise their awareness of Mersey Forest.

A key factor in targeting and engaging non-users from BME groups, is the confidence and skill to be able to reach out into the target community. The Northants action research, reported in Section 2, created a new set of networks that extended into the chosen communities, but it also seeded a greater awareness of cultural diversity among the Forest District staff and the researchers themselves (see Appendices 5 and 6). The value of action research is that it is not just extractive; experience and information is shared with the people who need to use it.

Other examples of good practice

The Countryside Agency's Diversity Review has done much to raise awareness of the need to remove barriers and encourage wider access for all minorities, including BME groups. A series of action research projects has also been conducted, including one called Beyond the Boundary which aimed to test whether the barriers of confidence and lack of information by BME communities could be overcome through supporting urban and rural communities to twin with one another. (See http://www.countryside.gov.uk/LAR/Recreation/DR/index.asp)

The Mosaic National Parks Project, led by the Council for National Parks (CNP) in partnership with BEN, the Youth Hostel Association (YHA) and eight National Park Authorities, ran from 2001 to 2004. This aimed to extend opportunities for members of BME communities to enjoy National Parks. A new 'Mosaic Partnership' (of BME community group leaders with four National Park Authorities, YHA, and CNP) is building upon these successes by developing long term and direct engagement between these communities and the National Parks. The partner organisations seek new approaches to decision-making, consultation, provision of information and education, and increasing the range of people who care about and can influence the future management of the National Parks. (See http://www.mosaicpartnership.org/)

The MOSAIC Partnership also sees employment issues as a key feature of organisational change, and have identified a number of strategies for widening employment prospects for members of BME groups in National Park.

CRE has identified that ethnic communities face disproportionate levels of unemployment across the UK and this is particularly evident in countryside agencies and environmental employment. BEN is working with a number of partners on a project to increase awareness among BME groups in Scotland of employment opportunities within the heritage and environment sector. It is expected that BEN and EQUAL partners will produce and disseminate good practice and case studies of their work in Scotland. This includes a number of Diversity Training Modules. (See http://www.ben-network.org.uk/doing/scot.html)

These projects demonstrate how an increased awareness of the needs of minority groups, coupled with a proactive approach, can bring about change. They can provide models and exemplars for new ways of working. They illustrate the importance of partnerships, action research, staff training, and networking.

5. RECOMMENDATIONS

Introduction

The Race Equality Duty requires a fundamental repositioning of race equality, and equality more generally, within the priorities of FC. This section gives recommendations for FC based on the research findings and on the legal duties placed upon FC by the Race Relations (Amendment) Act 2000. CRE provides comprehensive guidance on how to produce and implement a Race Equality Scheme, and this has been taken into account in making these recommendations.

FC should consider producing a 'generic' equality scheme, covering race, disability, age and gender. CRE explain that: "It is acceptable to take this approach as long as the race equality sections are distinct and specific and covers all parts of the statutory duties." This approach has been taken for example by Defra who published a 'Joint Equality Scheme: consultation document' in August 2006 (see http://www.defra.gov.uk). Other areas of equality – age, religion, and sexual orientation – could be included, but there is currently no legal requirement to assess, consult and monitor policies and functions for these latter areas.

Apart from the equality duties, these recommendations can also be seen within the context of Defra's Diversity Action Plan (Defra 2006) which provides a framework across the countryside sector for improving access for under-represented groups and tackling the barriers described above. Although the Plan is for England and Wales, many of the actions it contains would apply to Scotland.

An active, targeted and positive response

A passive 'Countryside for All' approach is no longer sufficient to meet the requirements of the Act. Instead, FC must *actively* eliminate unlawful discrimination, promote equality of opportunity and promote good race relations. Under-representation may be due to informed choices on the part of individual members of the BME population. It is no longer enough for FC to assume that this is the case. FC managers now need to understand the causes of under-representation, and act to remove barriers preventing greater BME engagement with woodlands and FC services.

For FC's response to be 'active' it needs to be targeted, and to see beyond the stereotypes associated with 'BME' groups. Even when one considers specific ethnic groups, there are dangers in stereotyping. The significance of cross-cutting categories such as gender, age, number of generations since immigration, and socio-economic group, disability, and rural or urban location indicate that few generalisations should be made. People have multiple identities, and staff should see and interact directly with the person, group, or community that lies behind the 'BME' label.

Two different responses to the Act are possible. The first is to do the bare minimum to meet FC's legal requirements. The second is to see the Act, and related equality legislation, as a challenging but timely opportunity to improve FC engagement with a broader sector of society. In doing so, FC would consolidate its transition over the last two decades from a resource-oriented to a people-oriented organisation that is responsive to public demands for the forestry sector.

A positive response to the new legislation should be reflected in language which stresses the benefits of inclusion, including job satisfaction, rather than a negative focus on 'non-discrimination'. There is, however, a need to make a clear stand against racism within FC (with someone seen to be responsible for upholding that commitment and dealing with complaints).

A different orientation is needed. As Trevor Phillips, head of CRE, and others have pointed out, it is only by re-framing the problem – by re-imagining forests as places where integration of diverse cultures can take place – that social inclusion will begin to happen.

Race equality impact assessment

FC needs to carry out race equality impact assessments for all existing functions and policies, and consultations for all new functions and policies. If there are shown to be differential impacts on ethnic groups, FC needs to respond with actions that lead to greater equality. This must be followed up with regular monitoring, and publishing of results. Appendix 2 gives guidelines selected from CRE on how to conduct a race equality impact assessment.

For CRE, 'functions' means the "full range of duties and powers, statutory and non-statutory, internal and external". The term 'policies' is defined as "the full range of formal and informal decisions you make in carrying out your duties and use your powers". Strategies, plans, procedures and guidelines are all considered by CRE to be 'policies'.

In addition FC has specific duties as an employer to monitor the numbers of staff, applicants, trainees and aspects of quality of employment.

The employment duties fall within the remit and capabilities of Human Resources, and much of this work is already being carried out effectively. However, a far greater task for FC lies in meeting its duties in the areas of service delivery and policy. The responsibilities and expertise required for race equality impact assessment, monitoring, consultation, and subsequent corrective actions and publication, extend beyond the scope of any Human Resources department, and need to be tackled strategically, at all levels of the organisation.

CRE propose an assessment grid (or pro-forma) for authorities to assess its functions or policies for relevance to the general duty and determine how relevant those functions and policies are. The columns for each function or policy in the table are as follows:

1. Headline / specific function or policy
2. Which of the three strands of the duty does it relate to?
3. Evidence of differential impact on racial groups
4. Is there public concern about potentially discriminatory practices?
5. Overall relevance to the Duty

Clarifying relevant functions and policies

The quality of the impact assessment process, and action plan, depends upon how FC chooses to define its 'functions and policies'. The list currently given in the FC RES needs to be replaced by a longer list of items that is directly linked to the real work of FC managers. There are a number of ways in which FC functions and

policies might be structured. CRE note that this decision is up to individual authorities.

This study concluded that the best way for FC to organise the majority of its functions and policies for the purposes of the RES is to list each item given in the three country strategies. On the whole, these items represent discrete actions at operational level, which can be meaningfully assessed, monitored and consulted upon. They are linked to performance indicators that could be adapted to monitor progress towards race equality. The national level appears to be the best strategic level to organise the list, given the devolved structure of the organisation. If this approach is taken, FC will still have only one RES, but the assessment framework, and action plan, would both be divided according to the three countries, and then subdivided according to a thematic hierarchy of functions and policies. The central functions and policies of FC at GB level and of Forest Research will also need to be included in the assessment framework.

Apart from the list of functions and policies, the most important column in the assessment grid is the assessment of overall relevance to the Duty. A scoring from 0 (= no relevance) to 3 (= high relevance) is proposed. CRE note that: “if a policy has been determined as highly relevant, we would expect to see monitoring arrangements put in place as soon as possible to assess its impact on promoting race equality.” We estimated that the majority of items in the three national strategies scored either 2 or 3, because they influence the public to a greater extent. This is the case for nearly all policies for recreation, tourism, community development, regeneration, health and education, and indicates the scale of work required by FC to respond positively to the Duty.

With current knowledge, we have found it very difficult to contribute to the other columns in the grid. For example we cannot say how any given policy might impact differently on the three aspects of the general duty, i.e. eliminating discrimination, promoting equality of opportunity, and promoting good race relations. Similarly we have little evidence of public concerns over discrimination due to FC functions and policies.

A proportionate response

Two issues regarding proportionality need to be raised. Firstly, CRE make it clear that less effort should be spent on assessing, consulting, monitoring and corrective actions for policies that are judged to have relatively small impacts on BME groups. Such a judgement can only be made once an initial screening has been carried out.

CRE guidance is less clear, however, on whether FC should respond differently according to the geographical distribution of ethnic groups throughout the country. It follows that FC should spend more time and resources on these tasks in geographical areas where BME groups are present in greater numbers in the area influenced by a particular forest, policy or service. Since the BME population of Scotland is only two percent whereas in parts of England it is as high as 25 percent, does this mean that we give a Scottish policy a lower score for its relevance to race equality than its equivalent in England? We conclude that it is likely that proportionally less effort will be required, but, again, this judgement must be based on evidence, for example from surveys, impact assessments and consultations.

In this regard it is worth remembering that the catchment area for many forests may extend for hundreds of miles, that many ethnic minorities are not ‘visible’ and may go unnoticed by managers, and that the RES also applies to Gypsies and Travellers.

This issue may not be relevant to other areas of diversity, namely disability and gender, since these groups are distributed more evenly throughout the country.

Ethnic monitoring

After assessment of functions and policies, and race equality impact assessment, the next specific duty required within the RES is for monitoring. CRE note that through monitoring by racial group, it is possible to test the following:

- the under or over representation of different racial groups (for example in reporting problems, using services, or facing enforcement action);
- satisfaction with a service, whatever a person's racial group;
- how effective a service is delivered to different communities; and
- how services are provided (for example, do they take account of language or cultural needs, or the effects of past discrimination).

CRE state that, for each policy, authorities will need to:

- monitor its effect on different racial groups;
- check whether there are any differences in its impact on different racial groups; and
- assess whether these differences have an adverse impact on some racial groups.

CRE make it clear that monitoring is more than just collecting information: "Unless you follow up the findings of your monitoring, investigate any adverse impact and tackle any barriers or failures you find, you many not be meeting the general duty." As with impact assessment, monitoring effort should be governed by the principles of relevance and proportionality.

Ethnic categories will need to be incorporated into existing monitoring arrangements at national level and in local woodland visitor surveys where they are absent. Each item in the national strategies and strategic documents for FC GB, and FR, that is shown to have a potentially differential impact on BME groups, as indicated by race equality screening, will require plans for full assessment of impacts, consultation, and monitoring. Where necessary corrective actions will need to be designed in conjunction with BME representatives, with new targets and new key performance indicators to measure progress.

FC could benefit from several initiatives to develop performance measures for equality and diversity. Defra refers to the potential role of Treasury Public Service Agreement (PSA) targets to measure their progress towards goals in the Diversity Action Plan, and the Best Value Performance Indicators used by local authorities. They also refer to work by the Audit Commission, Improvement and Development Agency (IDeA), the equality commissions and other bodies to develop a set of local performance indicators for equality and diversity (Defra 2006: 26-28).

Publication

The fourth specific duty is for public authorities to set out in their RES their arrangements for publishing results of their assessments, consultations and monitoring. According to CRE, the following should be considered for publication:

1. Impact assessments

- a description and explanation of the proposed policy and a brief account of how you assessed its possible effects;

- a summary of the results of your assessment including the likely impact of the proposed policy on promoting race equality;
- any available technical reports and how to get them;
- a review of your proposed policy (or policy options) in the light of your assessment; and
- a statement of what you plan to do next.

2. Consultations
- why you carried out the consultation;
- details of how you went about it;
- a summary of the replies you received from people you consulted;
- a review of your proposed policy (or options) in the light of the responses you received, particularly concerning any adverse impact on promoting race equality, and;
- a statement of what you plan to do next.

3. Monitoring
- an explanation of monitoring;
- the monitoring systems and methods you used;
- a summary and assessment of the results of your monitoring, making clear whether you found any evidence of adverse impact on race equality; and
- how you will use these results to develop future policy and practice.

Regarding access to information, CRE note that: "Whatever communication methods you use, you may need to make sure that the information is reaching people from different racial groups. In some cases, you may need to translate the information into languages other than English, and in formats that people with disabilities can use (such as Braille, large print or audio tape). […] For important issues you may want to use the local national or specialist press – or other media, mainstream and ethnic minority – to place a notice, telling people where they can find more detailed information."

Public access to information and services

The fifth item in the RES concerns public access to information and services. CRE clarify what is meant by public access:

> In the context of your race equality scheme, public access means more than merely making information or services available. It means that members of the public can, in practice, without discrimination - direct or indirect - and regardless of their ethnicity, have real and equal access to information and services.

CRE propose that an authority begins with an audit of the authority's information function to find out how well the information being published is reaching members of different racial groups, and to consider how to improve the ways in which information is published. This could include more frequent translation of written information into particular languages, greater use of interpreters, more direct communication by staff, and supporting programmes for teaching English to people who have difficulty reading or speaking English.

Translations of FC leaflets, documents and signs need to be proportionate to local needs, and planned through consultation with local BME representatives. It is rarely appropriate to translate entire documents: headings and sub-headings may be

enough to demonstrate that local BME communities are welcome, and to inform them of the content of documents and who to contact should they wish to find out more. Use of Language Line or similar service sends out an inclusive message, but the experience of other agencies suggests that it may not be used very much. In some parts of the country, local agencies provide advisory services on translation and access to information. In Northampton, the County Council has funded the Community Access and Language Service (CALS) which would be an ideal source of guidance for local FC managers.

Diversity training

The sixth and final item in the RES is training. Diversity training for staff needs to be planned and implemented strategically for the entire organisation. The majority of staff will need to be aware of the general duty for race equality. Front-line staff will need to have specific training on how to engage with BME groups. Managers need to understand the implications of the Act and how implement their contribution to the RES, in particular how to assess, consult upon new plans and policies, and how to monitor existing functions and policies, and what corrective actions may be required.

According to CRE, general training on the general and specific duties should enable all staff to:

- Understand the race equality duty
- Understand how the race equality duty will apply to their areas of work
- Be clear what actions they need to take to meet the duties
- Understand the race equality outcomes or goals the public authority is working towards
- Training for those staff that have specialist responsibilities in relation to the general and specific duties might include:
- Understanding how to review functions and policies in light of the general and specific duties
- Carrying out race equality impact assessments
- Carrying out consultations, in particular consulting with ethnic minority groups and individuals
- Identifying and removing barriers to information and services, especially for ethnic minority individuals and groups
- Carrying out ethnic monitoring – what it is, why it is important, and ensuring that it complies with relevant legislation
- Managing and overseeing how the public authority implements its' race equality scheme

CRE take the view that generic diversity training on its own is unlikely to comply fully with the duty: "it is most likely that you will need to run separate training on the general and specific duties."

Training needs to be conducted on different levels. At GB level, FTS may have an important role in providing courses in diversity training, which could cover race, disability, gender and other aspects of equality. Agencies representing BME and other groups could be invited to work as partners to design and implement suitable training. However, there is much to gain by supplementing this general training with targeted local level training in different Forest Districts and Conservancies that brings together local Race Equality Councils, representatives of local BME communities, and local FC staff and managers, and possibly involving a visit to a local woodland. This ensures the training is truly relevant to local needs, and more importantly it helps to build up relationships that may help FC to carry out many other parts of the

RES. This integration of activities at local level links with the extended role of community outreach described below. Defra also note that: “Experience tells us that training is often best delivered locally” (Defra 2006: 14).

Partnerships

The general duty extends to the work public authorities carry out in partnership with other organisations. CRE explain how this works:

> “If a listed public authority is working within a mixed partnership - for example involving public, private and voluntary sector partners - the public authority will need to ensure that the partnership's planning and management arrangements meet its statutory racial equality duties. The obligation falls on the listed public authority. All members of the partnership will need to be made aware of these legal requirements. The listed public authority will need to ensure that the partnership introduces safeguards such as monitoring and reporting systems to help them meet the duty.”

CRE produce a guide to partnership working, which can be downloaded from their website.

It will be difficult to make much progress in achieving the opportunities for BME engagement recommended here without substantial additional resources, but it is recognised that these may not be forthcoming. Limited additional funds are available to implement Defra’s Diversity Action Plan, and their solution is to maximise the role played by partnerships, networks and forums. Local and national partnerships offer real opportunities for FC to enhance its response to the new equality legislation. In doing so, FC can share the load, bring in new funds, and benefit from new areas of expertise, share experience, and coordinate joint initiatives. Community Rangers can often be funded through partnerships. Defra highlight how forums and networks at county level such as Local Access Forums, and national level such as BEN, can be key delivery tools (Defra 2006: 19).

As identified in Section 3, lack of transport is a major barrier to access, but FC cannot tackle this issue on its own. However, FC may be able to contribute to the design and implementation of economic, tourism and transport strategies at regional level (cf. Defra 2006: 16). Defra plan to work with the Community Transport Association (CTA), which provides support and training, and local Community Transport Groups (CTGs) (Defra 2006: 16-7). There may be guidance and examples of good practice emerging from this work that can be used by FC.

Regarding training, Defra note that: “County and regional forums and networks, which bring together providers of outdoor recreation and under-represented groups, play a strategic role in the delivery of effective training and guidance” (Defra 2006: 14).

Procurement

CRE note that procurement of goods, services or facilities should also be assessed to see if it is relevant to the general duty. Public authorities must build relevant race equality considerations into the procurement process to ensure that all of their functions meet the requirements of the Act, regardless of who is carrying them out.

CRE have produced two guides – one for local government and one for all other public authorities – which expand and develop the guidance in their code of practice

and accompanying guides, in relation to procurement. There are also two accompanying leaflets. All are downloadable from the CRE site.

Outreach and local engagement

FC needs to widen the range of individuals and groups who participate in forest management and planning. BME groups need to be given a voice at different levels, such as Forest Design Plans, advisory groups and through informal everyday contact. FC staff should look for, and be open to, new creative opportunities to engage with BME communities.

At the local level, outreach work with BME communities is probably the most important action that will allow FC to respond positively to the Act. Additional resources, training, and greater commitment from managers may be required along with inclusion of community outreach and related performance targets in Forward Job Plans. Outreach work is resource intensive, but capacity to carry it out can be enhanced through partnerships.

Good outreach can act as a driving force that strengthens several other functions of FC relevant to its RES at local level. Trusting and co-operative relationships can be built up between rangers and representatives of local ethnic community organisations including local Race Equality Councils. Representatives can then be called upon to contribute to race equality impact assessments, consultations on forest design plans, ethnic monitoring, diversity training of local staff, design of improved interpretation and visitor facilities, organisation of cultural or multicultural events, recruitment of volunteers and staff, procurement, partnerships and research.

The extended role of outreach work outlined above could be co-ordinated by the Community Staff Development Network or similar networks and strengthened by linking it to the diversity training offered by FTS at national and local level. Locally, diversity training could be designed so that it helps to develop relationships between local staff and local BME communities. Rangers can also act as social researchers by building up knowledge of local attitudes, preferences and needs among BME and other socially excluded groups, and using this to inform local policy.

One of the aims of the action research carried out in Northants District for this study was to explore this extended role that outreach can play by bringing together researchers, community leaders, BME participants, local FC rangers on accompanied visits to Salcey Forest. As a result the project was more than just a research exercise. Relationships developed between rangers and communities, which has led to a number of repeat visits, learning on all sides, and, for FC, the establishment of close links with BME communities which may help them fulfil some of the other specific duties for race equality. The approach used in Northants resembles PAR (Participatory Action Research), PLA (Participatory Learning and Action) and related techniques used successfully in developing countries. The study has generated interest within and beyond FC, and the approach could be transferred to other Forest Districts. It could also be institutionalised and strengthened through partnerships with local organisations.

Employment and volunteering

This report has focused on the specific duties for service delivery and policy. In addition FC has specific duties as an employer to monitor staff in post and applicants for jobs, promotion, and training, by their racial group. Since FC has more than 150 full-time staff, it must also monitor, by racial group, the number of staff who:

- Receive training
- Benefit or suffer from performance appraisals
- Are involved in grievances
- Are subjected to disciplinary action, and
- End their service with your authority (for whatever reason)

FC needs to respond to under-representation in its staff profile identified through ethnic monitoring, for example, through positive action that encourages BME applicants. As stated by Defra: "We need to continue working so that the profile of management board members and staff of national, regional and local bodies across the sector reflects the diversity of the English population. […] Employee – and volunteer – profiles also need to reflect the diversity of the population in the catchment area for the facilities they provide. The closer they match the easier it is for services to be sensitive to the needs of all their customers, and to make everyone welcome" (Defra 2006: 30).

FC should encourage volunteering by members of BME groups, partly to extend the benefits of volunteering to a more diverse range of people, but also because it may gradually help to address the BME under-representation among applications for employment. To overcome the potentially threatening environment offered by volunteering within existing groups of largely non BME volunteers, groups could be recruited from particular BME communities or organisations, although this would contribute less towards the goal of social integration. As noted below, under-representation in the fields of employment and volunteering needs to be addressed by further research.

Research into diversity and equality

The RES needs to be implemented in house, in particular by managers responsible for different items in the various FC strategies. However, there is a role for research, both by FR and external agencies, to support FC in its implementation. Four topics are identified:

1. *Catchment area studies* for particular woodlands or districts that systematically compare the visitor profile with that of the population in the catchment, supplemented by qualitative research with users and non users. Such studies would combine the catchment area approach being used by FR for the Active England evaluations in FC woodlands, with the action research approach in Northants reported here. In doing so, it would aim to develop systems to assess, monitor and consult upon local policies, plans and activities, and to design a local plan to actively promote equality. Such a study could be extended to other areas of diversity. Given the substantial costs, it could be linked to a major initiative involving partners and external funds. Further research on best practice for engagement with BME groups in other parts of the countryside sector could be incorporated into a study of this kind.

2. *Impact assessment, consulting and monitoring tools* could be developed, building on CRE guidelines and working with senior FC managers, for use at different levels of the organisation. There are risks in attempts to produce a 'field-guide' or 'directory' of the attitudes, needs and preferences of different BME groups, which identifies how FC managers and front-line staff should interact with each group. Instead FC staff need to develop activities, systems and policies that respond to the sheer diversity of opinions and needs within the BME population, and society as a whole.

3. *Research on staff and volunteer recruitment* to understand why so few people from BME backgrounds apply for work with FC and other countryside agencies, and how this situation could be changed. This needs to be done to meet the specific duties for race equality. Ideally the study, and the researchers themselves, would have a long term involvement with and commitment to initiatives within HR to transform the staff profile of FC in response to the new equality legislation. The aim would be more than just achievement of targets for numbers of BME people. There may also be existing or new positions within the organisation that are better carried out by people from BME backgrounds, in particular rangers, education officers, and other front-line staff. An advisory group with BME representatives could guide this research.

4. *FC relations with Gypsies and Travellers* needs special treatment since they have very different needs and patterns of use from other BME groups. The scope of such a study might be extended to cover more than FC's legal requirements for the Race Relations Act, and aim to produce broader guidance on how to manage the relationship between Gypsies and Travellers, and FC staff, activities and sites.

RES three yearly review

FC are required to review its list of functions, policies and proposed policies that are relevant to the general statutory duty every three years. For public authorities in England and Wales, the deadline for carrying out the first of these reviews was 31st May 2005. Authorities in Scotland had until 30th November 2005 to complete their reviews. It is not clear whether CRE considers FC to be based in England or Scotland.

During years 1-3 of their scheme, CRE expects public authorities to have:

- published annual reports in line with their employment duty detailing ethnic monitoring data of staff and employment practice;
- published reports on their monitoring, impact assessment and consultation activity, in line with the arrangements set out in the RES/REP;
- reviewed action plans to assess what progress has been made in implementing the duty; and
- clearly identified the race equality outcomes that you need to achieve and are steadily working towards meeting these outcomes and targets.

Although there is no statutory duty to revise and republish the RES or policy every three years, CRE state that authorities should be regularly reviewing the progress made in implementing. They recommend that authorities review their scheme or policy as part of the three-year review, and revise, update and republish it every three years.

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APPENDIX 1. PEOPLE AND AGENCIES INVOLVED IN THE RESEARCH

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- Wolverhampton University (Ken Grainger)

APPENDIX 2. INTERVIEW QUESTIONS FOR FORESTRY COMMISSION STAFF

Regional Strategy:

- Could you describe your region/district?
- How have you developed your regional policies?
- How does racial equality figure in your regional strategy?
- Is there anything in there that could be construed as discrimination? Did you have anyone to help you to look through the policies?
- Was racial equality a factor in your consultation process? How?

Services:

- Who do you consult about services and management plans?
- What is your overall impression of the services you provide in respect of BME (black and minority ethnic groups) involvement?
- Have you done any monitoring of minority groups accessing your services e.g. numbers visiting public access woodlands?
- Would it be useful to know?
- Do you have the means to do this?
- Do you have any commitment to outreach work with BME groups?

Partnerships:

- Do you work with any partners that are able to help you address the issue of diversity i.e. interest groups or community groups?

Business:

- How do you tender for business contracts? Are there any equality or discrimination issues that you could highlight for me?
- Do you have any contracts with any BME oriented businesses? Do you have a way of monitoring this (or thinking creatively about it)?

Good practice:

- Have you initiated any projects that you would consider to be ‘good practice’ in engaging BME groups?
- How did this come about? What was the inspiration?
- How did it go? Have you assessed it?
- What do you consider to be the features of good practice?

Employment:

- Do you have an equal opportunities policy for employment and volunteering? How does it work?
- Do you have anyone from a BME group working for you or volunteering? How does it work? What is your experience of that?

Communication:

- What do you consider to be the most important aspects of good communication?
- Are you aware of how well your policy documents and publicity material communicate? Does it communicate with diverse audiences?
- What do you think are the barriers to more effective communication?

APPENDIX 3. PHASE 1 ACTION RESEARCH IN NORTHANTS: FEEDBACK FROM THE RANGERS

Working with the focus groups in Salcey Forest was both enjoyable and very interesting. Usually the forests are extremely underused by minority ethnic groups, so much so that when they do visit they are conspicuous in their presence – and as far as we know this is the situation throughout the district.

We don't carry out any formal monitoring of minority ethnic group usage as at present this isn't practical given the size of the district, the number of staff and the fact that most of our sites do not have visitor centres. Our methods of monitoring so far have been informal and based on observation, on a day-to-day basis, at events, guided walks etc.

From our perspective there was some initial anxiety about meeting the groups. Primarily the concerns were whether we would be able to communicate effectively without patronising people, or whether some of the groups would find the language barrier too great a problem. There was also the thought that the differences between our culture and those of the groups might be a difficult obstacle to overcome, and that we might struggle to find any common ground.

Having met with them though, these fears turned out to be unfounded; the people who understood less English were helped by other group members, and any differences in culture only made for interesting conversations rather than obstacles.

The four community groups involved in the study provided us with a good opportunity to find out their thoughts and reactions to the forest, and we found that their comments were as diverse as the groups themselves.

Given the broad age range and background of the groups, it is very difficult to generalise about their reactions and the way in which they engaged with their surroundings, although on the whole it seemed to be a positive experience.

The morning sessions gave us the chance to meet and get to know the groups, and helped everybody to get the most out of the afternoon visits.

Being part of a group, and having someone on hand to answer questions seemed to help many feel relatively at ease. The majority of the older group members had experience of visiting forests in their home countries, and were very relaxed talking about them (and even singing traditional songs as we walked around!)

Some members engaged less and were more distant - we felt that for those that spoke less English, this may have been a constraint.

The younger, more 'westernised' members engaged in much the same way as young, *non*- minority ethnic group visitors would. They seemed comfortable in their surroundings, and were more interested in what sports or activities they could do.

An interesting point to arise from discussions after the visits, and one that we were not previously aware of, is that the minority ethnic groups network between themselves. This means that whilst we may think we are only communicating with one group at a time, we may actually be reaching a much wider audience.

Ideally in the future, the groups would visit the forests of their own accord and feel as comfortable using them as our regular visitors.

For initial engagement to be truly effective with these groups (and practically all groups, not just minority ethnic ones) it should be done face-to-face as letters and e-mails don't appear to work. This means a fairly high level of personal input from rangers, but also helps to develop lasting relationships. It also means that any preconceptions and barriers can be easily broken down.

Engaging with people from minority ethnic backgrounds is something that we are aware is an important part of our jobs. However, unless it is incorporated into our Forward Job Plans, with identifiable targets, it is an aim that is easy to lose sight of.

Going out into the community and talking to groups is time consuming, and this is probably the most limiting factor as far as staff are concerned. That said, communicating with people is the essence of what we do, and setting clear targets within the FJP would help to keep this as a priority.

Another possible way of ensuring that minority ethnic groups are reached would be to have a member of staff who concentrated solely on doing that, and who had the time to develop and maintain links within these communities.

The experience with the groups was extremely positive from our perspective, and we now have a strong link with one of them which has led to numerous visits (they have revisited Salcey several times and we have been to their centre as well).

Cheryl Joyce and Jo Roberts

APPENDIX 4. DUFFERS' GUIDE TO MAKING CONTACT WITH ETHNIC GROUPS

1. Don't panic!
2. Talk to your line manager about what you want to do. See what money is available to assist this outreach work - you will need *some*! Also, what time do you have? Does your manager want you to contact x number of groups by year-end? Set some targets between you. Make sure these are achievable and sustainable.
3. Think of what you are offering people. Also think of how you will get them to the wood. A lot of groups don't have transport, (and how many woods are on a bus route?!!). Contact local minibus firms and get some prices. Speak to your line manager…!
4. Get a list of contact names and numbers. You can get this from your local authority website, the library, and/or ringing the main switchboard of your local authority. Quite often there is an officer responsible for ethnic groups in the town/city/region, and can give you a list of names and addresses. (These lists are usually confidential, for obvious reasons, and you may need to explain who you are and why you want to contact people. Then you must swear on your mother's grave not to pass them on to anyone else).
5. Get writing! Choose up to half a dozen groups, whatever you feel is manageable. You may wish to pick a range of groups, of differing, ages, a mixture of sexes, nationalities, etc. Write an introductory letter (see Community Approach example letter), post it, then wait a few days. Write in your diary when to ring them back – don't leave it much longer than a week after you think they got it, or they will have forgotten all about you.
6. Get on the phone! Ring around, introduce yourself, ask to speak to the addressee, or the centre manager. Ask if they might be interested in finding out more about Twiggy Wood. Listen to what they have to say, whether yes or no. If no, try to find out why - this helps us understand groups' needs, wishes and desires more. E.g. Too busy, no transport, no interest (why not?). If they don't really know what you are offering, this is the ideal time to suggest you visit them. Arrange a time.
7. Get going! Put on your best FC bib and tucker, and go and visit. Take any relevant maps or literature you may have (but not boxes full!). Tell the group the benefits of a trip to Twiggy wood – fun for kids, quiet relaxation, peaceful meditation, exercise, fresh air, change of scene, stress relief…. etc (You know all this!) Find out what they already do and where they already go. Tell them about the facilities.
8. Offer to accompany them on a visit to Twiggy Wood. Arrange a time. Explain what to expect when they get there. Do they have suitable clothing? Bear in mind that some groups (not all) may only like to venture outside in warmer months. Think about this when planning the timing of your approach – whilst you may think the woods are great at any time of year, an introductory visit on a dingy February day with temperatures below freezing may not achieve the desired result! (Especially for the elderly, or people who aren't active enough to keep warm). What about footwear? Is the wood wet in places? Explain how to get there – and give them a map. You may wish to offer to lead them from their centre to the wood, or go with them in the minibus. If some of them do not speak English, could other members act as interpreters on your visit…?
9. Before the walk, do normal site checks, risk assessment, etc.
10. Meet them promptly at site. Do the walk. Listen out for what they are interested in. Be flexible and see what sort of dialogue develops. They may want to tell you what their woods back home are like, or their personal experiences. They may listen politely and say nothing. If interpreters are present, give them plenty of time to explain what you have said. Half way round, give them a bit of time to sit and

watch, chill, have chat amongst themselves, or whatever – let them interact with the wood without you being too close. Then finish the walk, and take them back to the café for a drink. Or supply hot drinks with flasks, urns, gas boilers or however you normally do it, and somewhere to sit. (Tea, coffee, orange juice and water are usually fine.)

11. Ask them what they have thought of the visit. Will they be back? (The sixty-four million-dollar question!) Bear in mind they may be too polite to tell you there and then… but you are likely to already know how they have experienced their visit from body language, etc. Do they need more help from you to visit and enjoy the woods? Tell them about any What's On events coming up.
12. Keep notes on how the visit went.
13. Keep in touch. Contact them again in 3 months time and see if they are still visiting. If so – great. Is there anything they need from you? If not – why not? Can you do anything about that?
14. Remember that a lot of ethnic community groups network, so your visit from the Chinese Elders may spark a visit from the Croatian Children's Club. If they invite you to any of their events, try to go to at least one. So much can be learned, and there might be opportunities for them to hold some of their events in Twiggy Wood, now they know what it has to offer, and know you too.
15. Share your experiences with colleagues, and the Community SDN!

If anyone has anything to add to the above, please feel free. If anyone wishes to speak to me (not that I'm an expert, by any stretch of the imagination!), then do get in touch.

Cheryl Joyce, November 2005

APPENDIX 5. DEFINITIONS OF RACE, ETHNICITY AND DISCRIMINATION

Race and ethnicity

According to CRE, **Racial groups** are groups defined by racial grounds i.e. race, colour, nationality (including citizenship) or ethnic or national origins. All racial groups are protected from unlawful racial discrimination under the Race Relations Act. Romany Gypsies, Irish Travellers, Jews and Sikhs have been explicitly recognised by the courts as constituting racial groups for the purposes of the RRA.

A person may fall into more than one racial group; for example, a 'Jamaican ' may be defined by 'race', 'colour', 'ethnic or national origins' and 'nationality'. The courts have held that a person's actual racial group may be irrelevant to the way they are treated, and that their racial group may be defined by a discriminator's perception of, or (incorrect) assumptions about, their ethnic or national origins.

An **Ethnic group** is defined by the House of Lords as a group that regards itself, or is regarded by others, as a distinct community by virtue of certain characteristics that will help to distinguish the group from the surrounding community. Two of these characteristics are essential:

- a long shared history, of which the group is conscious as distinguishing it from other groups, and the memory of which it keeps alive; and
- a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance.

Other relevant characteristics (one or more of which will commonly be found) are:

- either a common geographical origin or descent from a small number of common ancestors;
- a common language, not necessarily peculiar to the group;
- a common literature peculiar to the group;
- a common religion different from that of neighbouring groups or from the general community surrounding it; and
- being a minority or being an oppressed or a dominant group within a larger community, for example a conquered people (say, the inhabitants of England shortly after the Norman conquest) and their conquerors might both be ethnic groups.

Although the House of Lords emphasised the need to interpret the word 'ethnic' relatively widely, in a broad, cultural and historic sense, it also observed that “the word ‘ethnic’ still retains a racial flavour. On this basis, tribunals and courts have proceeded to rule that the English, Scots and Welsh, among others, are not racial groups by virtue of distinct 'ethnic origins'.”

Racial discrimination

The CRE website identifies four main types of racial discrimination:
(See http://www.cre.gov.uk/legal/rra_discrimination.html)

1. Direct racial discrimination

This occurs when you are able to show that you have been treated less favourably on racial grounds than others in similar circumstances. Racist abuse and harassment are forms of direct discrimination.

2. Indirect racial discrimination

Indirect racial discrimination may fall into one of two categories, depending on the racial grounds of discrimination. The first is on grounds of colour or nationality under the original definition in the Race Relations Act. The second is based on race, ethnic or national origin and was introduced by the Race Relations Act (Amendment) Regulations 2003 to comply with the EC Race Directive.

A) On grounds of colour or nationality
This occurs when an apparently non-discriminatory requirement or condition which applies equally to everyone can only be met by a considerably smaller proportion of people from a particular racial group, and which is to the detriment of a person from that group because he or she cannot meet it; and the requirement or condition cannot be justified on non-racial grounds.

For example, a rule that employees or pupils must not wear headgear could exclude Sikh men and boys who wear a turban, or Jewish men or boys who wear a yarmulka, in accordance with practice within their racial group.

B) On grounds of race, ethnic or national origin
This occurs when a provision, criterion or practice which, on the face of it, has nothing to do with race and is applied equally to everyone puts, or would put, people of the same race or ethnic or national origins at a particular disadvantage when compared with others, and puts a person of that race or ethnic or national origin at that disadvantage, and cannot be shown to be a proportionate means of achieving a legitimate aim.

The definition of indirect discrimination on the grounds of race, ethnic or national origin is in general terms broader than on the grounds of colour or nationality and as a result it may be easier to establish racial discrimination than previously.

Victimisation and harassment

These two terms have specific legal definitions under the Race Relations Act.

Victimisation occurs if you are treated less favourably than others in the same circumstances because you have complained about racial discrimination, or supported someone else who has.

The definition of **harassment**, introduced by the Race Relations Act 1976 (Amendment) Regulations 2003, applies when the discrimination is on grounds of race or ethnic or national origins, but not colour or nationality. Harassment on grounds of colour or nationality amounts to less favourable treatment and may be unlawful direct discrimination. A person harasses another on grounds of race or ethnic or national origins when he or she engages in unwanted conduct that has the purpose or effect of violating that other person's dignity, or creating an intimidating or hostile, degrading, humiliating or offensive environment for them. It is an unlawful form of discrimination in education, planning, within public authorities, in the provision of goods, facilities, services and premises.

APPENDIX 6. GUIDELINES FOR RACE EQUALITY IMPACT ASSESSMENT

Introduction

The following guidelines for race equality impact assessment have been summarised from the CRE website. According to CRE: “A race equality impact assessment is a way of systematically and thoroughly assessing, and consulting on, the effects that a proposed policy is likely to have on people, depending on their racial group.”

CRE propose a two stage process, with an initial screening of all items listed as relevant in the assessment grid, including all policy and legislative proposals, followed by a full assessment for those with significant impact. The principle of proportionality applies here, and priority needs to be given to those items that scored highly in the assessment grid.

CRE present a flow chart for the impact assessment process.

<u>Stage 1: Screening</u>
1. Is the proposed policy relevant to race equality?
2. Identify main aims of the policy
3. Collect information
4. Decide if the policy is relevant (if it is not, you may end the process here)

<u>Stage 2: Full assessment</u>
1. Identify all aims of the policy
2. Consider the evidence
3. Assess any likely impact
4. Consider alternatives
5. Consult formally
6. Decide whether to adopt the policy
7. Make monitoring arrangements
8. Publish assessment results

The centrality of race equality impact assessment to the RES is reflected in the suggestion by CRE that authorities consider setting up a race equality impact assessment advisory group to develop in-house expertise and experience in assessing policy and legislative proposals for their possible effects on race equality. They add:

> Depending on the authority, the advisory group could be based in the policy department or in the department responsible for equality and diversity. Members of the group should, however, be drawn from various departments, including policy, research and statistics, equality and diversity and, possibly, from other interested organisations as well. Sector and policy specialists, and other experts, could be co-opted to the group at any stage of the assessment process, according to the policy proposals being assessed.

Regarding the need to collect information for the screening stage, CRE suggest that the following types of information may be useful:
- Demographic data and other statistics, including census findings
- Recent research findings, including studies of deprivation
- The results of consultations or recent surveys
- The results of equality monitoring data, from your authority and other authorities

- Information from groups and agencies directly in touch with particular groups in the communities you serve, for example qualitative studies by trade unions and voluntary and community organisations
- Comparisons between your policies and similar policies in other departments, or authorities
- Analysis of records of public enquiries about your services or policies, or complaints about them
- Analysis of complaints of racial discrimination by your authority in employment or service delivery
- Recommendations of inspection and audit reports and reviews, such as 'best value'

To decide if a policy is relevant to the general duty, and how relevant, CRE propose authorities consider the following questions:

- Will the proposed policy involve, or have consequences for, the people your authority serves and employs?
- Could these consequences differ according to people's racial group, for example, because they have particular needs, experiences or priorities?
- Is there any reason to believe that people could be affected differently by the proposed policy, according to their racial group, for example in terms of access to a service, or the ability to take advantage of proposed opportunities?
- Is there any evidence that any part of the proposed policy could discriminate unlawfully, directly or indirectly, against people from some racial groups?
- Is there any evidence that people from some racial groups may have different expectations of the policy in question?
- Is the proposed policy likely to affect relations between certain racial groups, for example because it is seen as favouring a particular group or denying opportunities to another?
- Is the proposed policy likely to damage relations between any particular racial group (or groups) and your authority?

CRE continue: "If you have answered 'yes' to any of these questions, the proposed policy will be relevant to your responsibilities under the race equality duty, and you should carry out a full assessment of the effects your proposals are likely to have on people from different racial groups."

Full assessment of a proposed policy should be carried out in the eight stages given above. Notes on each stage are given below:

1. Identify all aims of the policy

The questions below should give you a better understanding of the proposed policy.

- What are your authority's specific responsibilities in relation to the proposed policy?
- Where does responsibility for the proposed policy finally rest?
- How will the proposed policy be put into effect? Who will be responsible?
- To what extent will the proposed policy achieve equal opportunities and good relations between different racial groups?
- What are the specific outcomes you hope to see from the proposed policy?
- What criteria will you use to measure progress towards these outcomes?
- Are there any risks associated with the proposals, particularly for meeting the race equality duty?

- How does the proposed policy fit in with other policies, your own as well as those of other departments or authorities? Is its overall purpose compatible with your authority's equality and diversity policy?
- Which individuals and organisations are likely to have an interest in the proposals?
- Do the stakeholders include representatives from all the racial groups likely to be affected by the proposed policy?
- What relationships do you have, or need to have, with these stakeholders, if the policy is to be credible and have their support? Have you considered involving departments or authorities with similar policies in the assessment process, to benefit from their experience, and avoid duplicating work they might have already done?

2. Consider the evidence

CRE state: "The aim, ultimately, should be to establish a reliable and extensive database of information on all equality factors, such as age, religion or belief, sex, disability, sexual orientation and racial group, so that you can look at the possible implications of a policy for, say, young women from a particular racial group, or people with different types of disability who need to observe certain religious customs."

CRE gives a checklist of questions:

- What sort of information are you likely to need to develop an effective policy that benefits all racial groups equally?
- Who will decide what information will be needed, and where to look for it?
- What quantitative and qualitative information is already available in-house (for example, from departments responsible for research, statistics, policy, information services, human resources, and equality and diversity and from staff, trade unions and staff associations), through members of the advisory group (if you have set one up) and, outside your authority, from other stakeholders and people from the communities likely to be affected by the proposed policy?
- Could other authorities with similar policies advise as to the information they found useful?
- Is the available information sufficiently detailed to permit analysis of disparities between small groups?
- Is the information up to date, relevant and reliable?
- Will the information need to be supplemented through new research, or specially commissioned qualitative or quantitative surveys, or consultation exercises designed to fill gaps in the information about certain groups, particularly small groups whose needs and experiences are not captured by the broad Census 2001 categories we recommend you use; for example, newcomers, including asylum seekers and refugees; and temporary residents, including Gypsies and Travellers?
- Ethnic monitoring: a guide for public authorities
- Can you think of any other organisations that might want to join you in commissioning new data or research or consultation exercises?
- Who will be responsible for pulling together all the information needed, in the required form? It may be necessary to analyse data sets from various sources, in order to establish trends and patterns, and draw inferences about the likely effects of the proposed policy on different racial groups. For example, a proposal to increase fees for higher education should be considered in the light of such factors as: current rates of application and admission to different parts of this sector, and to different universities and colleges, analysed by racial group; the

rates of full-time and part-time study among different racial groups; differences in age between applicants from different groups; studies of the reasons for particularly high drop-out rates among certain racial groups; data on student employment; and choice of subject applied for and actually studied.

CRE note that: “Depending on the complexity of the information and research involved, you might consider appointing a social researcher to coordinate and manage this stage of the process.”

3. Assess the likely impact

The following questions are proposed by CRE to guide this central part of the assessment process:

- Does your analysis of the proposed policy indicate possible adverse impact on some racial groups? That is, are any disparities in the ethnic data statistically significant, and not due to chance?
- Are there other factors that might help to explain the adverse impact? If not, or if race remains a significant factor, would changes to the policy, or the way it is put into practice, remove or substantially reduce the impact?
- Could the proposed policy lead to unlawful direct discrimination? If yes, you must abandon it straightaway and look for different ways of achieving your policy aims; direct discrimination can never be justified.
- Could the proposed policy lead to unlawful indirect discrimination? If yes, you should look for different ways of achieving your policy aims. If you decide the policy’s potential for indirectly discriminating against some groups is justifiable, you should make sure your reasons have nothing to do with race. You would be well advised to seek legal advice on the question of justifiability. This is a difficult area of law and most policy writers will not be sufficiently versed in the legal subtleties.
- Could the proposed policy damage relations between your authority and a particular racial group (or groups)?
- Could the policy be in breach of other legislation or international obligations?
- Is the proposed policy intended to increase equality of opportunity for some groups, for example, by taking advantage of the positiveaction provisions of the Race Relations Act? Are you confident that the policy is lawful, and that you can justify it? Do you need to take steps to counter any resentment the policy might cause among other racial groups?
- Have you re-assessed the policy, if you have made substantive changes to the original proposal?
- Have you discussed the results of the assessment with the advisory group and/or other stakeholders?
- Do you need to hold an informal consultation exercise, internally or externally, at this stage?
- Would further research be useful? Would this be a proportionate response to the policy in terms of its importance?

4. Consider alternatives

Answering the questions below should help to structure this difficult and decisive stage of the impact assessment process.

- Does your assessment show that the proposed policy could have an adverse impact on some racial groups? If so, you should look again at the purpose of the policy, and the aims you have drawn up for it, to see if you should reconsider your approach.

- Are there aspects to your proposals that could be changed, or could you take additional measures, to reduce or remove adverse impact on a particular racial group, without affecting the policy's overall aims? Could this unintentionally result in disadvantaging another racial group? Would you be able to justify this, on balance?
- How does each policy option advance or hinder equality of opportunity?
- Could the proposed policy lead to tensions between racial groups? If so, is this because its purpose is to take advantage of provisions in the law that permit discrimination in order to tackle under-representation, or meet the needs of a particular group? Are there steps you could take to reduce tensions, resentment or misunderstanding, by explaining the aims of the policy and showing that it is intended to tackle inequalities, not to create them.
- Will the social and economic costs or benefits to the racial group in question of implementing the option outweigh the costs to you or other groups? What are the net social benefits of implementing each option?
- If you decide not to adopt the approach that is best for meeting the duty, what are the consequences for the racial groups that might be adversely affected as a result, and for your authority? What would be the consequences for you, in law, and in the possible loss of credibility and confidence among some groups? Are you sure you can justify proceeding with an indirectly discriminatory policy, that is, can you argue convincingly that the purpose and aims of the policy were necessary and appropriate in order to carry out your functions, and justifiable on grounds that had nothing to do with race?

5. Consult formally

Although formal consultation is one of the steps in the eight-step process of assessment, CRE highlight that consultation should be an on-going process throughout the entire impact assessment process. They suggest the use of the advisory group, focus groups, citizens' juries, staff and trade unions and staff associations, and any consultation network your authority uses. They warn against the risks of tokenism in consultation. "Your aim should be to make sure that anyone who is likely to be affected by the policy, both inside and outside your authority, has the opportunity to express his or her views, concerns and suggestions."

CRE identify the following groups as ones which are often overlooked in consultations:
- New migrants, including asylum seekers and refugees
- Groups that have proved difficult to reach, such as Gypsies and Travellers
- People from ethnic minorities living in isolated rural areas
- Women, and elderly and young people from some racial groups.

The following questions are proposed to help ensure a meaningful consultation process:
- Have you identified all the racial groups likely to be affected by the proposed policy, directly and indirectly?
- Which organisations and individuals are likely to have a legitimate interest in the policy?
- What methods of consultation are most likely to succeed in attracting the people you want to reach?
- Have other departments or authorities held formal consultations on similar policies? If so, and if the results are relevant and still up to date, you may be able to consider other methods of consultation, in order to get particular sections of the population more involved, for example by holding separate meeting for

particular communities, and also for groups within these communities, such as young people, older people, women, people with disabilities, Gypsies and Travellers, and new migrants, including asylum seekers and refugees.

- Have you asked members of the advisory group to carry out consultations in their sectors or areas of expertise?
- If your authority is in an area with a sizeable multi-ethnic population, and you have a list of 'community representatives' whom you consult, or rely on the same network or panel for all consultations, is the list, network or panel up-to-date? You should take special care not to restrict your consultations to official 'leaders' or 'representatives' of local communities and associations. However, you should certainly use their experience and knowledge to set up direct consultation exercises with different sections of the communities they represent.
- Have previous attempts to consult particular communities been unsuccessful? If so, why, and what can you do to overcome any obstacles?
- Have you made resources available to encourage full participation by groups that have proved hard to reach?
- If meetings are to be held, have you made sure that the practical arrangements – dates, times and venues – do not coincide with religious customs or festivals?
- How will information, pre- and post-consultation, be made available?
- Have you made arrangements to translate the consultation material, and the publicity material for the consultation, and to have interpreters at meetings, and to staff any helplines you have set up?

6. Decide whether to adopt the policy

The following questions are given to help decide whether to adopt the policy:

- Does the assessment show that the proposed policy will have an adverse impact on a particular racial group (or groups)?
- Is the proposal likely to make it difficult to promote equal opportunities or good relations between different racial groups?
- If the answer to both these questions is 'yes', can the policy be revised, or additional measures taken, so that it achieves its aims, but without risking any adverse impact?
- What are the main findings of your consultations, and what weight should they carry?
- What weight should be given to other evidence?
- Who will be involved in the decision-making process?
- How will the decision-making process be structured, and how will the decisions be recorded?

It is necessary to keep a record of conclusions at each stage of the decision-making process, and bring these together in a race equality impact assessment report. CRE state: "The report should clearly show the relative weight you have decided to give to each type of evidence: monitoring data, research findings, other statistics, and the results of your consultations (formal and informal). You can then explain the reasons for your decision, and make recommendations on how to put the policy into practice, including suggestions for training and monitoring."

7. Make monitoring arrangements

The duty includes a requirement to make arrangements to monitor policies for any adverse impact, and to publish monitoring reports. The following questions are given for consideration before introducing the policy:

- Should the policy be piloted, to see how it actually affects people, depending on their racial group?
- How will the results of the pilot be taken into account, before the policy is finally adopted and launched?
- How will the policy be monitored once it becomes operational? What sort of data will be collected and how often will it be analysed? Will the monitoring include qualitative methods, such as surveys, or follow-up consultations?
- Who will be responsible for the monitoring?
- How will the effects of the policy on equality of opportunity and good race relations be monitored? What criteria will be used to assess these? How will any concerns be taken into account in any review of the policy?
- How often will the policy be reviewed, and who will be responsible for this?
- Has a formal monitoring programme been drawn up, to make sure the entire process is followed through systematically, and within a realistic timetable?

8. Publish assessment results

Finally, arrangements must be made for publishing the results of the assessments and consultations carried out of any policy that is relevant to the race equality duty. CRE propose a general structure for publication:

- A description and explanation of the proposed policy, putting it in its wider policy and legislative context
- A brief explanation of how the policy was assessed for its likely effects on different racial groups, with clear references to the information and research used as a benchmark
- A brief description of the consultation methods used, and a summary of the overall findings
- The conclusions reached through the assessment and consultation as to the likely effects of the proposed policy on meeting each part of the race equality duty
- Any modifications of the policy introduced as a result of the assessment and consultation, or alternative or additional measures
- An explanation of whether and how the adopted policy differs from the original proposal
- A statement of the plans for monitoring the policy when it is put into effect.