

Voluntary Sector Equality Handbook



FOREWORD

This toolkit was commissioned by the Cheshire and Warrington Change Up Consortium (CUCW) in order to assist the voluntary and community sector in dealing with equality and diversity issues.

It was developed by Cheshire Halton & Warrington Race & Equality Centre working in partnership with the Lesbian and Gay Foundation and the Disability Information Bureau, all of whom are members of the Consortium.

The toolkit is designed to be easy to use. It is divided into 2 sections – section one which deals with each equality strand separately and section two which deals with policy and procedure. You will find practical exercises, templates and ideas to use in your own organisation.

Cheshire & Warrington Change Up Consortium

The Cheshire and Warrington ChangeUp Consortium (CUCW) is funded by Capacitybuilders which is a non-departmental public body set up in 2006 to take over the management of the ChangeUp programme and to work with other funders to build the capacity of the Third Sector.

In Cheshire and Warrington the ChangeUp Consortium consists of 17 infrastructure organisations, with Cheshire Community Action being the lead and accountable body.

Since its creation in 2004 CUCW in excess of £1.75m of funds has been invested in developing the capacity of the voluntary, community and faith sector in Cheshire and Warrington. This has included an investment in a wide range of projects including capital investment, research and the development of practical resources such as toolkits. The ultimate aim of this investment is to ensure that by 2014 there is a strong and vibrant sector, which has inclusive access to high quality support services when and where it needs

Cheshire Halton & Warrington Race & Equality Centre

The Cheshire Halton & Warrington Race & Equality Centre is a voluntary sector organisation that specializes in equality issues. Its aims are to eliminate discrimination, especially racial discrimination and promote equality of opportunity and good relations. It works primarily under 4 key areas – policy; providing advice on best practice in equality and diversity, casework; providing free legal advice and representation to people who have experienced any form of discrimination or harassment, public awareness; promoting equality and raising awareness of equality issues and community development; providing advice, support and capacity building for the BME voluntary sector.

Disability Information Bureau

The Disability Information Bureau was established as a registered charity in 1998 run by volunteers with first hand experience of disability. Today paid staff and volunteers work together to deliver an ever expanding range of disability services for all disabled

people across Cheshire East all of which seek to empower disabled people to make choices in their lives and provide for quality of life. These include provision for our information services, benefit advice and support, access to learning and training opportunities and IT adaptive technology equipment, employment support and volunteering opportunities. We seek to break down the barriers faced by many disabled people and work with our partners in the voluntary, public and private sectors to make services accessible, raise awareness of disability issues and promote equality of opportunity.

Lesbian and Gay Foundation

The Lesbian & Gay Foundation (LGF) is a vibrant charity with a wide portfolio of well-established services and a rapidly developing range of new initiatives aimed at meeting the needs of lesbian, gay and bisexual (LGB) people. The LGF is committed to working with partners across all sectors in order to achieve more positive outcomes for LGB people. The LGF is reported by service users as to be one of the first points of contact for them when they have been at a crisis point in their lives. We campaign for a fair and equal society where all lesbian, gay and bisexual people can achieve their full potential, and our mission is: 'Ending Homophobia, Empowering People'.

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Chapter 1 - Equality & Diversity – the Facts

People often roll their eyes and say ‘it’s all just political correctness’ when the word equality or diversity is mentioned. But at its very heart, equality is all about fairness and respect.

To follow are some interesting facts, which hopefully demonstrates the need for more work around equality -

- 1 in 5 people have a disability but only 5 % of people with disabilities are wheelchair users
- If you were in a room with 100 people 34 would be dyslexic
- 1 in 4 people will experience some kind of mental health problem in the course of a year
- About 10% of children have a mental health problem at any one time
- Depression affects 1 in 5 older people living in the community and 2 in 5 living in care homes
- 1 in 4 women experience domestic violence
- On average women are paid 20% less than men
- Only 3.6% of company directors are women
- By the end of 2008 66,000 people had entered into a civil partnership
- The fastest population increase has been in the number of those aged 85 and over
- Almost two thirds (65 per cent) of young lesbian, gay and bisexual people experience homophobic bullying in Britain’s schools
- Young people aged 16-24 are the age group most likely to be the victims of crime
- Over half the UK prison population are young men under 30
- Overall retired women receive pensions about 40% less than retired men
- Black and Asian people are 6 times more likely to be stopped and searched by the Police

And

If you could shrink the earth’s population to a village of 100 people, with all the existing human ratios remaining the same, there would be:

57 Asians, 21 Europeans, 14 from the Western Hemisphere, both North and South and 8 Africans;

52 would be female and 48 would be male;

70 would be non-white and 30 would be white;

70 would be non-Christian and 30 would be Christian;

89 would be heterosexual and 11 homosexual.

6 people would possess 59% of the entire world's wealth and all 6 would be from the United States;

80 would live in substandard housing;

70 would be unable to read;

50 would suffer from malnutrition;

1 would be near death and 1 would be near birth;

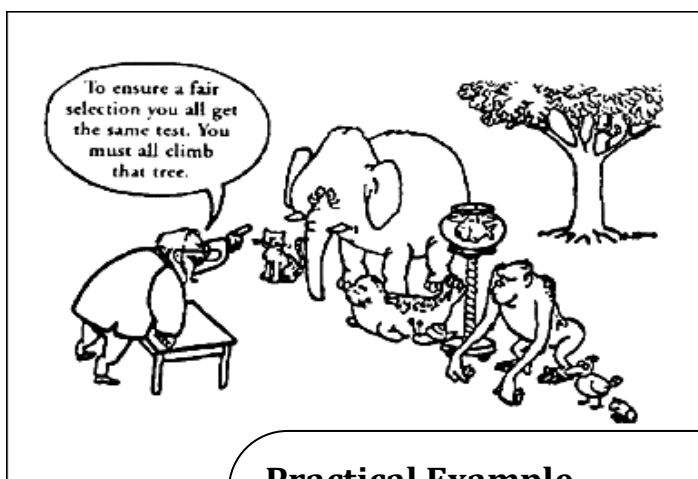
1 (yes, only 1) would have a college education;

1 would own a computer

Equality v Diversity

Lots of people aren't sure whether equality and diversity are the same, or different? And if they are different then why?

Equality was sometimes defined as treating everyone the same, or treating everyone fairly. However, treating people the same doesn't always lead to an equal outcome. Sometimes you have to treat people in a different way, so they can have the same opportunities.



Practical Example

A wheelchair user can't get into a building because it has stairs. Putting a ramp in the building, is treating the person differently, but means that both the wheelchair user and the able bodied are able to get into the building = equality of outcome.



Equality is about recognizing that people's needs are different and we should treat people as individuals and respond to their needs.

People often use the term 'diversity' interchangeably with equality. But whereas equality is concerned with equity and fairness, diversity is about positively appreciating the fact that everyone is different and unique.

There are 7 strands of equality that we will focus on within this process, which are all covered by legislation:

- Race
- Gender
- Disability

- Age
- Sexual orientation
- Religion and belief
- Gender Identity

Diversity is all about appreciating difference and it goes beyond equality by asking people to accept that difference is a good thing and something we should all appreciate.

People of many different nationalities, ethnic groups, cultures, religious or non faith backgrounds, and of different age, gender, impairment, household type, sexual orientation and transgender status now live in Britain. That is what makes it a diverse society.

Changes in the make-up of our population, the effects of migration, economic and social change, and changes in our concept of personal freedom, mean that what is perceived as the 'traditional British Citizen' is changing.

Wouldn't the world be a boring place if we were all the same??

Diversity is about valuing and respecting these differences and making sure that your volunteers, staff members, service users and members of the public are valued by understanding and respecting these differences in the way your organisation works.

Diversity is wider than equal opportunities because it is about relationships between organisations and people. It is also about creating environments that everyone can be included in and can thrive in.

Human Rights are...

Everyone has human rights. They are the basic rights and freedoms we are all entitled to. The law protects our human rights. Some like the right to freedom from torture is unequivocal but others like the right to family life can be interfered with on limited grounds.

Until recently people in the UK had to complain to the European Court of Human Rights in Strasbourg if they felt their human rights had been breached. The Human Rights Act 1998 made these human rights part of British law and now courts in the UK can now hear human rights cases.

Many people think that the Human Rights Act isn't needed in the UK, or that it only protects criminals – but this is one case that shows how it can work in practice. This is especially important if you work for a voluntary organisation that might have contact with vulnerable people:

Case study from the British Institute of Human Rights...

A consultant came across an older woman on a hospital ward in London who was crying out in distress. The woman was in a wheelchair and when the consultant lifted up her blanket, she discovered that the woman had been strapped in and that this was why she was so upset. Staff explained that they had fastened her into the wheelchair in order to stop her walking around because they were fearful she might fall over and hurt herself. The consultant told staff that while their concerns were understandable, strapping her into a wheelchair for long periods was an inappropriate response because her human rights had not been taken into account. She pointed out that this could be considered degrading treatment (Article 3) given the impact on the woman. Staff quickly agreed to unstrap her and, after she was assessed by a physiotherapist, they were encouraged to support her to improve her mobility.



Resource

How much do you know about equality and diversity?

Quick quiz to test your knowledge...

1. How many people in the UK are disabled?

- a. 1 in 5
- b. 1 in 25
- c. 1 in 55

2. What percentage of disabled people are wheelchair users?

- a. 50%
- b. 15%
- c. 5%

3. What percentage of disabled women and men are employed?

- a. 43% of women and 50% of men
- b. 40% of women and 32% of men
- c. 63% of women and 70% of men

4. What is the percentage of BME people in the UK?

- a. 7%
- b. 55%
- c. 25%

5. Black African graduates are 7 times more likely to be unemployed after graduating than their white counterparts?
- True
 - False

6. It is against the law to run a course for just men?
- True
 - False

7. In what year were pubs and clubs no longer able to refuse to serve a woman at the bar?
- 1968
 - 1976
 - 1982

8. It is legal to discriminate against transgender people in the provision of goods and services?
- True
 - False

9. When did the Civil Partnership Act come into force enabling same sex couples to obtain legal recognition of their relationship?
- 2005
 - 2001
 - 1995

10. If you were in a room with 100 people how many would you expect to have dyslexia?
- 4
 - 34
 - 104

The answers are at appendix 1



Chapter 2 - The Law

What You Need to Know...

As a third sector organisation you may be wondering why you need to know about equality legislation? After all, isn't it true that the third sector is full of good, caring, moral people who don't discriminate?

So here are some reasons why you need to be familiar (not a professional, but familiar) with the law on equality:

- **Everyone has prejudices.** Whether we like it or not, everyone has prejudices. Sometimes that is based on our experiences, sometimes it is based on a friend or family member's experience, or perhaps it's what we've read. The issue is when a prejudice is acted upon either knowingly, or not. Then it becomes discrimination and if we are serious about equality, we need to understand that sometimes people's prejudices affect what they do and how they do it.
- **It's the Law.** The voluntary sector is subject to the law, the same as anyone else. You wouldn't say that Health and Safety or Employment law wasn't relevant – so why should equality be any different. There are no opt outs!
- **Funders.** Third sector organisations often receive funding through local or central government. Public sector organisations have various responsibilities under equality legislation and they will want to ensure that anyone they fund is serious about equality and will help them fulfill their responsibilities. Increasingly public sector organisations are placing monitoring requirements on those they fund, relating to equality.
- **Getting the Right People.** If you want to attract the best people to your organisation, you need to make sure that you aren't unintentionally discriminating against particular groups. Whether that's through the way you advertise, how you recruit or through the way you act within your organisation.
- **Serving the whole community.** If you want to make sure your service reaches out to everyone, you need to make sure that you aren't unwittingly discriminating or placing barriers for people from different communities to getting involved.
- **Protection of your organisation.** Organisations often don't consider the importance of good equality systems and procedures until it is too late. In the year 2008/2009 35,431 claims of discrimination were lodged with Employment Tribunals. Many of those are small organisations that haven't taken account of equality in their work.

The Law

There are some key things that you need to know about the law. Firstly it is against the law to discriminate on the grounds of:

- **Race** – including colour, nationality, ethnicity or ethnic or national origin
- **Gender** – this includes on the grounds of pregnancy, or transgender status (pre and post operative)
- **Disability** – both physical and mental impairments
- **Religion or belief** – this includes lack of belief
- **Sexual Orientation**
- **Age**

Types of Discrimination

There are 4 key types of discrimination:

- Direct discrimination
- Indirect discrimination
- Victimisation
- Harassment

These apply in all discrimination cases, with the exception of disability legislation which has no indirect discrimination (this will be changed in the new Equality Act 2010 – see Chapter 11) but does have:

- Failure to make reasonable adjustments
- Disability related discrimination

Direct Discrimination

This is where someone is treated *less favourably* because of their background. This can be someone not being given a job because of their sexuality, or refused a place in college because of their religion.

Examples

- Refusing to employ or dismissing a pregnant woman even though she has the required skills and experience to do the job.
- An employer limiting promotion to certain ethnic groups.
- A housing provider allocating a poorer property to a disabled applicant because of their disability.

Indirect Discrimination

Indirect discrimination is where there is a requirement, condition, provision, criterion or practice which has an adverse impact on one group disproportionately. However, such discrimination is not unlawful *if* it can be justified.

Examples

- An employer asking for specific height requirements before an applicant who has all the necessary qualifications and experience is offered a job.
- Setting language tests where literacy and fluency in English is not necessary to do a job.
- Insisting that academic qualifications must have been gained in the UK.
- Social landlords asking for lengthy periods of local residence before they will give a tenancy to a housing applicant.

Victimisation

This gives an individual protection where they have done in connection with the legislation. If they have made a complaint of discrimination against their employer (even if this has not been lodged with a tribunal) they are protected. This also applies if the employer *suspected* that they might lodge a claim, and also protects witnesses.

An example would be that a person is bullied for giving evidence against a colleague.

Harassment

A person subjects another to harassment where he or she engages in unwanted and unwarranted conduct which has the purpose or effect of:

- (a) violating that other's dignity, or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

Therefore intention is irrelevant – it is the impact on the individual. Because this is so wide, harassment can include putting up offensive posters on the walls or ‘sending someone to Coventry’.

Failure to Make Reasonable Adjustments

This is very similar to indirect discrimination, but places a positive duty on employers - where any provision, criterion or practice applied by or on behalf of an employer places a disabled person at a *substantial* disadvantage in comparison with non-disabled people, the employer is obliged to take such steps as it is reasonable, in the circumstances, for him to have to take in order to prevent the provision, criterion or practice having that effect.

Some relevant issues in deciding how far a step is reasonable:

- How far would the step prevent the relevant disadvantage, eg how far would it enable the person who stammers to communicate effectively?
- How practicable is it for the employer?
- How far would it disrupt the employer's activities?
- What would it cost?
- What is the extent of the employer's resources?
- Are there any grants etc available, such as through Access to Work?

As a voluntary and community organisation, you must operate within all the equalities legislation just as you would any other legislation. There are no opt-outs. That means that it is important that you understand what the law says about equality and discrimination.

It also means that you need to develop policies that cover each of the main equality strands, and you should try to ensure through some form of monitoring that you carry out these policies in practice. That is what the following chapters will help you to achieve.

It is also important for voluntary and community organisations to have a basic knowledge of the Human Rights Act, which is often the basis for many frontline organisations' work whether they realise it or not. You can obtain more detailed information at: <http://www.equalityhumanrights.com/human-rights/>

Genuine Occupational Requirements

In very limited circumstances, an employer can claim that being from a particular background is necessary for a role. In other words, it is a 'genuine occupational requirement' for the job.

Example 1: Halal butcher

If a butcher has to prepare halal meat (meat that has been prepared in a way that is consistent with the Muslim faith), it might be justified to insist that this role is performed by a Muslim.

Example 2: Religious organisations

An organisation whose work is based on a specific religion or belief may be able to use this rule. A Catholic care home might be able to show that its carers should be Catholic because their work will involve them meeting a client's spiritual needs. But they might not be able to make the same claim for their reception staff, who do not need to provide spiritual leadership or support the clients.

Genuine occupational requirements can be open to challenge. It is then for the employer to justify its reasons for restricting the job to certain a particular group.

Example 3 - Women's Refuge Worker

An organisation who works solely with vulnerable women, would be able to use this rule.

Chapter 3



Equality for Disabled People

What does the law say?

The **Disability Discrimination Act 1995** was the first piece of legislation to make discrimination against disabled people unlawful. This Act has been significantly extended, including by the **Disability Discrimination Act 2005**. It now gives disabled people rights in the areas of:

- employment - it is against the law for an employer to treat a disabled person less favourably, without good reason, because of their disability. Employers must also make reasonable adjustments for disabled employees
- education
- access to goods, facilities and services, including larger private clubs and land-based transport services – service providers must make changes to the way they provide their services to make them accessible to disabled people
- buying or renting land or property, including making it easier for disabled people to rent property and for tenants to make disability-related adaptations
- functions of public bodies, for example issuing of licences

The legislation covers people with physical, sensory and learning impairments, people with mental health issues, and people with health issues such as cancer, diabetes, multiple sclerosis and heart conditions; and people with severe disfigurements.

The 1995 Disability Discrimination Act defines disability as a physical or mental impairment which has a substantial and long-term (at least 12 months) adverse effect on his or her ability to carry out normal day to day activities.

Normal activities are everyday things like eating, washing and walking. However, they must affect one of the 'capacities' listed in the 1995 Act which include mobility, manual dexterity, speech, hearing, seeing and memory.

Disability Related Discrimination

Section 3A(1) of the Act sets out two elements to test whether an employer has discriminated against a disabled person for a disability related reason:

- For a reason that relates to the disabled person's disability the employer treats the worker less favourably than they treat or would treat others to whom that reason does not or would not apply
- The employer cannot show that the treatment in question was justified

In June 2008, a decision of the House of Lords in the case of London Borough of **Lewisham v Malcolm (2008)** overturned long-established case law on 'disability-related discrimination'.

Before the *Malcolm* case the comparator for a disability-related discrimination claim would have been a non-disabled person to whom the reason did not apply. Take for example a disabled person being absent from work. If the employer dismissed them for reason of the sickness absence, then provided the absence was related to the disability it would amount to disability related discrimination (subject to any defence of justification).

The disabled absent person was compared to a person who was not absent when comparing whether there was any difference in the treatment. The reasoning was that if the dismissed employee did not have the disability, he or she would not have been absent. However the decision in *Malcolm* has reversed the comparator test.

In the example given, the correct comparator now would not be someone who is not absent, but someone else who was absent and on long-term sick leave, but due to an illness not classed as a disability under the Disability Discrimination Act 1995. As long as an employer can show that it would have treated somebody, on long-term sick leave who did not have a disability, the same as the person who had a disability, then it can escape a liability for disability related discrimination. **This decision however will be overturned with the new Equality Act 2010, when it comes into force, see Chapter 11.**

The Social Model of Disability

In the fight to promote equal rights for disabled people, leading disability organisations advocate the 'Social Model of Disability' as a way of thinking about the barriers that people with impairments face in their everyday lives.

Traditionally, disabled people have been seen as having a medical condition. Therefore disabled people, their families, friends and carers have seen the disabled person's impairment as a problem which they have to make the best of and get on with. Disabled people are expected to accept that they will not be able to do many things that others take for granted. This is known as the 'Medical Model of Disability'. The Social Model turns this view on its head by recognising that everyone is equal regardless of whether they have impairments or not. In the Social Model of Disability, disability is caused by the barriers that exist within society and the way society is organised, which discriminate against people with impairments and exclude them from involvement and participation.

Adopting the Social Model of Disability will enable your organisation to see beyond a person's impairment and to consider all the factors that prevent disabled people from accessing employment opportunities and services. This in turn will help you to put in place measures to overcome the barriers that a disabled person may face.

Being Positive about Disability

Fear of discrimination at recruitment and selection stages of the job process leads many disabled people to avoid declaring a disability. It is important to give a positive message about employing disabled people and one of the ways in which this can be done is by adapting the quality mark **JobCentre Plus Two Ticks Symbol Positive About Employing Disabled People**. If a disability is declared early intervention can be made to ensure that reasonable adjustments are put in place to enable the person to take up the offer of a job. Access To Work, a Government funded programme, can be helpful in providing funding to make adjustments for disabled people going into work and to help people to stay in the job when s/he has become disabled while in work.

Reasonable adjustments can include providing aids and equipment, changes to building and premises, flexible working hours, modifying training materials and/or work start times. Adjustments do not always have to be expensive and getting it right is usually easier if you talk to the person concerned about his/her needs and how best they can be met. There have been examples of very expensive adjustments and adaptations made to buildings and premises where the disabled person could have made much better suggestions often at very little cost.

Disability discrimination example:

One of your staff has arthritis in her back. Her chair in the office is not helping because it does not have lumbar support. She asks for a new chair, because she is in constant pain, but funds are tight and she is told to just a cushion instead.

You are under a responsibility to provide reasonable adjustments. A new chair with appropriate support for her back would certainly class as a sensible reasonable adjustment for your staff. Unless the costs were prohibitive (and a chair is unlikely to be) that would be perfectly reasonable.

Making Reasonable Adjustments Good Practice

People often get confused about what they should and shouldn't do when it comes to reasonable adjustments. This is a selection of case studies and suggestions for the sorts of practical things you can do.

Case Study 1

One of your staff is starting to lose her eyesight through a degenerative eye disease. She is finding travelling to work and accessing the computer is becoming more difficult.

Help and support to keep disabled people in work can be provided through **Access to Work**. In this case, **Access to Work** were able to provide an assessment of the employee's needs and provide the finances needed to pay for a taxi to and from work and the provision of specialist software to enable the employee to access the computer. It will also provide for a review of need should the condition deteriorate with provision made to meet the employee's changing needs.

Case Study 2

A member of staff is on medication which makes her drowsy in the morning. Allowing her to start work and leave work later would be reasonable. It would also be reasonable to be flexible with break times so long as the employee is able to fulfil her time commitments

Case Study 3

One of your staff has developed arthritis in her hands and now has difficulty using the keyboard. Installing voice activated software on her computer will mean she can work on the computer without having to type. Using this software in a room full of other members of staff may cause issues which would need to be resolved through discussions with staff and the person concerned.

Case Study 4

It is essential that all staff have mandatory health and safety training and you are worried that one of your employees who has a learning disability may not be able to cope with the training. Information about health and safety and food hygiene can be obtained in Easy Read which uses simple language with pictures. Trainers can be provided to explain information to the person as well to ensure he understands it. The Easy Read information and explanations also help other workers who don't speak English as a first language

Scenarios

To follow are some situations that might arise in your organisation so that you can discuss how you would approach solving them in group discussions. This will help to increase your understanding of the disability laws, and it will also help you to develop policies for your organisation.

Scenario 1

A young female volunteer at an old people's day centre enjoys working there, but feels ill at ease with one of the older men who is disfigured and disabled. She says that she can't go near him.

What action do you think the centre manager should take?

Scenario 2

A regular user of a community transport scheme has asked for a copy of the group's annual report in Braille or on an audio tape or CD Rom. The group says that the report is only available in a standard format.

Is this reasonable?

Scenario 3

One organisation interpreted the requirement for a percentage of parking spaces for blue badge holders to just mean visitors and customers and not employees. One of their employees with cerebral palsy was obliged to park off site.

Was the organisation correct in its interpretation of the requirements?

What action could the disabled person take?

What should the employer do?



Chapter 4

Race Equality

What does the law say?

The **Race Relations Act 1976**, as amended by the **Race Relations (Amendment) Act 2000**, makes it unlawful to discriminate against anyone on grounds of race, colour, nationality (including citizenship), or ethnic or national origin. The amended Act also imposes general duties on many public authorities to eliminate racial discrimination and promote racial equality. The Act applies to:

- jobs
- training
- housing
- education
- the provision of goods, facilities and services

It is also unlawful for public bodies to discriminate while carrying out any of their functions.

Examples:

Direct Race Discrimination

If you refuse to consider applications from Bangladeshi job applicants because you assume they will want long holidays, you are probably guilty of unlawful discrimination. Your motives for discriminating are immaterial and no explanations as to why it happened will make any difference

Indirect Race Discrimination

If your business has a dress code requiring all female staff to wear skirts, this could be indirectly discriminatory. There is no business case for such a rule, nor is there any other way of justifying it. It could discriminate against women from some communities that observe religious or cultural requirements to keep their legs covered.

Victimisation

If a white worker agrees to be a witness in her Asian colleague's racial discrimination case and is subsequently penalised in any way, she may have a case of victimisation against her employer.

Harassment

If white workers in a factory make racist jokes in front of black and Asian workers, this is racial harassment. If the organisation has appropriate race equality policies the white workers may be liable for disciplinary action. If the organisation does not have such policies, then it may be liable in law for the harassment caused by their workers on the grounds that they have not taken the necessary steps to prevent it occurring.

The Race Relations Amendment Act:

(i) outlaws race discrimination (direct, indirect, victimization and harassment) in public authority functions not covered by the original Race Relations Act 1976;

(ii) defines 'public authority' widely for the purpose of outlawing race discrimination, so that it includes public functions carried out by private sector organisations and has only limited exemptions;

(iii) places a general duty on specified public authorities to eliminate racial discrimination and promote race equality;

Racist incidents ranging from harassment and abuse to physical violence are offences under the criminal law. Inciting racial hatred is also a criminal offence. Publishing and disseminating materials such as leaflets and newspapers that are likely to incite racial hatred is also a criminal offence. If anyone has a complaint with respect to any of these criminal matters they should be reported to the police.

Gypsies and Travellers

Since the 1988 landmark case of *CRE v Dutton*, Romany Gypsies, who form the majority of the estimated 300,000 Gypsies and Roma in Britain, have been recognised in law as a distinct ethnic group for the purposes of the Race Relations Act 1976. Irish Travellers were similarly recognised as a distinct ethnic group in the *O'Leary v Allied Domecq* case in 2000.

This means that all Romany Gypsies and Irish Travellers, whether they are nomadic, partly nomadic, or settled in housing or caravans on public or private sites, are protected from unlawful racial discrimination and harassment. Public authorities and other organisations carrying out public functions are bound by the duty to promote race equality and must take account of the interests and needs of Gypsies and Irish travellers when carrying out their work.

Many of your volunteers are retired and in their late 60s, or early 70s. A black service user approaches your organisation for advice about finances and is seen by one of your volunteers. Part way through the interview with the client he refers to him as 'coloured' and then says 'I'm sure you'll qualify for benefits, your lot always do'. The client makes a complaint and the volunteer says that 'coloured' is the phrase he always used and that he thinks it's more polite than calling someone black. He cannot see what he said about 'your lot' as being racist.

As a volunteer that you are responsible for, your organisation would be held liable for his actions. The client can sue for race discrimination in the provision of goods and services. The motivation or intent behind what is said is irrelevant in discrimination cases – it is the effect.

Scenarios

In this next section, we describe some situations that might arise in your organisation so that you can discuss how you would approach solving them in group discussions. This will help to increase your understanding of the race equality laws, and it will also help you to develop policies for your organisation.

Scenario 1

A community group that provides home care to people who are disabled has a client who refuses to receive services from one of the carers who is African, and will only accept white carers.

- Should the care group go along with his wishes, or refuse him a service?
- The scenario is not straightforward – the client is in his own home.

Scenario 2

You have identified that there is a lack of BME people in your workforce and want to positively encourage more BME people to apply for jobs. You have shortlisted 5 people for a recent position, one of which is Asian. The candidate who scores the highest is white and the Asian candidate came third. However, the committee make a decision that they want to appoint the black candidate

- Is this legal?
- What should you advise the committee?

Scenario 3

A boy brings a racist magazine published by the British National Party (BNP) into the changing room of the youth football club where he is a member. It contains nasty cartoons of Asian and black people.

- What action should the football club take?



Chapter 5 Gender Equality

The Sex Discrimination Act 1975 (SDA) and Equal Pay Act 1970 (EPA) are both relevant pieces of legislation when we talk about equality on the basis of gender.

The **Equal Pay Act 1970** makes it unlawful to offer different pay and conditions where women and men are doing the same or like work or rated as equivalent in the same employment. The Act does not permit claims for equal pay with other people of the same sex.

Sex discrimination and the voluntary and community sector

If your organisation has anyone working for you under an employment contract, equal pay and equal terms and conditions of employment between men, women and transgender people are very important issues.

The **Sex Discrimination Act 1975** applies to both males and females and makes sex discrimination unlawful in:

- employment and vocational training
- education
- the provision and sale of goods, facilities and services
- housing

It is also unlawful for public bodies to discriminate while carrying out any of their functions.

The **Equalities Act 2004**, which came into force in 2007 extended the protection of the original act to make it unlawful for a public authority to directly or indirectly discriminate (or victimise) or commit acts of harassment on grounds of sex. There are limited exceptions such as Womens Refuges.

It is also unlawful to discriminate against someone on the grounds of their marital status under the SDA.

Discrimination against pregnant women, though not mentioned in the original SDA, is unlawful because pregnancy is regarded as direct sex discrimination. However this has now been amended with the **Employment Equality (Sex Discrimination) Regulations 2005**. Dismissing a woman because she is pregnant is also unfair dismissal under the **Employment Relations Act**.

The **Gender Reassignment Regulations 1999** amends the Sex Discrimination Act prohibiting discrimination in employment and vocational training. It provides protection against direct discrimination, victimisation and harassment for those who have undergone, plan to undergo or are undergoing gender re-assignment. Further regulations were passed in 2008 to amend the Sex Discrimination Act to provide

protection from discrimination for trans people in the areas of the provision of Goods, Services, Facilities and Premises.

You are involved as a trustee on the board of a small community organisation. The group is new so it isn't company registered as yet. Most of the day to day tasks are carried out by trustees and the chair is a very active member. You take on a member of staff to do the admin work, but within two days she is complaining that the Chair has made inappropriate sexual comments to her.

The organisation will be responsible for the Chair's actions and if found guilty of sexual discrimination, or harassment the whole committee will be individually liable for this.

Scenario

A voluntary organisation employs men and women on the same pay scales where they are carrying out the same duties. Men and women also have the same employee benefits. However, one of the women is now pregnant. The management committee says that it thinks it is unreasonable that it has to pay for maternity pay in addition to the cost of employing maternity cover.

- Can the committee make her redundant or prevent her from returning to work at the end of her maternity leave?
- What advice would you give this committee?



Chapter 6 - Religion & Belief

It is against the law to discriminate against someone because of their religion or belief. This applies:

- when you buy or use goods and services
- at work
- in education
- in housing
- when using public services

A person is protected by law from discrimination because of their religion or belief if they:

- belong to an organised religion such as Christianity, Judaism or Islam
- have a profound belief which affects their way of life or view of the world, such as humanism
- take part in collective worship
- belong to a smaller religion or sect, such as Scientology or Rastafarianism
- have no religion, for example, if they are an atheist.

The law against discrimination because of religion or belief does not cover purely political beliefs such as support for a particular political party.

Examples of discrimination on the basis of religion or belief

A man who is an atheist is targeted by his Christian colleague, who believes that she must try to convert him to her religion. She leaves religious texts on his desk and tries to engage him in conversations about Christianity. The man complains to his employer, who tells him to ignore her. This is an example of harassment from a colleague on grounds of no religious belief. The employer is also liable to legal action for failing to deal with the harassment.

A landlord will only open a laundry room on a Saturday. This suits most of the tenants, who are Christian. However, some tenants are Jewish and Muslim. Saturday is the religious day for followers of the Jewish faith and they are unable to use the laundry when it is open. The landlord's policy is an example of indirect religious discrimination.



Make the effort to accommodate people's faith needs. This might include:

- giving staff a quiet (and appropriate) space to pray
- allowing breaks for prayer
- amending uniform requirements (Sikh's wear turbans as part of their religious beliefs, Muslim women will generally wear a hijab)
- allowing time off for non Christian religious holidays

Bear in mind that these changes won't cost you anything except flexibility. You are not required to pay for time off, or to 'give' breaks with payment. It's about being flexible in your approach and finding ways to work that suit everyone.

Scenarios

Scenario 1

A man wears dreadlocks due to his religious beliefs. He applies for a job as a cook, but is told he cannot work in the kitchen unless he has his hair cut.

- Is the employer right?
- Is this covered by rules governing religion and belief or is this a health and safety issue?
- Would it be relevant to find out whether this employer employs men or women with long hair in the kitchen?
- If so, what rules are there for men and women with long hair?
- Are there rules for all staff about keeping the hair covered up while working in the kitchen?
- What should the employer do?

Scenario 2

A Muslim worker asks his manager if he can take all his annual leave in one go because he wants to travel to Mecca to take part in the Hajj. His employer says that if he lets this worker take all his leave at once, everyone else would also want long holidays, so he refuses permission.

- Is this lawful?
- What action could the worker take?
- What should the organisation have done?

Chapter 7 – Sexual Orientation



Lesbian, gay and bisexual (LGB) people are diverse and come from all communities - they can be from black and minority groups, disabled people, women, older people or young people. You cannot tell if someone is lesbian, gay or bisexual just from their appearance.

It is generally believed that between 5% and 7% of the population (i.e. 3.6 million people in the UK) are lesbian and gay. Although there are no firm figures for how many men and women are bisexual, LGB people nonetheless make up a significant proportion of our local communities. It is therefore essential for voluntary organisations to be aware of LGB issues and to provide services and employment opportunities for LGB people.

What the law says

Over the past 10 years there have been many positive changes to the legislation which affects LGB people. This ranges from an equal age of sexual consent, civil partnerships, outlawing discrimination in the workplace and in the provision of goods and services as well as rights around adoption.

The three key pieces of legislation on sexual orientation are:

- Employment Equality (Sexual Orientation) Regulations 2003;
- The Equality Act (Sexual Orientation Regulations 2007); and
- The Civil Partnership Act 2004.

The Employment Equality (Sexual Orientation) Regulations 2003 prevent employers and office holders from discriminating against someone on the grounds of their sexual orientation, whether they are lesbian, gay, heterosexual or bisexual.

Here the discrimination can be on the grounds of actual or perceived sexual orientation or by association with someone of a different sexual orientation. Individuals are protected from discrimination on the basis of sexual orientation – ie gay, straight, bisexual. The **Employment Equality (Sexual Orientation) Regulations 2003** originally only covered employment, but have since been extended by the Equality Act 2006 to cover goods facilities and services, housing, education and public functions.

One of your staff is gay, but has decided that he does not wish this to be common knowledge. There is a discussion between the staff about a TV programme the night before where two men were seen kissing. As a result jokes are being made between the colleagues about gay people. The staff member makes a complaint about this stating he is being harassed, even though the staff are unaware of his sexuality.

It does not matter that they do not know his sexuality – he is not obliged to divulge this. Harassment focuses on the impact of actions, and here offensive jokes would constitute harassment because of the environment it creates.

Scenarios

Scenario 1

A gay man is accessing a gay specific website for information and support for a service user at work around 'coming out', the website is blocked and he cannot receive emails from the organisation because of the organisation's firewall. He requests to view the specific content but his employer declines.

- a. is this lawful?
- b. what action could the employee take?
- c. what measures should the organisation take?

Scenario 2

A lesbian couple have conceived using IVF. The birth mother has asked her partner if her organisations policy around paternity leave covers same sex couples who have children, she is advised no by her employer, as the policy only refers to male staff.

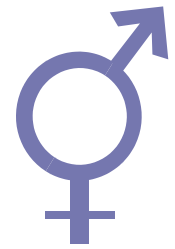
- a. is this lawful?
- b. what action could the employee take?
- c. what measures should the organisation take?

Scenario 3

Your organisation receives a number of guides around HIV for men who have sex with men to put on display for service users in order to mark World AIDS Day. A member of staff throws them all in the recycling as he states that homosexuality is against his religious beliefs.

- a. what should the employer do?
- b. is it legitimate for the employee to act in this way based on his religious beliefs?
- c. what measures could be taken to avoid this happening in the future?

Chapter 8 – Gender Identity



Transgender and transsexual people are often referred to collectively as 'trans' (see definitions below). This group of people have previously been protected through gender legislation (specifically transsexual people who have undertaken gender reassignment surgery) and also been closely associated with the lesbian, gay and bisexual community. You may often see the abbreviation LGBT or LGB&T which refers to the lesbian, gay, bisexual and trans community. Over recent years; it was recognised that in order to effectively protect individuals who identified as trans and to enable protection from discrimination and harassment, 'Gender Identity' has emerged as an individual equality strand.

Definitions:

Trans is an abbreviation and umbrella term, referring to a spectrum of people whose gender identity is different from their birth sex, however it also extends to other members of the trans community including drag kings, drag queens, and all others whose gender identity and/or expression differ from the sex they were assigned at birth.

Transgender has been used in the UK in the same way as 'trans', but has a slightly different definition in the US – referring to those who intend to live cross-gender without sex reassignment surgery. The dual meaning means that the definition is contested and creates ambiguity.

Transsexual carries a medical definition and includes individuals who have the physical characteristics of one sex and the psychological characteristics of the other who are intending to, are currently or have undergone gender reassignment surgery.

The **Gender Reassignment Regulations 1999** amends the Sex Discrimination Act prohibiting discrimination in employment and vocational training. It provides protection against direct discrimination, victimisation and harassment for those who have undergone, plan to undergo or are undergoing gender re-assignment. Further regulations were passed in 2008 to amend the Sex Discrimination Act to provide protection from discrimination for trans people in the areas of the provision of Goods, Services, Facilities and Premises

Frequently asked questions

Q: When does a transgender person start using single sex facilities?

A: There is no easy answer to this and this will need to be agreed between the person and the employer. It could be at any point along the path to transition – for example when the person is permanently dressed in their new gender or when they have the appearance of their new gender.

Q: Does a transgender person have to tell colleagues?

A: No, they do not. The ones the transgender person works with closely will see the changes taking place and it is hoped that they will be supportive. As for other people in the organisation that would be up to the transgender person to make a choice.

Q: What about any service users the transgender person may have?

A: If the transgender person has service users who they meet in person then it would be good practice for the employer to inform them unless the transgender person wishes to do this. This should be discussed and agreed between the transgender person and the employer.

Q: What if the transgender person is experiencing bullying or harassment from colleagues?

A: If the transgender person is getting any sort of hassle such as unwanted remarks, bad behaviour or being ignored, they should report this to their manager or contact a local transgender support organisation who will intervene on their behalf.

A male member of staff has made the decision to have gender reassignment surgery but must live as the preferred gender for the first year and arrives for work one day as 'Jenny' wearing female clothing. He has told the Chief Executive but none of the other staff, who are initially shocked by his appearance. Jokes abound at Jenny's expense and by the end of the day she walks out disgusted by her colleague's behaviour.

Someone who has decided to have surgery is protected as a pre operative transsexual, by the legislation. Jokes and banter will be classed as harassment and the organisation will be responsible for the actions of its staff.

Scenarios

Scenario 1

A male to female transsexual service user asks one of your staff where the toilet is. The staff member directs her to the disabled facilities, feeling uncertain of what to do.

- a. is this acceptable?

Scenario 2

A service user advises you that they intend to undergo gender reassignment surgery.

- a. who is responsible for advising the staff/volunteer team?

Scenario 3

A perceived male service user arrives to attend a women only group. They identify as a trans woman, but is dressed as a male.

- a. should the service user be allowed to access this group?
- b. what should the service user be advised?

Chapter 9 - Age Equality

This is the newest area of protection and was introduced with the **Employment Equality (Age) Regulations 2006**. This currently only covers discrimination in employment but the new **Equality Act later in 2010** will be introducing measures to outlaw discrimination in goods facilities and services from 2012.



The law means that:

- an employer isn't allowed to treat a person unfairly at work because of their age
- An employer isn't allowed to force a person to retire before the age of 65
- Employers aren't allowed to refuse to employ someone because of their age
- There is no upper or lower age limit for getting redundancy pay
- An employer isn't allowed to dismiss because of a person's age
- If someone suffers age discrimination, they can make a claim to an employment tribunal

Examples of age discrimination...

Asking for graduates may discriminate against older workers unless the employer can justify this requirement

Only making your training available to younger employees – this may discriminate against older employees

Not recruiting younger workers because they are seen as being less reliable than older workers

Advertising jobs that require a specific minimum or maximum length of experience as this will disadvantage certain age groups

Chapter 10 - Positive Duties on Public Bodies

Listed public bodies such as the Police, Local Authorities and the Fire Service have set duties under equality legislation. These are to eliminate racial, gender based and disability discrimination and to promote equality of opportunity under these three areas. They also have specific duties under the relevant Acts that are slightly different for each. However, all require public authorities to produce a scheme setting out how they will meet the duty under each area of equality. Therefore by law all public authorities must have a Race Equality Scheme, a Disability Equality Scheme and a Gender Equality Scheme. In practice many have a single Equality Scheme that covers these three areas.

The new **Equality Act 2010** changes the public duty by introducing duties across all protected strand areas **and** a new socio economic duty. That means once the Act is in force public authorities must when exercising their functions, have due regard to the need to—

- a) eliminate discrimination, harassment, victimisation
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

More legislation will be introduced later to help public authorities meet these requirements, and it is thought that equality schemes will no longer be a requirement, but that Equality Impact Assessment and Action Plans will be.

Chapter 11 – the Equality Act 2010

The **Equality Act 2010**, is a piece of legislation that will replace the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995, much of the Equality Act 2006, the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations 2003, the Employment Equality (Age) Regulations 2006, and the Equality Act (Sexual Orientation) Regulations 2007 (all as subsequently amended), plus other ancillary pieces of legislation.

The idea of the Act is to harmonise the legislation so that all strands of equality are on an equal footing. It also extends some areas of protection and clarifies the law where it has previously been unclear. All previous sections are still correct even with the changes in the law, where there are intended changes they have been indicated within the text.

The main changes that the Act will make are as follows:

- **Pre-employment health questionnaires:** This new provision prohibits employers asking job applicants questions about their health and whether they have a disability.
- **Discrimination by association or based on perception:** The ban on discrimination by association will be extended to protect spouses, partners, parents and carers who look after a disabled person or older relative from discrimination.
- **Equal pay:** The Act incorporates provisions to cover existing equal pay and sex discrimination law, with the aim of reflecting key decisions in equal pay case law and avoiding any gap or overlap between provisions.
- **Dual discrimination (from April 2011):** A clause outlawing discrimination on the basis of two (and no more) protected characteristics was recently inserted in the Act. So, for example, someone who claims they have been specifically discriminated against because they are an Asian woman, rather than just because of their race or gender, will be able to claim for this combination of characteristics.
- **Recommendations by tribunals:** The Act aims to widen tribunals' powers to enable wide-ranging recommendations to be made applying across the workplace, such as re-training staff.
- **Extending the protected characteristics:** The prohibition in directly or indirectly discriminating "because of a protected characteristic" will cover age, disability, sex, gender reassignment, sexual orientation, race, religion or belief and, in many but not all instances, marriage and civil partnerships. Disability-related discrimination will be replaced with a prohibition on discriminating against a disabled person by treating them unfavourably where that treatment is not a proportionate means of achieving a legitimate aim.

- **New ways to claim for disability discrimination** are being introduced - 'discrimination arising from disability' and 'indirect discrimination'. These will replace 'disability-related discrimination' which was very severely curtailed by the House of Lords decision in *LB Lewisham v Malcolm*.
- There is to be a **single 'public sector equality duty'** applying to public bodies, embracing grounds such as sexual orientation and religious belief as well as race, disability and gender. This also includes a requirement to consider reducing socio-economic inequalities.
- **Positive action in recruitment and promotion:** this provision will enable employers to pick someone for a job from an under-represented group when they have the choice between two or more candidates who are "as qualified" as each other - but must not have a policy of doing that in every case.
- **Extending protection against age discrimination:** Banning age discrimination outside the workplace;
- Offering new mothers stronger protection when **breastfeeding**
- Introducing **gender pay reports**

There are some very helpful guides produced specifically for the voluntary sector that can be found on the Government Equalities Office Website :-

www.equalities.gov.uk/equality_act_2010/equality_act_2010_what_do_i_n.aspx

The majority of the changes will be coming in on 1st October 2010. This matrix gives you an understanding of what changes there are as a result:

Key:

Characteristic covered in existing legislation – no changes	No Change
Characteristic covered in existing legislation – but some changes	Changes
Characteristic not covered in existing legislation – now covered	New
Characteristic not covered in existing legislation – now covered	No Protection

	Disability	Gender Reassignment	Pregnancy & Maternity	Race	Religion or belief	Gender	Sexual Orientation
Direct discrimination	Changes	No change	No change	No change	No change	No change	No change
Discrimination by association	New	New	No protection	No Change	No Change	New	No Change
Discrimination by perception	New	New	No protection	No Change	No Change	New	No Change
Indirect discrimination	New	New	No Change	No Change	No Change	No Change	No Change
Harassment	Changes	Changes	No protection*	Changes	No Protection*	Changes	No Protection*
Victimisation	Changes	Changes	Changes	Changes	Changes	Changes	Changes
Positive Action	Changes	Changes	Changes	Changes	Changes	Changes	Changes
Associations and private members clubs	No Change	New	New	No Change	New	New	No Change
Charities	Changes	Changes	Changes	Changes	Changes	Changes	Changes
Discrimination arising from disability	New						
Reasonable adjustments	Changes						

* Where there is no specific harassment protection, direct discrimination protection prohibits treatment such as bullying and harassment which results in a person being treated less favourably

Some extra information

Here are some examples of the different kinds of conduct that are prohibited under the Act -

Direct discrimination (changed)

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic.

Example

Beatrice visits her local credit union. She asks for a small loan to enable her to buy a fridge. They refuse to lend her any money because they say that a woman is less likely to have a job and be able to repay the loan. This is direct sex discrimination.

What has changed?

Protection from direct discrimination in services is new for disability.

Association and perception

Direct discrimination can also take place because of a protected characteristic a person does not personally have. For example, it includes a person being treated less favourably because they are linked or associated with a person who has a protected characteristic.

Example

Jane is not allowed into her local community centre with her son because he is disabled. This is discrimination against her by association.

Direct discrimination also includes discrimination because a person is wrongly thought to have a particular protected characteristic or is treated as if they do.

Example

Samantha, who is straight, goes on a Gay Pride march to support some of her lesbian, gay, bisexual and transgender colleagues, and while there collects a 'Support Gay Pride' badge. After the march she goes into the community centre bar for a drink. The barman refuses to serve her as he believes that she is a lesbian because of the badge she is wearing and because he saw her on the march. This is discrimination by perception.

What has changed?

Previously protection extending wider than the person's own protected characteristic – such as protection from discrimination because of association and perception –

applied only to race, religion or belief, and sexual orientation. Now it applies to sex, disability and gender reassignment as well.

Indirect discrimination (changed)

Indirect discrimination happens when there is a rule, a policy or even a practice that applies to everyone but which particularly disadvantages people who share a particular protected characteristic. Indirect discrimination can be justified if it can be shown that the rule, policy or practice is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown it will be lawful. When considering introducing a new rule or policy, you should first consider whether there is any other way to meet your objectives that would not have a discriminatory effect or that is less likely to disadvantage people who have a protected characteristic. Remember that a lack of financial resources alone is unlikely to be a sufficient justification.

Example

Jamal is a devout Muslim refugee who wishes to get advice on his immigration status. He finds that the local advice centre only offers immigration advice on Fridays at 12.00. This is a rule that disadvantages him as he cannot attend then because he has to go to the mosque. This will be indirect discrimination if the advice centre cannot show a good reason for only holding advice sessions on immigration at that time on a Friday. They may be able to offer him an appointment at another time, in which case there will be no indirect discrimination.

What has changed?

Indirect discrimination now applies to disability and gender reassignment as well as the other protected characteristics.

Discrimination arising from disability (new)

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful.

This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled.

Example

Janet is blind and requires the assistance of a guide dog. She is not allowed into a cafe because the owner believes that the dog would be a safety risk. She is excluded not because she is blind, but because of her use of a guide dog, which is something connected with - 'arising from' her disability. Unless the cafe owner can objectively justify his treatment of Janet, she will have experienced discrimination arising from disability.

What has changed?

This is a new form of protection. It replaces different protection in disability discrimination law that was not fully effective.

Harassment – disability, gender reassignment, race or sex (changed)

Harassment means unwanted behaviour related to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Example

Ahmed, a refugee from Afghanistan and a keen footballer, joins his local football club. Whenever he goes to a practice session the coach asks him why he does not go home to where he came from. Ahmed could bring a claim of harassment related to his race.

What has changed?

Harassment protection has now been extended to disability and a single definition of harassment now applies to disability, gender reassignment, race and sex.

Harassment – religion or belief or sexual orientation (no change)

There is no specific prohibition on harassment related to religion or belief or to sexual orientation. However, if you harass someone because of their religion or belief or their sexual orientation, and consequently treat them less favourably than you would treat someone else, a court would count this as direct discrimination, which is unlawful.

Example

Elsie and Frances, a lesbian couple, visit their local lunch club regularly. Recently a new helper has been taken on. This new helper keeps asking them about their sex life and refuses to serve them until after everyone else. She does not ask any of the other users about their sex lives. This unwanted conduct is occurring because of Elsie's and Frances's sexual orientation and puts them at a disadvantage. It is likely to amount to direct discrimination.

Victimisation (changed)

Victimisation occurs when a service provider treats someone badly because they have made or supported a complaint about discrimination or harassment, or because the service provider thinks that they are doing or may do these things. It will also be victimisation if a service provider treats someone badly because they support someone

else who makes a discrimination claim. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Example

Comfort, who has schizophrenia, and her friend Christine regularly go to a bingo session at their local community centre. One day one of the assistants at the centre makes an offensive remark to Comfort about her schizophrenia. Comfort complains to the manager of the centre and Christine supports Comfort's complaint. The manager promises to investigate but the next time Comfort and Christine go to the centre they are told that they are no longer welcome there. This is unlawful victimisation of both women.

What has changed?

There is now no need for a victim to show that they have been less favourably treated than someone who has not made or supported a complaint under the Act. They need only show that they have been treated badly.

Positive action (changed)

Some people with protected characteristics are disadvantaged or under-represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.

Note that:

- there is no requirement to take positive action, and
- there is no restriction on treating disabled people more favourably than non-disabled people. It is also permitted to take steps to meet the needs of people with a particular disability.

Example

The organisers of a north London youth club in an area with a substantial Muslim population notice that they have very few Muslim members. They therefore decide to advertise their sessions at the local mosque and ensure that they serve some halal food in order to attract more Muslim members and meet their dietary needs. This is permitted positive action.

What has changed?

The previous provisions were complicated and difficult to apply. These new provisions are simpler and clearer to use.

Breastfeeding

The Act has specifically clarified that it is unlawful to discriminate against a woman because she is breastfeeding.

Associations and clubs (changed)

Special rules apply to clubs and other associations with 25 or more members whose membership is controlled by rules and involves a selection process. They can restrict their membership to people with a protected characteristic, provided that this is not a group defined by colour. However, they cannot discriminate against members or people applying to become members or members' guests on any other protected ground.

Example

An association could restrict its membership to Afro-Caribbean boys or to people of African origin. It would not be permitted to restrict its membership to black boys or to black people.

What has changed?

These special rules have now been extended beyond race, disability and sexual orientation to cover sex, religion or belief, gender reassignment, and pregnancy and maternity.

Charities (changed)

Special rules allow charities to provide benefits only for people with a particular protected characteristic (but not a group defined by colour), provided that the charity acts on the basis of its charitable instrument (the document that set it up), and this:

- can be justified as intended to meet a legitimate objective in a fair, balanced and reasonable way, or
- is for the purpose of preventing or compensating for a disadvantage linked to that protected characteristic.

Example

A charity, whose constitution states that its objective is to provide facilities and care for transsexuals, plans to provide support for a transsexual to help her adapt to and cope with the changes she and her family experience. This is a legitimate aim and the provision of specialist support only for transsexual people is a proportionate way to achieve this aim.

What has changed?

Charities benefiting only people of the same racial group, religion or belief, or sexual orientation must now show that this is intended to meet a legitimate objective in a fair, balanced and reasonable way or that it is positive action as well as being in line with

their charitable instrument. There is also now an exception along these lines for charities benefiting only people with the same disability.



Chapter 12 – Engagement & Consultation

Ok, so what does the third sector need to know about consultation and engagement? Many of us may feel that we ‘know the ropes’ – that we are the experts at consultation and engagement and that actually it’s the public sector that needs to learn a thing or two. Maybe so, but there are still things that everyone can learn and be honest – have you got into a routine of the way you consult? Do you involve all sections of the community? Do you consider the needs of all sections of the community when you carry out consultation or engagement? Have you given up trying to get a good response to consultations, general meetings and the like?

You may have heard the phrase ‘hard to reach’ groups. This is a term often used to describe sections of the community that are difficult to involve in public participation. Often it is used to describe people from different equality groups – such as people from BME communities, young people, disabled people and those from the LGB community.

The problem with this term is that it defines the problem as within the group itself, not within your approach to them.

Reasons why some communities may be harder to engage with...

- Many communities have been subjected to discrimination– both personal and institutional, so there is immediately an issue of trust. If communities don’t trust you and fear discrimination or harbour resentment about how they were treated by your (or similar) organisations in the past this will undoubtedly hinder any engagement.
- Traditional methods of engagement and consultation often exclude certain communities. This may be because of timing of meetings, venue for meetings, format of surveys etc – if traditional methods aren’t attracting a wide range of communities, you need to find out what the barriers are to them participating.
- Minority communities are often just missed out altogether – this may be because staff are unaware of the existence of particular communities in an area, or think that the numbers are so low it doesn’t warrant making sure they are included. Organisations need to make sure that staff understand the importance of including **all** communities in engagement and consultations.

Things to Consider...

- ✓ If you are producing written information – consider which communities you are targeting. Some BME communities, particularly those who are of the older generation need information translating to be able to understand. Others may have vision problems or literacy issues. If people can't read the invitation how can they participate?
- ✓ If you are holding a focus group then try to target some people from under represented communities to give a more balanced viewpoint. Think about which communities are in your area and those who would be most affected by the policies or strategies you are consulting on.
- ✓ Think about the timings of your meetings. Day time meetings may encourage more women to participate and older people, however, they are unlikely to encourage people who work (regardless of community). If it coincides with the school run at either end, will discourage people with child care responsibilities. Focus groups are much more likely to encourage a more diverse range of people if they are in the evening or at weekends.
- ✓ Consider whether to hold separate focus groups for different communities. Whilst we may use the generic term 'hard to reach' – not all groups get along together and they all have very different needs. Sometimes it will be appropriate to hold particular consultations with particular communities. Sometimes, by doing this you will create a more safe environment and this will encourage people to participate. This is especially true with Gypsy and Traveller communities, who can be extremely wary of getting involved with consultations with the wider community because of the systematic discrimination they have faced and hostility from the settled community.
- ✓ Make sure if you expect people to come to events that you feed them! Often people will have come straight from work or in a rush, so a bit of food is appreciated. Make sure that you have a good range of vegetarian food and fresh fruit available and make sure it is marked and set out separately. It is also advisable to steer clear of any pork products as many Muslims and Jews will not eat anything that has been prepared **around** pork.
- ✓ Breakfast meetings for staff and events seem to have become more en vogue in recent years. Bear in mind that holding meetings early is a problem for those with child or other caring responsibilities. The traditional 'bacon butty' may also sound appealing to some, but will exclude vegetarians, Jews and Muslims from the meetings.
- ✓ Consider paying people to get involved. You get paid for your time, why should others be any different? It shouldn't be the same as a wage – but a token of appreciation such as a book token or voucher goes a long way to making people feel appreciated for their involvement.
- ✓ Feedback. This is often the biggest complaint from people who have given their time– they are asked for their opinion and then no one ever tells them what happened to that information. Tell them, and don't leave it too late either!

- ✓ Be clear what you're consulting on. Often organisations make one of 3 mistakes:
1. They write in jargon, which they understand but the wider community don't
 2. They forget that everyone else doesn't know the background or context to what they are doing &
 3. They don't make clear what the people can change and what they can't

Ensure that you are **clear** what you are talking to them about and make them **aware** of what input they can usefully have.



Targeting Communities

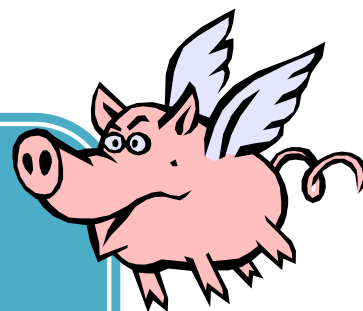
When targeting communities – don't forget that local equality organisations may be able to help – either by organising consultation or giving out information through their own channels.

The Usual Suspects Dilemma....

Many agencies encounter this at some point - the same people get involved in everything that is going on. This is often more visible in non urban areas where there may be less community involvement.

Be aware:

- Some people refer to themselves as community leaders, when in fact they are self appointed and there is little or no accountability to the community
- Don't presume that one person can speak on behalf of a whole community
- Watch out for men that say they represent women's views or people that say they represent the views of all BME/Gay/Disabled etc communities – they can't!
- Remember that if you want the information circulated to a community – give the person the resources to be able to do it.
- While there can be genuine concerns about involving the usual suspects, remember that there is often great pressure on small community led groups to fill the gaps. Those who do then often come in for criticism for failing to consult the wider community and lack of accountability. So if you want people to consult 'their' community they should be equipped with the resources to do so. So think about providing multiple copies of information and admin support so that they can be more effective.



A good way of getting involved with communities without duplication is to **'piggyback'**. So look for opportunities with other organisations where you can work together.

People get fed up of being contacted by lots of different agencies.

Think about working together as different 3rd sector groups – eg different youth organisations could work together to carry out joint consultation.



Chapter 13 - Practical Examples

Feedback from voluntary and community sector organisations suggests that they often think it's not so important for them to implement equality and diversity or alternatively they don't know what they should or shouldn't be doing.

This section is intended to give you some practical examples of what you can do, whether your organisation is large or small, employs staff or just uses volunteers. Hopefully it will get you thinking about what you can do as an organisation to make sure you comply with legislation, but more importantly demonstrate a real commitment to equality and diversity.

All equality strands:

- ✓ Don't always expect that people will come to you -get out and speak to people in their own communities to find out what their needs are
- ✓ Piggy back on different events – lots of events are already run by organisations dealing with diversity – so make sure you bag a stall!
- ✓ If there isn't an event already coming up organise one yourself – it might be focused around a day/week such as Refugee Week, Black History Month or Disability Awareness Day to attract specific communities
- ✓ Talk to specialist organisations about targeting your services at their members or service users
- ✓ Think about the images you use in your publications, and whether they encourage involvement from all sections of the community
- ✓ When you hold meetings, think about **where** you hold them and **when** you hold them. You may be excluding people without realizing it, for example holding meetings on a Friday will exclude Muslims because of Friday prayers, or breakfast meetings may exclude those with caring responsibilities
- ✓ Monitor who is using your services from different communities (see Chapter ?); this will help you understand who isn't accessing your services and therefore who you need to target

- ✓ Carry out an equality impact assessment–these have proved to be so successful for public bodies that the same process has been extended to cover all areas of equalities including disability, gender, age, religion and faith, and sexual orientation. You can find a guide to the impact assessment process for voluntary sector on the Change Up website - <http://www.cwconsortium.org.uk/documents/EQIA%20Process%20June%2008.pdf>

Disability:

- ✓ Think about the customer service aspects of welcoming disabled people. Talk to the person, don't patronise, don't pity. If you do not know how to meet a person's needs – ask them. Do not ask personal questions or pry into what is 'wrong' with them.
- ✓ Think about physical access issues, including issues for wheelchair users, visual impairments, mental health system users etc. The voluntary sector often can't afford accessible premises, but there are ways around that:
 - Hold surgeries for services in places where there are accessible buildings – the council or other voluntary sector organisations may be able to give you space free or at minimal cost
 - The elderly, infirm or disabled may struggle getting to you – if you can, offer to do home visits, or at least arrange a meeting close to their home, like a local library.
- ✓ Provide accessible information – where to go to get leaflets converted, what formats should be considered; what to do if a person with communication difficulties (deaf, speech impaired,etc) comes through the door.
- ✓ Think about your website. Many websites are not accessible to disabled people. Read NCVO's excellent guide to accessibility and websites - **Web Accessibility Pack for Voluntary and Community Organisations (booklet and CD)** available free at - <http://www.ictHub.org.uk/publications/> or access local disability organisations who will be able to give help and advice.
- ✓ Think about font size and style for letters, documents and publicity. Ariel and Verdana are the best fonts for the majority of people with visual disabilities to be able to read. Font size minimum of 12, preferably 14pt where possible. The larger the font size, the more people will be able to access it especially if there is a contrast of black on yellow or white. The paper should be of a matt finish (not gloss) to avoid glare.

Race

- ✓ Use national and local specialist media such as The Voice, Asian Times, community newsletters etc to publicise your work;
- ✓ Place promotional flyers in places where you know different communities congregate e.g. places of worship, specialist food shops and restaurants, community centres, cultural events, English classes etc;

Sexual Orientation

- ✓ Promote specific services such as helplines for LGB people along with other services
- ✓ Monitor the sexual orientation of staff and service users and use the information to improve services and design new ones.

Gender

- ✓ Think about operating flexible working hours. Women are often the primary carers and need to do the school run.

Gender Identity

- ✓ Introduce non gender specific or unisex toilets

Religion

- ✓ Dress – employers with strict regulations about dress code or uniforms may need to make adaptations to incorporate garments that are worn or not worn for religious reasons unless it impinges on health and safety.
- ✓ Dietary requirements – work establishments offering meals should cater for staff that because of religion or belief may only eat certain food or food prepared in a specific way, e.g. halal, kosher and vegetarian food.

- ✓ Prayer days and religious holidays – employers should where possible allow employees time and annual leave to celebrate religious festivals or to worship.
- ✓ Prayer times – as above but so as not to treat some members of staff more favourably than others, prayer times may need to be taken as part of the break times, but these could be at a different time than the usual break times.
- ✓ Prayer rooms and somewhere to wash feet and hands should be offered where possible. There should be somewhere quiet for people to pray.

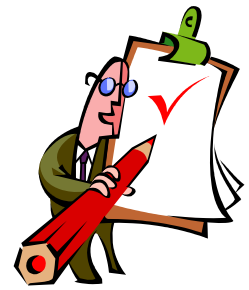
Age

- ✓ Try new ways of reaching out to young people – twitter, facebook and you-tube are great to attract the younger generation
- ✓ Older people may struggle getting in to visit you, so make sure you offer ways for them to engage and use services.

Any others?

Things to Consider...

- Representation. Is our committee diverse? Do we have women, BME, disabled or gay committee members? Do we have any staff or volunteers from Black and Minority Ethnic backgrounds, or those who are disabled or gay?
- Are people from different communities aware of our organisation and our aims and objectives?
- Do all communities use our services?
- Are we culturally sensitive to the needs of BME communities and those from different religious groups?
- Are we doing enough to promote our organisation to minority communities?
- Are our premises accessible for disabled people?
- Can disabled people use our facilities or join in with activities?
- Does our organisation give welcoming messages in the form of flyers or pictures, or does our organisation appear unwelcoming?



SECTION 2

Chapter 1 - Policies and Procedures

We all have policies and procedures for a variety of things, from staff sickness, to health and safety. Equality is no different – every organisation, regardless of size should have an equal opportunities policy. It is often also a pre requisite for funding. Some organisations will have an equal opportunities statement instead or as well as their policy.

A statement sets out what your guiding principles are, but a policy will say how you intend to put these into practice. There are lots of ‘off the shelf’ policies that you can use, but it is unlikely that they will meet your needs. The other thing is that in developing your own policy and statement you can think about how equality will operate within your organisation, which will also help you to start an action plan.

It should be something that the Committee or management board signs up to, and the statement itself should be signed by the Chair.

So the 4 steps to take are:

- Write a set of guiding principles for your organisation in an **Equality and Diversity Statement**
- Develop these into an **Equality and Diversity Policy** to say how you intend to put these into practice
- Write an **action plan** for putting the policy into practice and then
- **Monitor** how well you are carrying out your policies in practice

Chapter 2 – Equality Statement

An equality statement should set out what you want to achieve. It doesn't have to be very long, but it should state what your principles and ethos are, just like a mission statement. An example follows:

Example Equality Statement

[organisation name] believes in fairness, equity and above all values diversity in all dealings, both as provider of [insert services] and employers. [organisation name] is committed to eliminating discrimination on the basis of gender, age, disability, race, religion, sexuality or social class. We aim to provide accessible services, delivered in a way that respects the needs of each individual and does not exclude anyone.

By demonstrating these beliefs [organisation name] aims to ensure that it develops a workforce that is diverse, non discriminatory and appropriate to deliver [insert services].

[organisation name] intends to embed its equality and diversity values into every day practice, policies and procedures so that equality and diversity becomes the norm for all.

Equality is not about treating everyone the same, it is about ensuring that access to opportunities are available to all by taking account of people's differing needs and capabilities.

Diversity is about recognising and valuing differences through inclusion, regardless of difference or any perceived difference

The point of contact for any enquiries relating to Equality and Diversity:-

[insert]

Chapter 3 – Equality Policy

Your equality policy should be more detailed than the statement. Many organisations actually include the Equality Statement within their policy at the beginning.

We have included two sample policies within this toolkit, **but please don't lift them word for word**. Every policy should be different – it should be relevant to you and your organisation as well as being proportionate. Small groups won't need anywhere near as much included as larger infrastructure organisations.

Lots of different templates, that might be helpful to you are available on the internet, but in general we would advise that a policy should contain the following points:

1. Commitment

This could be the Equality Statement or just a general opening that outlines the organisation's commitment to:

- working within the legislation;
- providing opportunities for all employees in the workplace including recruitment, selection, promotion and retention processes;
- treating all employees fairly, whether full-time, part-time, permanent or temporary;
- encouraging, valuing and managing diversity;
- providing a working environment which is free from harassment, bullying and discrimination;
- creating an organisational culture where everyone knows that their contribution is valued.

The policy should be publicly supported and endorsed by the Management Committee. All employees and volunteers need to be made aware of the organisation's commitment to the policy, the content of the policy and their contribution to ensure the policy is upheld.

2. Legislation

Currently there is legislation offering protection from discrimination in employment practice on the grounds of sex, marriage including civil partnership, gender reassignment, race, ethnic origin, nationality, national origin, colour, disability, religion or belief, sexual orientation and age. It is also unlawful to discriminate against part-time employees in their conditions of service.

The policy should state that the organisation will not discriminate on any of these grounds in any of its employment or volunteer practices or its relationship with its service users. You may decide that you wish to widen this scope beyond the legislation and include things like social disadvantage or physical appearance.

3. Monitoring

The policy should include throughout how you intend to monitor, including who you monitor and how you monitor.

4. Recruitment and selection

The policy should state that the process is to recruit the best person for the vacancy. Make it clear if you use volunteers, when this applies to them and when it doesn't. This is also true of management committee members or trustees.

- Include information about your advertising process – things like a commitment to open advertising; training/briefings for staff involved in the recruitment process to ensure that they do not discriminate; making appointments based on objective assessments of the skills, qualities and experience needed to do the job.

5. Staff retention and development

The policy can describe your commitment to ensuring that training, development and progression opportunities are available to all staff. You can also refer to any other policies you have that support best employment practice including flexible working, home-working (if appropriate), parental leave policies, etc.

6. Working environment

Include your commitment to a working environment which is free from bullying and harassment and where all staff understands that their contribution is valued.

- Describe how you will ensure that all employees and volunteers are aware of what constitutes bullying and harassment; that managers are confident and competent in dealing with bullying and harassment; and that all complaints of bullying or harassment will be taken seriously and investigated speedily and confidentially.

7. Service Users

Make clear how the policy affects service users. This should include:

- A commitment to not discriminating against service users
- Monitoring service users to assess that all sections of the community are accessing services
- Complaints and feedback processes

8. Communicating the policy

- Include in the policy information about how this policy will be communicated to everyone in the organisation. It should be clear that it applies to **all** – including volunteers and trustees. Consequences of a breach of the policy

should also be clear (usually misconduct and could lead to disciplinary action).

9. Putting the policy into action and reviewing it

- The aim is to ensure that the policy is being adhered to and is still relevant. A good policy will have an accompanying action plan that outlines the tasks that will need to be undertaken (and by whom and by when).
- There should be a senior, named person within the company who carries responsibility for ensuring that the policy is adhered to and that progress is measured against the actions and reported on.
- Include when you intend to review the policy

Example Equality & Diversity Policy 1

[name] is committed to equal opportunities policy and practice and will ensure that all volunteers, employees and service users, both actual and potential, are treated equally and as individuals regardless of age, disability, ethnic or national origin, gender, marital or parental status, political belief, race, religion or sexual orientation.

In implementing this policy [name] will take account of all existing legislation.

This equal opportunities policy will be implemented across all aspects of the organisation's work in :-

- the appointment of members to its Executive Committee;
- the appointment of officers and volunteers;
- all dealings with it's members and members of the public.

EXECUTIVE COMMITTEE

[name] will aim to ensure that the Executive Committee of the organisation is representative and diverse. The Executive Committee will be responsible for ensuring that the equal opportunities policy is properly implemented, monitored and reviewed.

VOLUNTEERING

[name] will ensure that no nominee officer or volunteer receives less favourable treatment than another on grounds of age, disability, ethnic origin, marital or parental status, political belief, religion, gender or sexual orientation.

[name] is committed to undertaking open recruitment and selection procedures and wherever possible all vacancies will be widely advertised and fair and equitable processes will be followed.

Volunteers working with the organisation will be informed of the equal opportunities policy and receive training on equal opportunities issues as appropriate.

[name] will also ensure that the changing and developing needs of volunteers are recognised and appropriate adjustments made to working conditions and/or training provided.

PUBLIC AND SERVICE USERS

[name] aims to make its services accessible to as wide a range of the public as possible and in order to achieve this will take steps to remove barriers which prevent potential audience, participants, members of users from having equal access to the organisation's activities. This will include:

- ensuring that activities take place in venues and premises which are accessible to disabled people,
- providing facilities for disabled people to enable them to participate fully in activities, e.g. induction loop, interpreters,
- ensuring that the design of publicity material takes account of the needs of disabled people in terms of print, format and information on access;
- encouraging and enabling people from under-represented groups to attend and participate.

Example Equality & Diversity Policy 2

The Organisation

[the organisation] is committed to the promotion of [insert objectives]

Statement of Values

[name] opposes discrimination of all forms, whether or not barred by legislation, and seeks to ensure that equality of opportunity and a recognition of the value of diversity are reflected in all its activities.

Equality & Diversity Policy

This policy aims to ensure that [name] creates equal opportunities for all potential and actual members of [name], its Trustee Board, staff, volunteers, users of its services and organisations with which it works. Its success will depend on everyone having a full understanding of diversity and equal opportunities and cooperating in the policy's implementation. [name] acknowledges the many different groups that make up the area and will take steps to ensure that this diversity is reflected in the following ways:

Trustee Board

[name] will seek to ensure that the members of the Trustee Board reflect the diversity of the area's population and the wide range of agencies who work in the voluntary sector. Equal Opportunities and diversity will be an essential part of induction for all Trustees.

Volunteers

[name] believes that everyone has the right to volunteer and that volunteering should be accessible to all. All volunteers working with [name] will be expected to adhere to the policy and support its implementation. Equal opportunities and diversity will be included as part of the induction programme for new volunteers.

Organisations

All organisations with which [name] works are expected to have a commitment to equal opportunities and to support and help us to implement this policy. No form of discrimination will be accepted by [name]. [name] will undertake to help organisations understand the importance of equal opportunities as part of good practice. [name's] Diversity Policy will be available on request to other organisations in the area.

Cont...

Members

All organisations who take up membership of [NAME] will be sent a copy of this policy. [NAME] will ensure that all members have equal access to the benefits of membership and that none is prevented from becoming a member as a result of discrimination on [NAME]'s part.

Users

Copies of [NAME]'s Diversity Policy will be available to everyone using [NAME]'s services.

Publicity

[NAME] will endeavour to provide information on its services to the whole of the local community and will work towards making its publicity accessible to all. [NAME]'s Values Statement will reflect its commitment to equal opportunities and diversity and will be displayed prominently in the reception areas of [insert]

Monitoring and Evaluation

The policy will be reviewed annually in order to evaluate its effectiveness and that it complies with current legislation. The review will be carried out by a working group, chaired by a Trustee and with a volunteer co-opted on to it. [insert] will collate information from the recruitment monitoring forms and this will be presented to the group who will use the results as an indicator that our recruitment policies are complying with this policy.

Training

Equal opportunities and diversity training will be available to all staff, volunteers and Trustees as appropriate. Equal opportunities will form an integral part of any training which [NAME] organises.

Ratified by the [NAME] Board of Trustees
date



Chapter 4 – Equality Monitoring

Monitoring (if used well) can be an extremely important tool in telling you where you are going right and going wrong. It can help you to:

- highlight possible inequalities;
- investigate their underlying causes; and
- remove any unfairness or disadvantage

So what should I monitor?

As a minimum you should monitor your governing body (executive or management committee), your staff and volunteers. It is good practice to monitor your service users as well, as this will allow you to see whether you are reaching all sections of the community and whether you should be targeting specific groups.

You should monitor as a minimum by age, disability, race and gender. Ideally we would recommend that you also monitor by sexuality, transgender status and religion.

But what if people don't want to fill it in?

The biggest complaint we hear from people about monitoring is that people don't want to fill forms in. If that really is the case how come some companies have really good returns and others don't? Mostly it's about your approach and attitude towards monitoring. If you aren't convinced of the need for monitoring that will come across to your staff and your service users and either a) the question won't be asked, or b) it'll be half heartedly asked.

Monitoring should be as routine as asking for people's names. Questions that are likely to come from those filling in the forms, are usually 'what's it for?' and 'where is the information going?'. If you answer those questions coherently, that will normally settle any concerns they might have. But if they really don't want to complete the information - you can't force them to. Don't ever be tempted to just fill it in for them, or make assumptions about who or what they are!

Do...

- ✓ Make it clear what you want the information for – people won't fill it in if they don't know where the information is going
- ✓ Make the form easy to understand

- ✔ Use Stonewall's 'What's It Got to Do with You?' campaign – its a plain English guide with posters about monitoring and you can download it free here - http://www.stonewall.org.uk/at_home/3460.asp
- ✔ Keep the form detachable from everything else – particularly important if it's part of your recruitment process
- ✔ Have a prefer not to say box
- ✔ Use the information you get to effect changes in how you operate

Don't...

- ✘ Say that it doesn't matter whether it's filled in or not
- ✘ Lump communities together – if the form has to be a bit longer then do that
- ✘ Avoid difficult questions like sexual orientation
- ✘ Have the form as part of another document – it should be separate

What should I do with the information?

Quite simply – use it! Information that you receive from service users, can be a helpful indicator of who in the community that you are reaching with your services. If for example you run parenting classes and you find that 99% of those who attend are women over the age of 30, you may think about how you can target men more or younger or older parents.

It can also help you to make your organisation more representative by understanding where the gaps are, and making you think about how to address them.

One of the things we often hear is that organisations know their staff or volunteer base isn't diverse, but that it is because only particular groups tend to apply. But then the question has to be – **why** is that? How can you change things? Where did you advertise? Did you think about circulating the advert through target groups? Or advertising in specialist press? Or regionally?

Use the data to think about:

- ✔ Who is missing out on either services or involvement in your organisation
- ✔ How you might be able to target them
- ✔ Take action
- ✔ Review in a year's time to see if your actions have made an impact

Think about what steps your organisation could take to address under representation?

Ideas:

- Look at your literature – is it representative? Do some groups not feel like your organisation is ‘for them’
- Where do you advertise? Both in terms of the services you offer and for new positions like volunteers and staff.
- Do you offer translation or interpreting so people whose first language isn’t English can access the service?
- Do you offer information in different formats, like large print, Braille etc?
- Look at the requirements you have stated for the position – maybe it attracts a particular type of person?
- Where do you hold your meetings? Is it accessible for all?

An example monitoring form is set out at appendix 2



A local charity has started to monitor its volunteers. Of the 100 volunteers registered with them they discover that 90% are over the age of 60, 70% are female and there is no one from a BME background or who is gay. The organisation decide that they will look at how they recruit volunteers to see whether there is something they can do to make the volunteers more representative. They decide to:

- Talk to local BME and Lesbian and Gay groups about volunteering
- Secure additional volunteering opportunities with specialist groups
- Hold a volunteer recruitment fair
- Send out information in different languages

Chapter 5 – Equality Action Plans

Developing an action plan

Once you have an Equality and Diversity Policy that everyone can own you need to ensure that it is put into practice and monitored.

We give an example below of a list of things to think about, and on the following page, a checklist to help you ensure that your policy covers the important issues.

Things to think about

1. List the areas of equality and diversity you are good at, even if there are still things that you could improve, and put these low down on your list of priorities.
2. List the things you are not so good at or what you are not doing at all, and make these your top priorities.
3. Decide what you can reasonably achieve in a given period of time – say, the next six months – and use this knowledge to decide which areas of work you will tackle first.
4. Decide what information you need to work through these tasks. What information do you need from inside your organisation? What information do you need from other people?
5. Decide what advice you need and where to get it.
6. Make sure that you have got enough resources to complete this plan in the way you want to. If not, then revise the plan to make it less ambitious.
7. Decide who is going to be doing each piece of work.
8. Set up an equality and diversity working group to share information and monitor progress. One or two members of your management committee should be on this group.
9. Remember: an action plan describes what you want to do and how you want to do it. But things may not work out quite as you expect - keep the plan under review and adapt it.

CHECKLIST FOR MONITORING YOUR EQUALITY AND DIVERSITY POLICY

GOVERNANCE STAFFING AND EMPLOYMENT

- Is specific reference made to equality in your organisation's Mission Statement?
- Do managers have the skills and knowledge to implement and provide leadership on the policy?
- Does your organisation have an Equality and Diversity Policy, and is it endorsed at the highest level of the organisation?
- Are training opportunities available to staff, volunteers and trustees to ensure they are aware of their rights and responsibilities in this area?
- Does your organisation have an agreed recruitment and selection process which includes equality issues?
- Is your policy statement well publicised across the organisation and made known to all new and potential employees and to member/potential member organisations?
- Do you take account of part-time workers' hours when arranging staff meetings, training days etc?
- Is there an action plan in place to implement the policy?
- Do you report on your progress in your annual report?
- Do you have clear procedures relating to: maternity pay; parental and carers' leave; paternity leave; part-time workers; flexible working?
- Do your trustees receive regular monitoring reports on the implementation of the plan?
- Do you have an equal pay statement?
- Does your Board of Trustees or management committee reflect the diversity of the local voluntary and community sector?
- Are employment rights communicated to staff (e.g. in a staff handbook?)

STAFFING AND EMPLOYMENT (CONTINUED) WORKING WITH DIVERSE COMMUNITIES

- Do you take account of religious holidays other than Christian ones?
- Do you take positive steps to engage with organisations that may experience marginalisation?
- Do you allow flexible working around time off for religious observances?
- Do you challenge institutions, organisations and practices that are discriminatory?

MONITORING

- Does your publicity and promotional material demonstrate positive images of the diversity of your workforce and membership?

- Does your monitoring system separate data about your work force on the basis of the seven equality strands (sex, race, faith, disability, sexual orientation, transgender and age)?
- Does your organisation provide materials in translation or offer interpretation services?
- Do you monitor service users on the basis of the seven equality strands (sex, race, faith, disability, sexual orientation, transgender and age)?
- Has your organisation mapped the diversity of your local community?

NETWORK ORGANISATIONS

- Are your members required to have an equal opportunities policy?
- Does your membership reflect the diversity of the local voluntary and community sector?
- Do you offer advice, guidance and training on equalities issues?
- Has your organisation mapped the diversity of the voluntary and community sector in your locality?
- Does the voluntary and community sector reflect the diversity of the community in your locality?

Appendix 1

Answers to the Equality Quiz

1. How many people in the UK are disabled?

- a) 1 in 5
- b) 1 in 25
- c) 1 in 55

Answer: **1 in 5**

The report 'Improving Life Chances of Disabled People' explains that there are around 11 million disabled adults, using the widest definition. This equates to 1 in 5 adults.

2. What percentage of disabled people are wheelchair users?

- a) 50%
- b) 15%
- c) 5%

Answer: **5%**

3. What percentage of disabled women and men are employed?

- a) 43% of women and 50% of men
- b) 40% of women and 32% of men
- c) 63% of women and 70% of men

Answer: **43% of women and 50% of men**

A higher proportion of disabled men are unemployed than disabled women. (Equal Opportunities Commission, September 2003). While some disabled people may not be in a position to work, it is most likely that these figures reflect discriminatory practices and attitudes and ignorance of the fact that, for example, employers do not necessarily need to pay for the adjustments or equipment that disabled people need as employees. Instead, this is often paid for by the employment scheme known as 'Access to Work' which can pay for necessary equipment, practical help and support.

4. What is the percentage of BME people in the UK?

- a) 7%
- b) 55%
- c) 25%

Answer: **7%**

5. Black African graduates are 7 times more likely to be unemployed after graduating than their white counterparts?

- a) True
- b) False

Answer: **TRUE**

6. It is against the law to run a course for just men?

- a) True
- b) False

Answer: **FALSE**

No, it is NOT against the law to provide a course for men only, providing there is evidence that they are under-represented in a particular field. Under the Sex Discrimination Act it is lawful to take such positive action. For example, if a college is concerned about the low male enrolments on care courses, it can lawfully advertise and run an access or taster course for men only, designed to increase their confidence and examine some of the barriers they might face in a non-traditional role.

7. In what year were pubs and clubs no longer able to refuse to serve a woman at the bar?

- a) 1968
- b) 1976
- c) 1982

Answer: **1982**

The law was changed following a legal action brought by two women after they had visited a wine bar where they were told to sit at a table and be served from there. The case went to the Court of Appeal who decided that sex discrimination had taken place because the women were denied the opportunity to drink where men drank and to mix with other people who were drinking in the wine bar.

8. It is legal to discriminate against transgender people in the provision of goods and services?

- a) True
- b) False

Answer: **FALSE**

It is illegal to discriminate against transgender people in employment or training, or in the provision of goods, services or facilities.

9. When did the Civil Partnership Act come into force enabling same sex couples to obtain legal recognition of their relationship?

- a) 2005
- b) 2001
- c) 1995

ANSWER: **2005**

The Civil Partnership Act 2004 came into force on 5 December 2005. The Act enables same-sex couples to obtain legal recognition of their relationship. Couples who form a civil partnership have a new legal status, that of 'civil partner'.

10. If you were in a room with 100 people how many would you expect to have dyslexia?

- a) 4
- b) 34
- c) 104

Answer: **34**

Appendix 2 - Cross Cultural Communication

Communication can be a difficult business, and this can be especially true if you are not aware of cultural differences. Behaviour can be misinterpreted between people that have been brought up in the same family, so imagine how much more difficult it can be when someone is from a different cultural background than you.

Most people habitually read behaviour in terms of their own familiar cultural conventions. By doing this they overlook the possibility that the other person's behaviour may not be based on a similar culture.

Ethnocentrism – the use of taking for granted cultural assumptions to (mis)interpret other people's behaviour is a common human failing. Ethnocentric assumptions are a major source of the 'unwitting processes' of social exclusion that the Stephen Lawrence Inquiry Report identified as institutional racism.

- Cultural differences between Europeans and non Europeans are obvious in **eye contact**. In most European cultural traditions a person who is willing to make eye contact with an interrogator is showing honesty and sincerity while one who does not is showing shiftiness, uneasiness and possibly guilt.
- Other cultural traditions organise relationships differently
- In South Asian and East Asian contexts, any woman who makes direct eye contact with an unrelated man is seen as brazen. Modest and respectable women are expected to shield themselves from the direct gaze of men and most especially from senior male relatives.
- Similarly, Asian employees do not make direct contact with their employers or superiors or people in authority.
- Many African cultures do not make direct eye contact. It is in fact considered rude to look at someone of social standing in the eye. This is sometimes encouraged amongst the first and second generation depending on the upbringing of the child and the traditional practices of the parents.
- Whilst many Europeans, whilst not enjoying conflict accept it as part of day to day life, many people from South Asia and Eastern Asia will do whatever is possible to avoid it,

even if that means saying yes to something they disagree with. Showing outward emotions is frowned upon in many other countries, particularly places like Japan and China.

- Many other cultures will raise their voices when talking animatedly, which Europeans often think of as shouting – this is especially true of African cultures and Middle Eastern.
- In European culture lateness is considered rude or unacceptable, whereas in other cultures there is less emphasis on time and timekeeping and being late for a meeting is not considered unacceptable. If you arrange a meeting with someone from a different culture you should make sure that they realize they will be expected at that time and you will be waiting for them.

When faced with a person who is not fluent in English, a trained interpreter should be called in order to improve the quality of communication.

Appendix 3 - Translation & Interpreting Services

If you are faced with someone who is not fluent in the English language you should contact an interpreter. If you do not have access to an interpreter there is a list below.

Bear in mind that some people may seem able to speak English, but they may not understand you fully. Also many people speak English but do not read or write it, so cannot sign documents with full understanding. Please bear in mind this guidance:

- Try to use an interpreter who speaks the language as their first language as this can avoid differences in dialect and help to reassure the client
- Do not use family members to interpret. The family member may not interpret correctly and there may be information which the person is not happy/embarassed to divulge to that family member.
- Using a relative or child also breaches confidentiality and potentially leaves the organisation open to legal action if the information is interpreted incorrectly.
- When using an interpreter – talk to the client not to the interpreter!
- Give sufficient time for the interpreter to interpret what you are saying, some words may not mean the same in a different language and they sometimes need time to explain slightly differently.

COMPANIES

The following are companies who offer interpreting & translating service.

University Translate (social enterprise)
Manchester Metropolitan University
Crewe Green Road
Crewe
Cheshire
CW1 5DU

Phone: 0845 4631327

Email: university.translate@mmu.ac.uk

Fax: 0161 247 6985

<http://www.universitytranslate.co.uk/>

Both translating and interpreting on a wide range of languages.

Interpretation & Translation Services (ITS)

Unit 11

Ray Street Enterprise Centre

Huddersfield

HD1 6BL

Tel/fax: 01484 424050

Mobile: 07977 722342

e-mail: mbarzanchi@its-hudds.fsnet.co.uk

Languages offered: Albanian, Amharic, Arabic, Badinany, Bengali, Czech, Danish, Dari, Dutch, Farsi, French, German, Hindi, Italian, Kiswahili, Kurdish, Pathwari, Polish, Punjabi, Pushto, Romanian, Russian, Serbian-Croatian, Slovak, Sorani, Spanish, Swedish, Turkish, Urdu

Prestige Network Limited

1 Rivermead

Pipers Way

Thatcham

Berkshire

RG19 4EP

Tel: 0870 770 5260

Fax: 0870 7705261

e-mail: af@prestigenetwork.com

web: www.prestigenetwork.com

Languages offered: worldwide including Middle Eastern, Indian, African

BellaLingua

Regent House Business Centre

Skinner Lane

Leeds

LS7 1AX

Tel: 0113 399 3283

Fax: 0113 399 3275

e-mail: languages@bellalingua.co.uk

Access to Interpreters & translation
Large range of languages

International Translations Limited

9 Queensway
Gayton
Heswall
Wirral
CH60 3SL

Tel: 0151 342 7044
Fax: 0151 342 9407

e-mail: admin@ittranslations.com

web: www.ittranslations.com

Both translations & interpreting – wide range of languages available. All translators work in their mother tongue.

Afsar Multicultural Services*

Afsar House
85 Alt Street
Liverpool
L8 2UF

Tel: 0800 052 0444/0151 707 0226
Fax: 0151 707 8882
e-mail: enquiries@afsar.co.uk
web: www.afsar.co.uk

Translation & interpreting in 99 languages.

*** Services are targeted towards clients suffering mental illness/learning difficulties**

Also undertake advocacy/counselling/cultural requirements, complaint investigation, mental health awareness & training

Choice Translations

108 Chestergate
Macclesfield
Cheshire, SK11 6DU

Tel: 01625 610151/610669
Fax: 01625 610152

<http://www.choicetranslations.co.uk/>

e-mail: john@choicetranslations.co.uk

Translations and interpreting

Appendix 4

Equality legislation – a summary

The following is a guide only to the legislation currently in place that impacts on equality and diversity issues, and is not a comprehensive list.

1970 The **Equal Pay Act (EPA)** (as amended), makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions (including pay, holiday entitlement, pension etc) where they are doing the same or similar work; work rated as equivalent; or work of equal value.

1974 The **Health and Safety at Work Act** places a general duty on employers to protect the health, safety and welfare of their employees. Employers may also be in breach of contract for failing to protect workers' health and safety.

1975 The **Sex Discrimination Act (SDA)** (as amended), makes it unlawful to discriminate on grounds of sex or marital status in areas such as employment, education and the provision of goods and services.

1976 The **Race Relations Act (RRA)** (as amended) makes it unlawful to discriminate on grounds of colour, race, nationality, ethnic or national origin. The Race Relations (Amendment) Act 2000 outlaws discrimination in all public authority functions, and places a general duty on public authorities to promote race equality and good race relations. There is also a specific duty to produce a Race Equality Policy and undertake race equality impact assessments.

1994 Under the **Criminal Justice and Public Order Act**, it is a criminal offence to intend to cause harassment, alarm or distress.

1995 The **Racial and Religious Hatred Bill** (amendment to Public Order Act 1986), extends the racial hatred offences in the 1986 Act to cover stirring up hatred against persons on racial or religious grounds.

1995 The **Disability Discrimination Act (DDA)** (as amended) makes it unlawful to discriminate on grounds of disability in the areas of employment, the provision of goods and services and education. The 2005 Regulations provide new definitions of direct discrimination and harassment and widen the duty to make reasonable adjustments.

1995 The **Occupational Pensions (Equal Treatment) Regulations** (as amended) supplement the requirements for equal treatment under the Pensions Act 1995. In particular they provide for the Equal Pay Act to have effect in relation to an equal treatment rule. The Regulations allow a court or tribunal to make a declaration as to an applicant's rights to equal treatment. The 2005 Regulations amend the time limit for bringing proceedings before a tribunal to secure equal treatment under an occupational pension scheme.

1995 The **Pensions Act** requires occupational pension schemes to observe the principle of equal treatment between men and women.

1996 The **Employment Rights Act** (as amended by the Employment Relations Act 1999) covers many issues including an employee's entitlement to maternity leave, paternity leave, adoption leave, parental leave and the right to request flexible working arrangements. It also outlaws detriment in employment and affords employees a right not to be unfairly dismissed and to receive a

redundancy payment (providing qualifying criteria are met). Further Regulations elaborate on these.

- 1997 The **Protection from Harassment Act** makes harassment both a civil tort and criminal offence, and although originally drafted to provide protection from stalking, covers other forms of harassment, both in and out of the workplace.
- 1998 The **Malicious Communications Act** makes it an offence to send an indecent, offensive or threatening letter, electronic communication or other article to another person and the **Telecommunications Act** (1984) makes similar provisions in respect of telephone messages.
- 1998 The **Working Time Regulations** (as amended) aim to improve health and safety by controlling working hours. The Regulations afford basic rights and protections to workers not just employees, including minimum paid annual leave entitlements, rights to rest periods at work and limits on weekly working time.
- 1998 The **Human Rights Act** gives effect to rights and freedoms guaranteed under the European Convention on Human Rights. The legislation makes it unlawful for a public authority to breach convention rights, unless an Act of Parliament prevents it from acting differently.
- 1999 The **Sex Discrimination (Gender Reassignment) Regulations** make it unlawful to discriminate against a person for the purpose of employment or vocational training on the ground that that person intends to undergo, is undergoing, or has at some time in the past undergone gender reassignment. In particular, the Regulations give transsexuals the right to be protected from direct discrimination.

- 2000 The **Part Time Workers (Prevention of Less Favourable Treatment) Regulations** make it unlawful for employers to treat part-timers less favourably in their terms and conditions of employment than comparable full-timers (unless that treatment is objectively justified). The Regulations require an employer to apply a 'pro-rata' principle to certain contractual entitlements such as remuneration and holiday, so that part-time staff are not treated less favourably than full time staff.
- 2001 The **Special Educational Needs and Disability Act (SENDA)** extends the DDA (1995) to include the provision education (including Higher Education). It makes it illegal to discriminate in the provision of education on the grounds of a student's disability. It is now largely incorporated within the DDA (2005).
- 2001 The **Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations** widen the definition of indirect discrimination and clarifies that in a tribunal claim it is first up to the employee to establish facts that could constitute sex discrimination. The burden of proof then shifts to the employer to show that there is a non-discriminatory reason for its actions.
- 2002 The **Employment Act** makes provision for rights to paternity and adoption leave and pay; amends the law relating to statutory maternity leave and pay; makes provision for the use of statutory procedures in relation to employment disputes; and covers the right to request flexible working.
- 2003 The **Race Relations Act 1976 (Amendment) Regulations** introduces a new definition of indirect discrimination in race cases, a new statutory definition of harassment and a new statutory burden of proof.

- 2003 The **Employment Equality (Religion and Belief) Regulations** make it unlawful to discriminate on grounds of religion or religious belief in employment and vocational training.
- 2003 The **Employment Equality (Sexual Orientation) Regulations** make it unlawful to discriminate on grounds of sexual orientation in employment and vocational training. The Regulations protect homosexuals, heterosexuals and bisexuals.
- 2004 The **Civil Partnership Act** defines a new legal relationship, which can be registered by two people of the same sex. It gives same-sex couples the ability to obtain legal recognition for their relationship and affords them equal treatment to married couples in a wide range of legal matters.
- 2004 The **Gender Recognition Act 2004** gives legal recognition to a transsexual's acquired gender. For example, a male-to-female transsexual will be legally recognised as a woman in English law.
- 2005 **Disability Discrimination Act** makes substantial amendments to the 1995 Act. It introduces a duty on all public bodies to promote equality of opportunity for disabled people. In particular, public bodies have to produce a Disability Equality Scheme to promote disability and to explain how they intend to fulfil the duty to promote equality. It also extends the definition of disability. Part four of the DDA now largely supercedes the SENDA (2001).
- 2005 The **Employment Equality (Sex Discrimination) Regulations** are concerned with the principle of equal treatment of men and women as regards access to employment, vocational training and promotion, and working conditions. It makes changes to the definition of harassment at work and indirect

discrimination, and also prohibits discrimination on the grounds of pregnancy and maternity leave.

2006 The **Employment Equality (Age) Regulations** make it unlawful to discriminate against employees, job seekers or trainees on grounds of age in employment and vocational training. They prohibit direct and indirect discrimination, victimisation, instructions to discriminate and harassment. They introduce a minimum retirement age of 65; a duty on employers to respond to requests to work beyond retirement age; and remove the upper age limit for claiming a redundancy payment or unfair dismissal.

2006 The **Equality Act** makes provision for the establishment of the Equality and Human Rights Commission (EHRC) by merging the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission. The EHRC is responsible for promoting equality and diversity and will work towards eliminating discrimination on the usual grounds (including religion and belief, sexual orientation, age, gender, disability, race and gender reassignment). It also creates a duty on public authorities to promote equality of opportunity between men and women by requiring public bodies to produce a Gender Equality Scheme. It also extended protection on the grounds of religion or belief to cover goods, facilities and services, education, disposal and management of premises and the exercise of public functions.

2007 The **Equality Act (Sexual Orientation) Regulations 2007** make it unlawful to discriminate on the grounds of sexual orientation in the provision of goods, facilities and services, education, disposal and management of premises and the exercise of public functions.

2008 **The Sex Discrimination Act 1975 (Amendment) Regulations** make various amendments to the Sex Discrimination Act 1975 (the Act) to ensure it properly

implements the provisions of the EC Equal Treatment Directive. It adds protection from discrimination for trans people in the areas of the provision of Goods, Services, Facilities and Premises

2010 **Equality Act** harmonises the existing legislation, clarifies the law around protection for breastfeeding mothers and positive action, extends protection from 3rd party harassment to all protected strands.

Appendix 5 Equality and Diversity Monitoring - Volunteers

The [name] aims to provide equal opportunities and fair treatment for all volunteers. Please complete the form and email or post to the address at the end. The information below is anonymous and will not be stored with any identifying information about you. All details are held in accordance with the Data Protection Act 1998.

We would like you to complete this form in order to help us understand who we are reaching and to better serve everyone in our community. The information will be used to provide an overall profile analysis of our volunteer base. If you would like the form in an alternative format or would like help in completing the form, please contact a member of staff.

<p>Which of these activities best describe your situation?</p> <input type="checkbox"/> Full time work <input type="checkbox"/> Part time work <input type="checkbox"/> Self Employed <input type="checkbox"/> Government Scheme <input type="checkbox"/> Full time education <input type="checkbox"/> Unemployed but available for work <input type="checkbox"/> Unable to work due to illness / disability <input type="checkbox"/> Wholly retired <input type="checkbox"/> Looking after the home <input type="checkbox"/> Carer <input type="checkbox"/> Other (please specify) _____ <input type="checkbox"/> Prefer not to say	<p>Age ____ years <input type="checkbox"/> Prefer not to say</p>
	<p>Postcode (first 3 / 4 digits only) _____ <input type="checkbox"/> Prefer not to say</p>
	<p>Religion / Faith Do you have a religion or faith? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say If yes, please select: <input type="checkbox"/> Baha'i <input type="checkbox"/> Buddhist <input type="checkbox"/> Christian <input type="checkbox"/> Hindu <input type="checkbox"/> Jain <input type="checkbox"/> Jewish <input type="checkbox"/> Muslim <input type="checkbox"/> Sikh <input type="checkbox"/> Other religion or faith (please specify) _____ <input type="checkbox"/> Prefer not to say</p>
<p>Do you consider yourself to have a disability?</p> <p>The Disability Discrimination Act 1995 (DDA) defines a person as disabled if they have a physical or mental impairment which has a substantial and long term (i.e. has lasted or is expected to last at least 12 months) adverse effect on one's ability to carry out normal day-to-day activities. This definition includes conditions such as cancer, diabetes, HIV, mental illness and learning disabilities</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say</p>	
<p>If you have answered "yes" to having a disability how would you describe your impairment?</p>	
<input type="checkbox"/> Hearing Impairment/Deaf <input type="checkbox"/> Long term limiting illness <input type="checkbox"/> Physical Impairment <input type="checkbox"/> Other (Please specify) _____	<input type="checkbox"/> Learning Disability <input type="checkbox"/> Mental Health/Mental distress <input type="checkbox"/> Visual Impairment <input type="checkbox"/> Prefer not to say
<p>Ethnicity Please state what you consider your ethnic origin to be. Ethnicity is distinct from nationality and the categories below are based on the 2001 Census in alphabetical order. Are you:</p>	

<p>Asian or Asian British</p> <p><input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani</p> <p><input type="checkbox"/> Other Asian background (please specify) _____</p> <p>Black or Black British</p> <p><input type="checkbox"/> Caribbean <input type="checkbox"/> African</p> <p><input type="checkbox"/> Other Black background (please specify) _____</p> <p>Chinese or other ethnic group</p> <p><input type="checkbox"/> Chinese <input type="checkbox"/> Any other ethnic group _____</p> <p>Mixed Dual Heritage:</p> <p><input type="checkbox"/> White & Asian <input type="checkbox"/> White & Black African <input type="checkbox"/> White & Black Caribbean</p> <p><input type="checkbox"/> Other Mixed background (please specify) _____</p> <p>White:</p> <p><input type="checkbox"/> British <input type="checkbox"/> Irish</p> <p><input type="checkbox"/> Other White European (please specify) _____</p> <p><input type="checkbox"/> Other White Non-European (please specify) _____</p> <p>Other:</p> <p><input type="checkbox"/> Gypsy <input type="checkbox"/> Traveller</p> <p><input type="checkbox"/> Any Other Racial Origin (please specify) _____</p> <p><input type="checkbox"/> Prefer not to say</p>
<p>Sexual Orientation</p> <p>How would you define your sexual orientation?</p> <p><input type="checkbox"/> Bisexual <input type="checkbox"/> Gay <input type="checkbox"/> Lesbian <input type="checkbox"/> Heterosexual (straight) <input type="checkbox"/> Prefer not to say</p>
<p>Gender</p> <p><input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Prefer not to say</p>
<p>Gender Identity</p> <p>Do you currently live in the gender you were given at birth?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say</p>

Thank you for taking the time to complete this form.

Large print copies are available on request

Appendix 6 Contact Page for Helpful Advice

Local Equality Organisations

Cheshire Halton & Warrington Race & Equality Centre

92 Watergate Street
Chester
CH1 2LF

Tel: 01244 400730

Web: www.chawrec.org.uk

E-mail: office@chawrec.org.uk

Macclesfield Disability Information Bureau

Pierce Street
Macclesfield
Cheshire
SK11 6ER

Tel: 01625 501759

Web: www.maccdib.org.uk

E-mail: info@maccdib.org.uk

Lesbian & Gay Foundation

5 Richmond Street
Manchester
M1 3HF

Tel: 0161 235 8035

Web: www.lgf.org.uk

E-mail: rainbow@lgf.org.uk

Warrington Disability Partnership

The Centre for Independent Living
Beaufort Street
Warrington
WA5 1BA

Tel: 01925 240064

Web: www.disabilitypartnership.org.uk

E-mail: info@disabilitypartnership.org.uk

Churches together in Cheshire

81 Forge Fields
Sandbach

Cheshire
CW11 3RD

Tel: 01270 750431

Web: www.cheshire-churches-together.org.uk

E-mail: ceo@cheshire-churches-together.org.uk

Cheshire Halton & Warrington Youth Federation

Unit 4a, Rossmore Business Village
Inward Way
Ellesmere Port
CH65 3EY

Tel: 0151 357 1971

Web: www.youthfed.org

E-mail: info@youthfed.org

National Organisations

Equality & Human Rights Commission

Has a statutory remit to promote and monitor human rights; and to protect, enforce and promote equality across the seven "protected" grounds - age, disability, gender, race, religion and belief, sexual orientation and gender reassignment. Helpline gives information and guidance on discrimination and equality issues. Also some excellent information on their website.

Helpline: 0845 604 6610

Website: www.equalityhumanrights.com

Advisory, Conciliation and Arbitration Service

Free advice for employers on all aspects of employment, very good selection of free downloadable leaflets on equality legislation and practice.

Helpline: 08457 474747

Web: www.acas.co.uk

Government Equalities Office

Department within Government responsible for equality strategy and legislation.

Website: www.equalities.gov.uk