



ANTI-DISCRIMINATION AND DIVERSITY TRAINING: NEEDS, GAPS AND CHALLENGES

Background paper for the Annual Conference of the Community
Action Programme to combat discrimination

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INTRODUCTION

The 2006 Annual Conference of the Community Action Programme to combat discrimination (Warsaw, 24-25 April) will deal with the issue of anti-discrimination and diversity training. The aim of the conference is to bring together a range of people and organisations involved in anti-discrimination work and anti-discrimination and diversity training in particular.

A wide range of the activities funded by the Action Programme over the past five years have involved training. For example, the training of over 250 judges and prosecutors on anti-discrimination law with the Academy of European Law in Trier; training of almost 100 anti-discrimination trainers and 500 NGO representatives across the ten new Member States as well as Bulgaria, Romania and Turkey; and the many hundreds of trainings that have taken place in all Member States through the 50 transnational projects funded under the Programme (for more information on all initiatives under the Programme see: www.eu.int/comm/antidiscrimination).

Through the conference in Warsaw, participants and speakers can exchange good practice and discuss gaps and needs for future training initiatives. Of course not all training has, or indeed should be, carried out with European funding. A growing number of initiatives on anti-discrimination and diversity training taking place in the Member States are being run by employers, trade unions, public authorities (including equality bodies) and NGOs – either separately or in cooperation.

This short paper aims to set the scene for the discussions at the Warsaw conference by giving an overview of:

- the different types and categories of anti-discrimination and/or diversity training
- what such trainings could include
- and how they could be improved

The paper does not claim to be exhaustive and only attempts to give a general overview of some of the issues surrounding anti-discrimination and diversity training. It does not go into details on the differences in the extent or type of training in each Member State. Nor does it look at the specific training needs for each target group, e.g. NGOs, employers etc. Rather it attempts to raise some general issues regarding the 'how' and the 'why' of training in order to help stimulate and frame the debate at the conference.



1. WHAT ARE THE DIFFERENT KINDS OF ANTI-DISCRIMINATION/DIVERSITY TRAINING?

A wide range of different trainings concepts or approaches, fall under the heading of anti-discrimination and /or diversity training. I will list the most important and the role they can play in combating discrimination, in my view, and will give examples for each. Most of the concepts can be used for a wide range of settings, however, and can be combined for a concrete training design.

Raising awareness through training

Awareness-raising training is based on the premise that prejudices are present everywhere and with every person. What is generally looked at in the training is how participants deal with discrimination, how they perceive themselves and others, as well as other people's perceptions. This training does not aim to set out rules and regulations on 'how to be free' of discrimination. Nor does it offer or claim to offer any 'quick fix' solutions (which in my experience businesses often seek). It is the first step on the way to achieving equal opportunities in the workplace as well as in wider society. All of us should be conscious of our own attitudes and prejudices. It is only in this way that we can start working on ways to change structural discrimination.

Example: Training course for customer service department of an insurance company dealing with different perceptions and prejudices – internally as well as externally.

Diversity training

Diversity training starts with the premise that the world, society and workplace are heterogeneous places. It points to how differentiated and diverse an individual's background can be (personal characteristics, faith, ethnic origin etc.) and what this means for working/living together. It highlights the positive side of this heterogeneity/diversity pointing to the benefits and opportunities companies and/or society can gain from this difference. Critics say that in focusing on diversity, the existence of actual discrimination (and in certain cases legislation on discrimination) could be underplayed, with companies favouring a more 'positive' approach.

Example: Training course for human resources managers, who are working with a diverse workforce or want to prepare themselves for dealing with one.

Intercultural training

Diversity training should be distinguished from so-called 'intercultural training', as the two concepts can be confused. Intercultural training is based on the premise that different cultural backgrounds can cause differences in behaviour which can lead to misunderstanding and conflict.



The training seeks to teach people about these differences to improve knowledge, foster communication and thus attempt to overcome any misunderstanding.

On the positive side, this kind of training can help raise awareness of difference and the importance of active communication. It can run the risk, however, of being over-simplistic, especially if we consider cultural and ethnic backgrounds as dynamic processes, which comprise only one part of a person's individuality. Intercultural training is popular with organisations or companies with a diverse workforce as well as those who deal with clients from diverse cultural/ethnic backgrounds.

Example: Training course for employees of a hospital, who are confronted with different religious-motivated requirements by their patients.

Training on the law

This form of training provides information on preventing and dealing with discrimination. Training on the law, however, does not have to be limited to mere transfer of factual information on the legislation – it can also include (and indeed focus on) dissemination of case law and good practices. Common definitions of key words – such as discrimination counselling, advocacy etc. are also vital within such a training programme.

Example: Training course for social workers working with groups exposed to discrimination.

2. ANTI-DISCRIMINATION/DIVERSITY TRAINING – WHAT SHOULD IT INCLUDE?

For anti-discrimination training to be successful and have an impact, it should include a mix of the various training concepts mentioned above – and indeed go beyond this!

In my view, a comprehensive training approach could include the following four steps:

Awareness-raising on what discrimination means, on prejudices and how they appear in everyday life and how this affects people. This should be a basic element of any anti-discrimination training approach. It is also vital for developing any strategy against discrimination. It is within this first step, where reflection on personal identity and group identities, the challenges and benefits of **diversity** (and if necessary intercultural aspects) should be covered.

Following this, the next step should be to provide participants with methods and instruments for combating discrimination. This should



include, of course, **training on the law** and on rights and responsibilities of ALL relevant actors (e.g. employers, companies, trade unions, shop stewards, media, consumers, majority society, etc). As mentioned above, in order to be effective, legal training requires a discussion of common definitions of key terms and key concepts. It should also set out, where relevant, procedural obstacles to taking a case (e.g. proof, lack of case law) and give time to look at ways to overcome these hurdles, through exchange of experience, good practice, etc.

The next step should be the planning of **strategic action**. Based on the practical means for combating discrimination, e.g. law and good practice, strategies on how to act against and overcome discrimination should be planned. This step can of course vary considerably according to different target groups. It should remain relevant, targeted and concrete for the workplace or group in question.

The final step is going beyond the scope of the Directives to the **promotion of equal opportunities**. Combating discrimination must go beyond just eliminating discrimination, and promoting equal opportunities in society. As far as training is concerned this means developing not only strategies but analysing structural deficiencies and working on structural change. Target audiences for training in this approach would be key drivers of change both on the political level as well as those responsible for human resources and management in companies.

In their concrete implementation with different target groups, the first two steps need not differ a lot, whilst step three and four will look different according to the specific needs of the relevant participants.

A training course on strategic action for anti-racism NGOs or lawyers, for example, would focus on how to combat discrimination, how to build allies in fighting against structural discrimination, how to motivate victims of discrimination to use their rights, how to resolve conflicts via mediation as well as via legal means etc¹, whereas a seminar aimed at promoting equal opportunities in the workplace will look at companies' recruitment procedures, internal communication processes, consumers/client angle and how to work on implementing formal and/or informal change internally.

¹ See as examples the Interrights training project on Non-Discrimination Law for Trainers from Bar Associations and Trade Unions in the New EU Member States, http://europa.eu.int/comm/employment_social/fundamental_rights/policy/capac/prodet2/int_en.htm and the SOLID training programme: Development of an NGO Strategy on Litigation and Support at the National Level. www.solid-eu.org



3. TRAINING – WHAT ARE THE OBSTACLES, GAPS, CHALLENGES AND NEEDS?

Training in its concrete implementation is very much dependent on its setting, on the circumstances under which the training is conducted, concerning content, organisation, location etc. It is very important to keep this in mind as well as possible obstacles and needs, when planning a training session.

- **Target groups and trainers differ**

Different target groups of course have different training needs. The approach and philosophy do not need to differ that much, however. Dealing more with the law when training legal practitioners and less when dealing with teachers, for example, can make sense, but at the same time a mix of different target groups can lend a lot to the training, allowing for exchange of views and experience.

- **Training traditions differ between Member States**

There are different training traditions in different Member States, which also have to be taken into account when planning and conducting training across more than one country. Interactive elements, e.g. group exercises, should be introduced in a more sensitive way in countries where training tends to be based on a more traditional lecture format.

- **Cross-ground training**

Anti-discrimination training can focus either on a number of grounds of discrimination or specifically on one ground. Diversity training tends to focus more on differences in general.

Creating empathy and awareness of the specific needs of discriminated groups and the barriers they face is an important factor. With a general non-discriminatory approach in mind, however, training dealing with what discrimination means should perhaps be done for all grounds. If not there could be a risk of creating a hierarchy between different grounds and of neglecting the whole aspect of multiple identity and multiple discrimination.

- **Sustainability**

In terms of sustainability and success, each training should allow (where the budget allows!) for a follow-up, where strategies which have been implemented are evaluated, and where there is place for exchange of experience and planning of further action and cooperation.

- **Need for multiplier skills**

If we are to make a reality of the principle of equal opportunities in society, we should focus not only on making those trained capable of combating discrimination but strengthening their capacity to work as



multipliers. This does not necessarily mean that they should all be trained to be trainers themselves, but training should provide them with means and empower them to transfer their knowledge to their colleagues, the media and/or other stakeholders they come across.

- **A lack of common definitions**

There are differences – within countries as well as between countries – in the understanding of what discrimination really means (e.g. definition of indirect discrimination, different approaches to advocacy and counselling). Training sessions (especially with participants from different countries) should therefore include time for developing and discussing common definitions of key terms.

- **Challenges reaching relevant target groups**

In some countries it seems to be very difficult to reach some important target groups for combating discrimination, such as barristers, shop stewards, employers' associations, judges or even members of public authorities responsible for the practical implementation of the national anti-discrimination legislation. There is also a general lack of information on who has taken part in training programmes. One possibility to overcome this is to promote a national register or network of people who have been trained in anti-discrimination issues.

- **Lack of practical experience, case law**

Most countries are lacking relevant case law and practical experience. Exchange of experience on what could work best, on how to argue a case and on how to overcome procedural obstacles should therefore be the largest part of any training on legislation.

- **Lack of awareness, esp. on structural discrimination**

Training limited to the content of anti-discrimination legislation risks leaving the participants with a lack of awareness on what discrimination actually means and how it occurs in reality, especially regarding structural discrimination. This can in its extreme even lead to a resistant attitude from participants who fail to see a need for training (because of a lack of awareness of the existence of discrimination or because they consider themselves to be aware already). This is why an awareness-raising element is vital for understanding the concept of discrimination and anti-discrimination and for working with the legislation and other means provided.

- **Little involvement of groups who face discrimination**

When it comes to training, the involvement of groups who may face discrimination, both as participants and/or trainers is generally low. In terms of empowerment, members of these groups should be more actively



targeted in training courses. Their participation brings the additional value of personal experience with discrimination.

- **European approach vs. national situation**

An exchange of experience between Member States on obstacles to combating discrimination and on how these can be overcome should be given a prominent role in transnational training. This, rather than focusing on the legal context in each Member State (which differs considerably), could be where the real added-value of European training lies.

- **Lack of political will and funding**

In many countries, anti-discrimination training is predominantly financed by European funding. The political will to ensure proper implementation of the Directives and offer national training for relevant stakeholder groups is lacking. In addition, relying on EU funding can create major problems for the sustainability of training, as specific needs which emerge during the training courses cannot be followed up. Institutionalising the principles of anti-discrimination and equal opportunities training is a crucial factor, and public awareness should be raised about the responsibility of national governments, companies and others to fund it.

4. HOW TO ENSURE PROPER EVALUATION AND QUALITY OF TRAINING?

4.1. Impact of training – how can it be evaluated?

- **Defining aims of training**

A first step for evaluating the impact of training would be to define the specific aims, such as for example:

- Creating awareness of what discrimination really means
- Strengthening the practical implementation of anti-discrimination legislation
- Strengthening the capacity of participants to combat discrimination
- Giving participants the knowledge and skills to impart the lessons learnt to colleagues, the public, potential victims, etc.
- Empowering those who face discrimination themselves
- Changing attitudes and/or behaviour
- Fostering equal opportunities

- **Follow-up training**

To best evaluate the impact of training and to ensure its sustainability, follow-up trainings, or at least informal follow-up meetings, should be organised. This allows an opportunity to assess the practical implementation of lessons learnt, to address training needs identified in the first training session and where participants can exchange their own experience.



- **Assessment of training**

Based on the aims defined and on benchmarks for the practical impact/effectiveness of training, an assessment/evaluation procedure could be conducted by means of qualitative interviews with participants and trainers, or by analysing changes in quantity and quality of cases brought to court and/or equality bodies as well as changes in attitudes towards clients/colleagues etc. (which is a lot more difficult to assess).

4.2. Quality standards for trainers and training concepts – how could they be established?

The decision to provide anti-discrimination training for e.g. employees raises the question of who could run the training. The need for expertise on the topic as well as for training skills and the existence of various training concepts as mentioned above, makes it difficult to decide which training to choose for a specific group or for specific needs. Developing European-wide quality standards for trainers and training approaches could help.

- **Analysing different training concepts and approaches**

In order to establish quality standards, existing training concepts and approaches would need to be analysed and evaluated in a systematic way.

Common evaluation strategies would have to be developed and implemented, such as:

- Designing questionnaires/evaluation sheets
- Evaluation of questionnaires/ evaluation sheets
- Qualitative interviews with participants and trainers immediately following the training and again a year afterwards.

- **Assessing expertise of training providers**

This is even more difficult as it would require the prior development of training and quality standards. Evaluation of the impact of training as mentioned above could be a basis.

- **Establishing a European-wide network**

A European-wide network of trainers and training institutions could help define quality standards, including content, professional requirements, methods, approach. These standards should be a dynamic process, renewed and updated on a regular basis.



CONCLUDING REMARKS

Any policy to combat and counteract discrimination requires awareness-raising and training of stakeholders. It requires an understanding of the relevance of discrimination for everyday life, awareness of diversity issues, knowledge about duties and remedies, and skills in developing concrete strategies. It also requires the political will to go a step further and promote equal opportunities in society.

To reach these aims in a realistic way, anti-discrimination/diversity training should fulfil certain criteria and cover certain content. It should include awareness-raising, transfer relevant (legal) knowledge and offer opportunities for strategic action planning which is tailor-made for specific target groups. Furthermore it could be the right place to stress the importance of creating equal opportunities and to start a process of developing relevant measures and structural change.

Anti-discrimination training raises a range of different issues in order to improve and strengthen training delivery. Some of the issues raised in this paper include:

How to define a meaningful training strategy? How to best define aims and benchmarks? How to strengthen the practical relevance, implementation and the specific needs of the participants? How to overcome different levels of awareness of participants? How to deal with the lack of common definitions and case law? How to overcome the lack or even absence of funding for training initiatives? How to get groups/people who have been discriminated again more involved in training?

How to ensure that training has a multiplier effect? How can we carry out evaluation of training? Is it possible to define quality standards for trainers and training approaches? How can we ensure proper follow-up training sessions?

One thing which is clear however, is the importance of the political commitment of all stakeholders to training, be they government authorities, independent equality bodies, trade unions, employers or business at large. All these actors must recognise that anti-discrimination/diversity training is a crucial element in combating and preventing discrimination and in changing the discriminatory potential of society. As well as recognising the importance of training, these actors must also acknowledge their own responsibility for developing, carrying out – and of course financing – training programmes. It is only through such a concerted approach that anti-discrimination and diversity training can start to make a difference.