

# EQUALITY AND DIVERSITY



# Equality Act 2010

The Equality Act replaces the previous anti-discrimination laws with a single Act, It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with. It also strengthens the law in important ways, to help tackle discrimination and equality. The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

## Purpose of the Act

**Strengthening**, harmonising and streamlining 40 years of equalities legislation:

- **Strengthening:** improving the effectiveness of equality legislation
- **Harmonising:** providing the same levels of protection from discrimination across all the protected characteristics and all sectors, where appropriate
- **Streamlining:** simplifying and consolidating approximately 116 pieces of separate equality legislation

## Protected Characteristics

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

## Age

The protected characteristic of age means a person belonging to a particular age group. This includes people of the same age and people of a particular range of ages, e.g. 'over 50s' or '21 yr olds'.

## Disability

Protection is provided where someone has a physical or mental impairment and this has a substantial and long term adverse effect on the person's ability to carry out normal day to day activities.

## Gender reassignment

Protection is provided where someone has proposed, started or completed a process to change their sex.

## **Marriage and civil partnership**

Protection from discrimination for being married or in a civil partnership is provided in employment and vocational training only.

## **Pregnancy and maternity**

For all areas covered by the Act; a woman is protected from unfavourable treatment because of pregnancy or has because she has given birth.

## **Race**

'Race' includes colour, nationality and ethnic or national origins. A racial group can also be made up of two or more distinct racial groups.

## **Religion and Belief**

Meaning of religion:

Religion' means any religion and includes a lack of religion. It is for the courts to determine what constitutes a religion.

Meaning of belief:

Belief means any religious or philosophical belief and includes a lack of belief. Examples of philosophical beliefs include Humanism and Atheism. A belief need not include faith or worship of a God or Gods, but must affect how a person lives their life or perceives the world.

## **Sex**

Discrimination based on gender - sex discrimination is less favourable treatment of a woman than a man (or vice versa) because of their sex.

## **Sexual Orientation**

Sexual orientation means the general attraction you feel towards people of one sex or another (or both). Most people are generally attracted to:

- people who are the same sex as them
- people who are the opposite sex to them, or
- people of both sexes

## **Discrimination**

The law recognises four forms of discrimination:

- Direct discrimination
- Harassment
- Indirect discrimination
- Victimisation

## **What is the Equality Duty?**

The Equality Duty is a duty on public bodies and others to carry out public functions. The aim is to embed equality considerations into the day to day work of the public authorities, so that they tackle discrimination and inequality and contribute to making a society fairer:

- Eliminate discrimination, harassment and victimisation
- Advance Equality of Opportunity
- Foster good relations

**Positive Action** provisions permits proportionate action to overcome disadvantage, meet needs and tackle under representation.

### **Where does the Act apply?**

- Services and Public Functions
- Premises
- Work
- Education
- Associations, including Political Parties

### **Prohibited conduct:**

- Harassment
- Third party harassment
- Discrimination arising from disability
- Duty to make reasonable adjustments

## What's changed?

Here are some examples on how the law has changed:

- Strengthening disabled people's protection from discrimination
- Protecting people from discrimination by association and perception
- Positive action in recruitment and promotion which gives greater scope to address deficits in the workforce
- Strengthening the powers of employment tribunals
- Strengthening the protection for pregnant women and breastfeeding mothers
- Banning discrimination in private members' clubs

It also applies to marriage and civil partnerships, but only in respect of the requirement to have a due regard to the need to eliminate discrimination.

**If you require any further information relating to this act please contact:**

Visit [www.equalityhumanrights.com/ea2010](http://www.equalityhumanrights.com/ea2010) for the Commission's guidance and starter kit live from 1<sup>st</sup> October 2010.

You can also contact [communications@equalityhumanrights.com](mailto:communications@equalityhumanrights.com) with any queries.

For general questions you can call the Equality and Human Rights Commission Helpline: England: 0845 604 6610



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**What is the definition of discrimination?**

**What is the definition of stereotyping?**



**Can you name 3 different religions?**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

**Fill in the gaps:**

To constantly tease some one is **B**\_\_\_\_\_ **g** (8)

To treat someone badly because of their ethnicity is **R**\_\_\_\_\_ **m** (6)

To treat women less favourably than men is **S**\_\_\_\_\_ **m** (6)

The dictionary definition of harassment is 'to **To**\_\_\_\_\_ **t** worry' (7)

# Match the statements correctly

**A. The Sex Discrimination Act**

1. Education authorities have legal responsibilities not to treat disabled learners less favourably for a reason related to their disability.

**B. The Disability Discrimination Act**

2. Extends DDA 1995 making it unlawful for operators of transport vehicles to discriminate against disabled people

**C. The Gender Reassignment Regulations**

3. Eliminate discrimination between men and women in pay.

**D. The Race Relations Act**

4. Extends the SDA to cover discrimination in employment on grounds of gender reassignment.

**F. Special Educational Needs and Disability Act**

5. It is illegal to discriminate on the grounds of colour race, nationality ethnic in the fields of education, training, public authorities and employment, in respect of

**G. The Equal Pay Act (1970)**

6. It is illegal to treat women and men less favourably on the grounds of their sex or marital status in education employment and training

# Discrimination

In the following scenarios you have to decide what types of discrimination is taking place and on what grounds?

Sally works in a bakery and her cousin has adopted the faith of her Muslim fiancé, her co workers are making fun and jokes about her cousin joining a terrorist cell net. Sally is offended about these remarks;

**What is this?**

<b>Indirect discrimination</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>
<b>Bullying</b>	<input type="checkbox"/>	<b>Race</b>	<input type="checkbox"/>
<b>Sex discrimination</b>	<input type="checkbox"/>	<b>Religion</b>	<input type="checkbox"/>
<b>Age discrimination</b>	<input type="checkbox"/>	<b>Gender</b>	<input type="checkbox"/>
<b>Harassment</b>	<input type="checkbox"/>	<b>Age</b>	<input type="checkbox"/>

Joan works in a bank and is openly gay; her colleagues keep making remarks towards her regarding her sexuality. Joan is upset by these remarks;

**What is this?**

<b>Indirect discrimination</b>	<input type="checkbox"/>	<b>Gender</b>	<input type="checkbox"/>
<b>Direct discrimination</b>	<input type="checkbox"/>	<b>Race</b>	<input type="checkbox"/>
<b>Sex discrimination</b>	<input type="checkbox"/>	<b>Religion</b>	<input type="checkbox"/>
<b>Age discrimination</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>
<b>Harassment</b>	<input type="checkbox"/>	<b>Age</b>	<input type="checkbox"/>

Abdul is disabled and uses a wheelchair, he is shopping in a local store and wants to try on a garment. The assistant explains to Abdul they do not have any changing room facilities to accommodate wheel chairs;

**What is this?**

<b>Indirect discrimination</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>
<b>Bullying</b>	<input type="checkbox"/>	<b>Race</b>	<input type="checkbox"/>
<b>Sex discrimination</b>	<input type="checkbox"/>	<b>Religion</b>	<input type="checkbox"/>
<b>discrimination</b>	<input type="checkbox"/>	<b>Gender</b>	<input type="checkbox"/>
<b>Harassment</b>	<input type="checkbox"/>	<b>Age</b>	<input type="checkbox"/>

**Please complete the following quiz and circle your answer?**

**How many people in the UK have a disability?**

- 1 in 5
- 1 in 10
- 1 in 25
- 1 in 50

**Most disabilities are associated with:**

- Work accidents
- Age
- Motor accidents
- Sports injuries

**Diversity means treating everyone the same**

- True
- False

**To allow a dyslexic person more time in an exam would be**

- Reasonable
- Unreasonable

**What is the national minimum wage for Apprentices aged under 19 years from October 2011?**

- £2.40 an hour
- £2.60 an hour
- £2.10 an hour
- £2.80 an hour

**What is the national minimum wage for aged 18-20 from October 2011?**

- £3.98 an hour
- £4.57 an hour
- £4.98 an hour
- £4.23 an hour

**What is the national minimum wage for age 21 and over from October 2011?**

- £6.08 an hour
- £5.93 an hour
- £3.68 an hour



# Reporting a Grievance

## Work grievance procedure

Question	Answer
When would you report a grievance?	
Who should you report a grievance to?	
What is the formal procedure you should follow when reporting a grievance?	

## NVQ grievance procedure

Question	Answer
When would you report a grievance?	
Who should you report a grievance to?	
What is the formal procedure you should follow when reporting a grievance?	

**If you have followed the grievance procedures above and feel your problem has not been solved then you can contact your local Skills Funding Agency**

Assessor feedback	
Assessor signature:	Date:
Candidate Signature:	Date: