



Anderson Stockley

Accredited Training Ltd

Equality and Diversity Workbook

What is Equality and Diversity?

Equality and diversity is a term used in the United Kingdom to define and champion equality, diversity and human rights as defining values of society. It promotes equality of opportunity for all, giving every individual the chance to achieve their potential, free from prejudice and discrimination.

Equality is ensuring individuals or groups of individuals are not treated differently or less favourably, on the basis of their specific protected characteristic, including areas of race, gender, disability, religion or belief, sexual orientation and age.

Promoting equality should remove discrimination in all the aforementioned areas. Bullying, harassment or victimisation are also considered as equality and diversity issues.

Diversity aims to recognise, respect and value people's differences to contribute and realise their full potential by promoting an inclusive culture for all.

Although sometimes used interchangeably, the terms 'equality' and 'diversity' are not the same.

Equality is about creating a fairer society, where everyone can participate and has the opportunity to fulfil their potential'.

An equalities approach understands that who we are, based on social categories such as gender, race, disability, age, social class, sexuality and religion – will impact on our life experiences.

Diversity literally means difference. When it is used as a contrast, or addition to equality, it is about recognising individual as well as group differences, treating people as individuals and placing positive value on diversity in the community and in the workforce.

Historically, employers and services have ignored certain differences such as background, personality and work style. However, individual and group diversity needs to be considered to ensure that everybody's needs and requirements are understood and responded to within employment practice, service design and delivery.

One way in which organisations have responded to the issue of diversity in recent years has been the development of flexibility in working practices and services. For example, an employer may allow an employee to work a flexible working pattern to accommodate child care arrangements, or a GP surgery may offer surgeries at the weekends to accommodate those who work full time during the week.

These approaches recognise that in order to provide accessible services and to ensure we promote inclusive working environments organisations may need to respond differently to both individuals and to groups.

Why is equality and diversity important?

Equality and diversity is becoming more important in all aspects of our lives and work for a number of reasons:

- We live in an increasingly diverse society and need to be able to respond appropriately and sensitively to this diversity. Learners in the healthcare setting will reflect this diversity around gender, race and ethnicity, disability, religion, sexuality, class and age.
- Your organisation believes that successful implementation of equality and diversity in all aspects of work ensures that colleagues, staff and students are valued, motivated and treated fairly.
- We have an equality and human rights legal framework covering employment practices and service delivery and we need to ensure we work within this and avoid discrimination.

What is prejudice?

To pre-judge and make assumptions about people with little evidence.

What is discrimination?

Discrimination is the act of treating a person differently — negatively or positively — because of that person's race, class, sexual orientation or gender or any other group to which that person belongs, rather than assessing individual needs and merits.

What is the difference between discrimination and prejudice?

Prejudice refers to thoughts and attitudes a person holds toward a group of people, while discrimination refers to actual actions against such a person or group.

Anti-discrimination and equal opportunities

What You Need to Know

The Equality Act (2010)

The Equality Act (2010) brought together previous anti-discrimination legislation into one act and strengthened anti-discrimination in certain areas, covering what are termed 'protected characteristics'. These are:

age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

There are four types of discrimination covered by the Equality Act (2010). These are direct discrimination, indirect discrimination, harassment and victimisation:

- direct discrimination is treating someone unfavourably due to a protected characteristic.

This includes associative discrimination and perceptive discrimination:

associative discrimination is discriminating against an individual because that person is associated with someone with a protected characteristic.

perceptive discrimination is discrimination against an individual because others think they possess a protected characteristic.

- indirect discrimination is where a workplace policy or procedure disadvantages someone with a protected characteristic
- harassment is where an employee finds others behaviour offensive
- victimisation is the unfavourable treatment of an employee who has supported a complaint made under the provision of the Equality Act (2010).

The protected characteristics are:

Age

Employers can't discriminate based on age during recruitment, when only your skills should be considered. However, some work activities (e.g. serving alcohol) can only be undertaken by a person over a minimum age.

Job descriptions should not refer to age (either specifically or by using language that implies an age, such as 'mature', 'young' or 'energetic'), unless this can be justified. Experience, skills and ability should be considered when these are equivalent to qualifications. Age discrimination also covers employment terms and conditions, promotions and transfers and dismissals.

Your employer cannot treat you less favourably than others because of your age, or apply a practice which would disadvantage you because of your age, unless it can be justified.

The provision for age discrimination gives protection from all four forms of discrimination (direct discrimination, indirect discrimination, harassment and victimisation).

Disability

Employers cannot discriminate against workers because of a physical or mental disability, nor may they fail to make reasonable adjustments to accommodate a worker with a disability.

The Equality Act (2010) makes it unlawful to:

- discriminate directly against disabled employees – that is, to treat staff less favourably than others because of their disability, because of something connected with their disability, or because they are associated with (e.g. care for) someone with a disability
- discriminate indirectly against disabled employees – that is, to apply a practice which would disadvantage them because of their disability, unless it can be objectively justified

- subject disabled employees to harassment
- victimise disabled employees because they have made, or intend to make, a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on the grounds of disability
- ask questions, except in certain circumstances, about a disabled employee's health before offering them a job.

Gender reassignment

Under the Equality Act (2010), it is unlawful for employers to discriminate against anyone who is undergoing, has undergone or intends to undergo gender reassignment. Under the Act an employer is not allowed to discriminate against an employee for absence from work due to the gender reassignment process. Also, anyone who is living as another gender, e.g. a man living as a woman, is also protected through this provision even if they are not going through a gender reassignment procedure.

Marriage and civil partnership

Under the Equality Act (2010), people who are married or in a civil partnership are protected against any direct discrimination against them. Due to their status, single people and those in relationships outside of marriage or civil partnership are not protected under the Act.

Pregnancy and Maternity

Pregnant women are protected against any discrimination on the grounds of their pregnancy, maternity leave or statutory leave entitlements. Discriminatory treatment towards a woman during the time of her pregnancy is not handled as sex discrimination.

A pregnant woman is protected against being dismissed, demoted, or disciplined due to her pregnancy, maternity leave or statutory leave entitlements. Examples of pregnancy and maternity leave discrimination include:

- being dismissed or disciplined due to asking for time off work to attend ante-natal classes
- being dismissed or disciplined due to being unable to complete work duties because of health and safety reasons.

Race

Race discrimination covers all aspects of employment, from recruitment through to pay and training to terminating a contract of employment. All four areas of discrimination are covered under race discrimination:

- direct discrimination: someone being treated less favourably based on their actual or perceived race, or being associated with someone of actual or perceived race
- indirect discrimination: policies, practices and procedures that disadvantage people of a particular race

- harassment: when unwanted conduct directly related to someone's race violates an individual's dignity and forms a hostile, humiliating, degrading, or offensive environment
- victimisation: the unfair treatment of an employee due to them making or supporting a complaint directly relating to racial discrimination.

Religion or belief

Under the Equality Act (2010), it is deemed unlawful to discriminate against someone based on their religion or belief. The provision includes protection for those of all religious beliefs and also those who have no religious belief. To be covered by this protection a religion must have a clearly defined structure. A belief may be philosophical or religious.

Organisations should have a fair recruitment and selection process and employment practices that treat everyone in a fair manner irrespective of their religion or belief.

Sex

Sex discrimination means that an employer cannot discriminate against you because of your gender (including transgender). Your employer should have policies in place to guard against sex discrimination in regards to recruitment, pay, training, promotion, discipline and grievances and bullying. When work is regarded as equivalent under a job evaluation study, or viewed to be of equal value, everyone has the right to receive equal pay regardless of gender. Employers must always provide a genuine reason for difference in pay.

The provision for sex discrimination gives protection from all four forms of discrimination (direct discrimination, indirect discrimination, harassment and victimisation).

Sexual orientation

The Equality Act (2010) states that it is against the law for employers to discriminate against workers based on their sexual orientation. Sexual orientations can be categorised as:

- homosexual (same sex relations)
- heterosexual (opposite sex relations)
- bisexual (same sex and opposite sex relations).

All four areas of discrimination are covered under the provision for sexual orientation discrimination (direct discrimination, indirect discrimination, harassment and victimisation).

Positive action

Positive action is also covered in the Equality Act (2010). This is where an employer's actions benefit a person, or group of people, who, due to a protected characteristic are disadvantaged during the recruitment process or in the workplace.

For example:

The Equality Act (2010) permits employers, under certain conditions, to train employees of one gender for particular work in which their gender has been under-represented. They may

also encourage the under - represented gender to take up opportunities to do that work. This is known as positive action. In some cases, a job can be offered to someone of a particular gender because of what is called a 'genuine occupational qualification'.

Examples could include:

- jobs in single-sex schools
- jobs in some welfare services
- acting jobs that specifically require a man or a woman

The Equality Act 2010

The Equality Act 2010 replaces the existing 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. It provides a framework for simpler, smarter and more streamlined processes. It also strengthens the law in important ways to help us tackle the discrimination and inequalities which still exist in our society.

Acts incorporated into this Bill include:

- Equal Pay Act 1970;
- Sex Discrimination Act 1975;
- Race Relations Act 1976;
- Disability Discrimination Act 1995;
- Religion or Belief Regulations 2003;
- Sexual Orientation Regulations 2003;
- Age Regulations 2006.

Some Statistics:

- Despite progress since 1997 to reduce the gender pay gap, women still earn, on average, 22.6% less per hour than men;
- Less academically able, but better off children, overtake more able, poorer children at school by the age of six;
- The gap between the employment rate of disabled people and the overall employment rate has decreased from 34.5% to 26.3% since 1998, but disabled people are still more than twice as likely to be out of work than non-disabled people;
- If you are from an ethnic minority, you were 17.9% less likely to find work in 1997 than a white person. The difference is still 13%;
- One in five older people are unsuccessful in getting quotations for motor insurance, travel insurance and car hire; and
- 6 out of 10 lesbian and gay schoolchildren experience homophobic bullying and many contemplate suicide as a result.
- The pay gap between men and women may not close until 2085.
- It could take almost 100 years for people from ethnic minorities to get the same job prospects as white people.

Quiz

1 Name five of the ten long established major world religions.

2 What effects might harassment and any action have on the workplace and individuals?

3 Look at the following phrases and tick those that you think describe 'equality' as it relates to people in society:

- a) Everyone must look exactly the same
- b) Everyone must behave in the same way
- c) Everyone is valued equally as individuals
- d) Everyone has equal rights under the law
- e) Everyone must hold the same beliefs
- f) Everyone has equal access to social resources such as healthcare, education and housing
- g) No one is discriminated against because of an aspect of their identity
- h) No one is prevented from achieving their potential because of social barriers such as class

4 Which one of the following is NOT one of the protected characteristics?

- a) Age
- b) Disability
- c) Hair Colour
- d) Marriage

5 What is positive discrimination?

- a) Being friendlier with certain employees over others
- b) Favours a job candidate from an under-represented group over another candidate
- c) Selecting someone from a minority group for special privileges
- d) Discriminating against a person with their permission

6 Which of these would be a potential barrier that could accidentally discriminate against certain employees?

- a) Having fruit as a snack in a business meeting
- b) Holding an event on a Monday morning
- c) Using a different office across the corridor
- d) Attending a business lunch with alcoholic drinks

7 Someone at your work is not allowed a promotion because of their age: what kind of discrimination is this?

- a) Direct discrimination
- b) Indirect discrimination
- c) Positive discrimination
- d) Perceptive discrimination

8 Which of the following is an example of a stereotype?

- a) Not hiring people with a certain skin colour because you've heard that they're careless
- b) Harassing someone so much that they can't perform their job properly
- c) Assuming that anyone with non-white skin is an immigrant
- d) Treating someone unfairly because of their religion

9 In the UK, around 1 in 5 people of working age have a disability

True

False

10 Which UK city is the most ethnically diverse?

Bradford

London

Birmingham

11 How many protected characteristics are covered by the Equality Act?

12



From the above picture, how would you judge this incident?

- a) They felt they have been Discriminated

- b) They are worried because they are fat and short respectively.
- c) Both the above answers

13 In the UK, around how many people of working age have a disability?

- a) 1 in 5
- b) 1 in 20
- c) 3 in 1000