

EQUALITY UPDATE



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- ▶ **Consolidation of all the discrimination legislation**
- ▶ **Affects the employment relationship**
- ▶ **Also has an impact on how you operate**

PROTECTED CHARACTERISTICS



- ▶ **Disability**
- ▶ **Gender reassignment**
- ▶ **Pregnancy and maternity**
- ▶ **Race**
- ▶ **Religion or belief**
- ▶ **Sex**
- ▶ **Sexual orientation**
- ▶ **Age**
- ▶ **Marriage and civil partnership**

REASONABLE ADJUSTMENTS



- ▶ **What is required**
- ▶ **What standards need to be complied with**

DIFFERENT TYPES OF DISCRIMINATION



- ▶ **Direct**
- ▶ **Indirect**
- ▶ **Associative**
- ▶ **Perceptive**
- ▶ **Harassment**
- ▶ **Third party harassment**
- ▶ **Victimisation**

APPLICATION FORMS



- ▶ **Date of birth**
- ▶ **Age**
- ▶ **Marital status**
- ▶ **Ethnic origin**
- ▶ **Dates of education**
- ▶ **Health questions**

HEALTH RELATED QUESTIONS



- ▶ **What questions you can ask**
- ▶ **The reason for asking them**
- ▶ **When you can ask them**

HOW TO AVOID A DISCRIMINATION CLAIM

- ▶ **Be objective in all your decisions**
- ▶ **Consider whether others would agree**
- ▶ **Be able to prove what you did and why**
- ▶ **Always be aware of what you are saying**
- ▶ **Remember, it is what you can prove, not what you know you meant**

- ▶ **Equality of terms**
- ▶ **Gagging / secrecy clauses**

- ▶ **Definition of a club / association**
- ▶ **Single protected characteristic**
- ▶ **Age**

- ▶ **Treat everyone fairly regardless of any protected characteristics**
- ▶ **Guard against assumptions**
- ▶ **Remember the individual does not need to have the protected characteristic themselves**