

EQUAL OPPORTUNITIES POLICY

To be read in conjunction with the Recruitment, Conflict Management, Retirement, and Age Diversity Policies

| <u>CONTENTS</u> | <u>PAGE</u> |
|--|-------------|
| 1. Introduction | 2 |
| 1.1 Statement of Intent | 2 |
| 1.2 Responsibilities/Communication of the Policy | 3 |
| 1.3 Legal Framework | 4 |
| 1.4 Review of this Policy | 4 |
| 1.5 Complaints Procedure | 5 |
| 2. Equality in Employment | 5 |
| 2.1 Introduction | 5 |
| 2.2 Recruitment and Selection | 5 |
| 2.3 Developing and Retaining Staff | 6 |
| 2.4 Positive Action | 6 |
| 2.5 Harassment Policy | 6 |
| 2.6 Monitoring | 7 |
| 2.7 Equal Opportunities in Action | 7 |
| 2.8 Consultation – Employment | 8 |
| 2.9 Disciplinary/Grievance Procedures | 8 |
| 3. Equality in Service Delivery | 9 |
| 3.1 Introduction | 9 |
| 3.2 Aims | 9 |
| 3.3 Quality | 10 |
| 3.4 Communication | 10 |
| 3.5 Training and Development | 11 |
| 3.6 Service Planning | 11 |
| 3.7 Monitoring and Evaluation | 11 |
| 3.8 Equality Standard for Local Government | 12 |
| 3.9 Conclusion | 13 |
| 4. Target Groups | 13 |
| 4.1 Introduction | 13 |
| Appendix 1 Summary of Equalities Legislation | 16 |

1. INTRODUCTION

Braintree District Council recognises the value of a diverse workforce in which people from different backgrounds, with different skills and abilities, can bring new ideas to enable us to deliver high quality services accessible to all.

1.1 STATEMENT OF INTENT

It is Council policy to oppose all forms of unlawful or unfair discrimination on the grounds of (colour, race, gender, nationality, marital status, disability, age, trade union memberships, religion or belief, responsibility to dependants or sexual orientation) and will continue to keep under review all its procedures and practices to ensure that no individual or group is put at a disadvantage either directly or indirectly by applying unjustified conditions or requirements.

This policy applies to the delivery of services by the Council, and in particular, it will require its employees to be aware of the different and special needs of particular groups when they are seeking and using the Council's services. It will also ensure that suppliers of goods and services on behalf of the Council comply with the Council's policy. We are committed to fairness and equality of access in all our activities.

The Council is committed to making this policy effective and will regularly review and comprehensively monitor the results of this and our actions.

CORE PRINCIPLES

- We value the diversity of the communities we serve and will help to develop strong, secure, self reliant, self confident communities, free from unlawful discrimination. We acknowledge the desirability of reflecting this diversity in our workforce.
- We recognise that every member of staff can influence how equality is achieved, both in the workplace and through the services we provide. We will ensure that all staff are aware of their rights and responsibilities in respect of this.
- We recognise the importance of effective two-way communication. We will provide a comprehensive range of information, including direct information about Braintree District Council and our services for individuals and communities, in a variety of appropriate forms. We will also consult and listen to the views of the local communities.

1.2 RESPONSIBILITIES/COMMUNICATION OF THE POLICY

Each individual employee has a duty both morally and legally not to discriminate against other employees or service users. Specific responsibilities for Members and Council employees under this policy are as follows:

Council Members – responsibility for:

- promoting equalities;
- ensuring adequate resources are made available to enable the Council to meet its legal responsibilities

HR Manager – responsibility for:

- developing and supporting the implementation of the Equal Opportunities Policy;
- ensuring that inclusive consultation is undertaken on any review of the policy;
- ensuring that employment policies are consistent with the Equal Opportunities Policy;
- providing advice to services on equal opportunities matters, including best personnel and management practices;
- ensuring that recruitment and selection initiatives and documentation are consistent with non-discriminatory objectives;
- collating and analysing equal opportunity monitoring information, initiating corporate/service responses to the outcomes, where necessary.

Head of Corporate Policy – responsibility for:

- ensuring that the Council's corporate image, media and communications activities support and further the Equal Opportunities Policy;

Head of Finance – responsibility for:

- ensuring that corporate procurement standards and monitoring arrangements reflect the Council's commitment to equality and fairness.

All Directors/Heads of Services – responsibility for:

- ensuring that the policy is communicated to all their employees;

- ensuring its implementation into all HR and management practices;
- ensuring that service plans address equal opportunities issues;
- ensuring that complaints are investigated and dealt with effectively.

Managers and Supervisors – responsibility for:

- complying with the policy at a practical level through their actions in recruitment and selection, service delivery, contract procurement, training and development and general management;
- encouraging good practice by their staff and colleagues and dealing where appropriate with breaches of this policy.

All Employees – responsibility for:

- complying with equality law and the good practice summarised in this policy.
- complying with this policy as a whole to ensure its consistent application on a day to day basis.
- Promoting equality at all opportunities when carrying out their daily duties.

1.3 LEGAL FRAMEWORK

Braintree District Council has a responsibility to comply with both the letter and spirit of all equality legislation and codes of practice (see Appendix 1: Summary of Equalities Legislation)

In law discrimination can be;

Direct

Treating a person less favourably than another because of gender, disability, race, sexual orientation, age, marital status, colour, religion or belief, ethnic or national origin and creed.

Indirect

Application of a requirement or condition, which adversely affects one group more than another and cannot be justified.

1.4 REVIEW OF THIS POLICY

The implementation of this policy will be monitored and kept under regular review. Any review will take into account the views of national advisory bodies, the Council's employees, trade unions and elected members.

1.5 COMPLAINTS PROCEDURE

- **Service Delivery**

Each service will deal with any complaints about equality or fairness under the Complaints Procedure and will ensure they are dealt with speedily and effectively.

- **Employment**

Council employees who feel that they have been unfairly discriminated against in respect of their employment should raise it in the first instance with their Line Manager or HR. Such complaints will be handled in a positive and sensitive manner and if appropriate, will be dealt with formally under the Council's Conflict Management Policy.

2. EQUALITY IN EMPLOYMENT

2.1 INTRODUCTION

Braintree District Council recognises the value of a diverse workforce in which people from differing backgrounds, with different skills and abilities can bring new ideas to enable us to deliver high quality services.

In addition to our moral responsibilities putting equal opportunities into action makes business sense because it is about ensuring the best people are appointed. Our Equal Opportunities policy will help us to:

- provide equality of opportunity for everyone
- attract and retain skilled staff
- make the best use of the skills and knowledge of all of the workforce
- strengthen and improve our reputation as a good employer
- ensure that our employment and business practices are in accordance with the law
- provide staff with information in accessible formats.

2.2 RECRUITMENT AND SELECTION

The Council has in place a recruitment policy which all those involved in the recruitment and selection process have a duty to follow. A continuing training and development programme is in place to ensure that all those involved in the recruitment/selection process are appropriately trained.

The Council seeks to ensure vacancies are advertised as widely as possible, including job centres and via the council's website, to assist in attracting a range of applicants, and that recruitment is based on clearly defined essential criteria. Our vacancies are also advertised internally to give existing staff access to vacancy details.

2.3 DEVELOPING AND RETAINING STAFF

The Council places a high priority on the personal development of all its employees. The Council's performance appraisal scheme provides the necessary focus for both managers and staff on discussing and agreeing training and development needs on an ongoing basis. This scheme assists in ensuring that resources are allocated in a fair and objective way and that training plans are devised to incorporate the principles of equality.

All managers and employees shall have a clear understanding of their rights and responsibilities under both the law and the Council's Equal Opportunities Policy. A module on equality is available to all new as part of the induction process, and to existing staff via Learning Pool.

2.4 POSITIVE ACTION

Subject to appointment being made on merit, we will take action to achieve and maintain at all levels a workforce that reflects the diversity of the community. We will use, where appropriate, the powers to take positive action available under legislation. This may include:

- Developing strategies to positively encourage people from underrepresented groups to apply for posts
- Ensuring that all employees have equal opportunities for training, development and career opportunities
- Incorporating equality and diversity awareness into all management development programmes
- All appointments will be made on merit.

2.5 CONFLICT MANAGEMENT POLICY

Braintree District Council is committed to the fair treatment of all staff and job applicants. The Council believes that bullying, harassment, victimisation and discrimination in any form is unacceptable. The Council policy on conflict management provides further detailed guidance. Such behaviour by any member of staff constitutes gross misconduct under the Council's disciplinary procedure. In addition any employee committing such an offence may also be personally liable for their behaviour under equal opportunities legislation.

Victimisation may occur when a person is treated less favourably than another person because they have made a complaint of harassment/discrimination/bullying and/or given evidence about such a complaint. Legislation provides protection from victimisation.

2.6 MONITORING

We recognise that genuine equality of opportunity can only be assessed by monitoring actual performance and outcomes, and then using this information to modify and improve our future action plans and policies and procedures.

The Council monitors by age, ethnicity, disability, gender , and from April 2009 will include monitoring on sexual orientation, and religion or belief:

- recruitment and selection
- existing workforce

Specifically we will monitor:

- the percentage of staff declaring that they meet the Disability Discrimination Act disability definition as a percentage of the total workforce;
- the percentage of staff from ethnic minorities as a percentage of the total workforce;
- the percentage of senior management posts filled by women;
- voluntary leavers as a percentage of staff in post;
- ill health retirements as a percentage of total workforce;
- early retirements as a percentage of the total workforce

The Council publishes quarterly statistics to assist in informing future management decisions and monitoring is reported to management through the Corporate Management Board.

We will also undertake equality impact assessments of our policies and procedures in line with legislation.

2.7 EQUAL OPPORTUNITIES IN ACTION

The Council will ensure that when all Council employment policies and terms and conditions of employment are reviewed continued consideration is given to the principles of equal opportunities.

We are committed to developing our family friendly policies and work-life balance initiatives to assist in attracting and retaining the best staff.

HR Policies which relate to Equal Opportunities currently include:

- Time Off For Dependants
- Recruitment Policy and Procedure
-
- Conflict Management
- Flexible Working Hours
- Childcare Scheme
- Maternity/Paternity/Parental Leave
- Adoption Leave
- Flexible Working
- Job Share
- Age Diversity

2.8 CONSULTATION – EMPLOYMENT

- The Council is committed to maintaining and improving external links with other organisations that provide specialist advice, support, or partnership opportunities on equality issues.
- Trade Unions and management are regularly consulted on all major reviews and development of employment policies and practices
- Consultation with staff on major policy changes and new initiatives.

2.9 DISCIPLINARY PROCEDURE

Under the Council's disciplinary procedure breaches of the Equal Opportunities Policy, including serious acts of harassment, victimisation, discrimination or verbal abuse against employees, clients or members of the public on grounds of age,

race, gender, religion or belief, sexual orientation, disability or any other grounds will normally be regarded as gross misconduct and could lead to dismissal.

3. EQUALITY IN SERVICE DELIVERY

3.1 INTRODUCTION

We are committed to providing quality services equitably to all people with differing needs because of gender, disability, race, sexual orientation, age, marital status, colour, religion or belief, or ethnicity . We will take action to ensure our services are equally accessible to all people to whom we provide services.

To assist with this aim the Council will work actively and positively with the community, other agencies and the voluntary sector.

We are committed to fairness in all our activities and will continually review our services to ensure equality and fairness.

3.2 AIMS

We seek to provide our services equitably to the diverse community at large, irrespective of gender, disability, race, sexual orientation, age, marital status, colour, religion or belief, or ethnicity.

- We will seek to develop a strong, secure, self reliant, self-confident community. We will reflect diversity in our Corporate image and media/communications activities.
- We will treat all customers and clients of the Council with dignity and respect and we will provide services free from unlawful discrimination, harassment or victimisation.
- We expect each employee to promote equality in service delivery, and therefore each employee has a duty not to discriminate against customers and clients.
- We have a responsibility to ensure any person concerned with the provision of goods, facilities or services to the public or a section of the public does not unlawfully discriminate against a person who seeks to obtain or use those goods, facilities or services:
 - by refusing or deliberately omitting to provide them with goods, facilities or services; or
 - by refusing or deliberately omitting to provide him/her with goods, facilities or services of the same quality, in the same manner and on the same terms as would normally be provided to other members of the public in the same circumstances.

- We will not tolerate acts which breach this duty and all instances of such behaviour, or alleged behaviour, will be taken seriously and if appropriate be fully investigated under the Council's disciplinary procedure.
- Each service will develop, monitor and review appropriate service delivery practices which will help to avoid direct and indirect discrimination where these are not already in place.
- Our corporate procurement standards and monitoring will reflect the Council's commitments to equality and fairness. Services will need to monitor provisions made by contractors who provide services on behalf of the Council.
- In accordance with legislation we will undertake and publish equality impact assessments of our service delivery policies and procedures.

3.3 QUALITY

We will provide services that:

- meet the needs of the customers;
- are delivered consistently to comply with clearly stated performance standards;
- are delivered by effective, well trained and motivated staff or contractors:
- are supported by effective management systems;
- are clearly explained to customers so they know what is available;
- are continuously reviewed and monitored to ensure that they meet agreed customer needs and
- are delivered following consultation with customers

3.4 COMMUNICATION / CONSULTATION

The Council welcomes comments, suggestions and improvements from our customers about the diversity and flexibility of our services. To ensure customers are aware of the range of services available the Council will:

- work to communicate effectively with the widest number of people in the community possible. We will where appropriate, use publicity material supplied in different languages and more accessible formats for people with disabilities, for example those with sensory impairment.

- Use our equality impact assessment process to make sure that we have not disadvantaged any minority groups in the development and delivery of services or policy.
- identify mechanisms that already exist to consult customers on the introduction of new services or changes to existing services. We will re-evaluate these services and ensure attention is paid to gender, disability, race, sexual orientation, age, marital status, colour, religion or belief, or ethnicity. .
- Encourage and support all our communities to actually engage with us and be part of the decision making process.
-
- Make customers aware of our Complaints Procedure where a problem has been identified with a service.

3.5 TRAINING AND DEVELOPMENT

We will:

- equip employees with the skills knowledge and competencies to provide services in a flexible and sensitive manner encouraging good communication between employees and customers.
- avoid stereotyping by making inappropriate assumptions, or other categorisations, based on gender, disability, race, sexual orientation, age, marital status, colour, religion or belief, or ethnicity.
- increase understanding of different needs of all people in the community.

This will be achieved by emphasising equality in service delivery as well as the equality in employment, in the Council's induction process, briefing sessions and other training or development.

3.6 SERVICE PLANNING

Equality is an integral part of service delivery. Local implementation of the above principles will be incorporated into the Council's Business Planning process .

3.7 MONITORING AND EVALUATION

We recognise that genuine equality of opportunity can only be assessed by monitoring what is actually happening and then using this information to modify and improve our future action plans and policies and procedures.

Monitoring and evaluating information will help us to:

- Measure the number of customers using services and the take up by sections of the community; and
- Identify the percentage of service users with disabilities and from ethnic minority groups.

Where monitoring shows that the use of services is unjustifiably uneven or disproportionate, appropriate action will be planned. For example:

- providing material in different languages;
- provide alternative ways to communicate with people with disabilities (for example use the minicom; tape; large print; Braille, dial in telephone/minicom information line);
- consulting with customers to meet their particular needs.

• 3.8 EQUALITY STANDARD FOR LOCAL GOVERNMENT

Braintree District Council has adopted the Equality Standard for Local Government. This was developed by a steering group comprising representations from the Employers Organisation for Local Government, the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission.

This is a framework that sets up a way of working within local authorities which will make mainstreaming equalities into service delivery and employment an issue for all aspects of the council's work. Using five levels, we will introduce a comprehensive and systematic approach to dealing with equalities. These levels cover all aspects of policy-making, service delivery and employment.

The Standard will:

- provide a systematic framework for the mainstreaming of equalities;
- help Braintree District Council meet their obligations under the law;
- integrate equalities policies and objectives with Best Value, and other reviews;
- encourage the development of anti-discrimination practice appropriate to local circumstances;
- provide a basis for tackling forms of institutionalised discrimination;
- provide a framework for improving performance, over time

Putting the Equality Standard in Place

The standard builds on the principles of:

- Quality
- Leadership
- Community involvement.

Braintree District Council will be able to assess progress based on 5 levels:

- Level 1: Commitment to a Comprehensive Equality Policy
- Level 2: Assessment and Consultation
- Level 3: Setting equality objectives and targets
- Level 4: Information systems and monitoring against targets
- Level 5: Achieving and reviewing outcomes

3.9 CONCLUSION

- A key objective of the Council is to provide quality services. As stated by the Audit Commission and encompassed in the Equality Standard for Local Government: quality cannot be achieved without equality of opportunity. The pursuit of equal opportunities in service delivery requires the commitment of each member of staff.
- The rewards of achieving excellence in the management of service delivery are potentially considerable: a more responsive and better quality service to all people in the community, and more efficient and effective use of Council resources.

4 TARGET GROUPS

4.1 INTRODUCTION

We are committed to making equality of opportunity a reality for all people in both employment and service delivery.

In particular we recognise the following as key target groups for us to focus on:

- People with disabilities

We recognise that discrimination against people with disabilities can take many forms and can result in individuals not reaching their full potential or having access to the services they require. Disability can include both physical and mental impairments.

The Council aims to ensure that as a minimum the proportion of its employees who are disabled reflects the proportion of the District's population of working age who have a disability.

The Council is committed to its obligations under the Disability Discrimination Act 1995 and the Disability Discrimination Act 1995(Amendment) Regulations 2003 and will take reasonable steps to provide and adapt premises, facilities, or equipment wherever possible to meet the needs of disabled people. The Council will make reasonable adjustments to the physical features of premises to facilitate access for disabled people.

- Gender

We are opposed to discrimination on the basis of gender and recognise that women and men can be discriminated against because of their gender or care responsibilities which can result in them not reaching their full potential.

The Council is committed to ensuring women and men are encouraged to apply for all jobs equally. We will ensure that access to employment, promotion and development opportunities do not unfairly discriminate against either sex. We are also committed to continuing to develop and implement family friendly employment policies and worklife balance initiatives.

The Council is committed to its obligations under the Sex Discrimination Acts 1975 and 1986 which cover employment matters as described above and also covers unlawful discrimination, the provision of goods, facilities and services to the public. The Council also recognises its obligations under the Sex Discrimination (Gender Reassignment) Regulations 1999 and the Equality Act 2006.

- Race

The Council recognises that people can be discriminated against because of their race, ethnicity, colour or nationality.

We want our workforce to accurately reflect the make-up of the population of the District. We are committed to monitoring the ethnic origin of applicants for employment and those shortlisted/appointed in order that we can take further action to encourage more ethnic minorities to apply for posts and to be proportionately represented across all grades and salary levels.

The Council is committed to its obligations under the Race Relations (Amendment) Act 2000 to promote racial equality and establish a Race Equality Scheme.

- Age Discrimination

The Council recognises that discrimination can take place based on assumptions and stereotypes based on an individual's age.

Age related criteria will not be used in recruitment and selection or development and training decisions. The Council will ensure that job applicants are selected solely on the basis of their skills, qualifications, competencies and experience. The Council's Recruitment Policy includes details on employing staff aged 65 and older, to ensure that all applications are treated within the same framework. The Council's Retirement Policy includes further details on normal age retirement, and options for continuing to work beyond normal retirement age at 65, to ensure that all retirements are fair.

- Other forms of discrimination

The Council recognises that other forms of discrimination exist which have not been dealt with under the specific target groups mentioned above (e.g. religion or belief, health issues, sexual orientation, marital status).

We are committed to the overall general principles of fairness and equal access to the Council's services and employment and will take appropriate action where inequalities are identified.

APPENDIX 1: SUMMARY OF EQUALITIES LEGISLATION

The Equal Pay Act 1970

The Equal Pay Act 1970 makes it unlawful for any individual to be treated less favourably than a person of the opposite sex who works for the same employer. This is in relation to pay and other terms and conditions of employment, where they are employed in work that has been rated as equivalent under a job evaluation scheme or on work that is of equal value.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 exists to protect people from discrimination due to past convictions. A person convicted of a criminal offence can become rehabilitated after a defined period of time following conviction, through a conviction becoming 'spent', which allows the person to be treated for most purposes as if the conviction never occurred

Convictions involving custodial sentences of over 30 months cannot become spent. For some professions and areas of employment the law requires disclosure of all convictions including those deemed to be spent.

The Sex Discrimination Act 1975

The Sex Discrimination Act makes it unlawful to discriminate directly or indirectly, on the grounds of sex or marital status against women, men or married persons; in employment, training and related matters, education, provision of goods, facilities and services, and in the disposal and management of premises.

The Race Relations Act 1976

The Race Relations Act 1976 makes it unlawful to discriminate directly or indirectly on the grounds of colour, nationality (including citizenship), ethnic origin or national origin. The Act makes racial discrimination unlawful in employment, training and related matters, education, provision of goods, facilities and services, and in the disposal of management of premises.

The Race Relations (Amendment) Act 2000

The Race Relations (Amendment) Act 2000 came into force in April 2001 strengthening and extending the scope of the 1976 Race Relations Act. This first major reform of the 1976 Act, which arose in part following the Stephen Lawrence inquiry, has been targeted at the public sector and prohibits racial discrimination by public authorities in all their functions. It places a new enforceable positive duty on public authorities to eliminate discrimination and to promote racial equality.

The Disability Discrimination Act 1995 (DDA) and the Disability Discrimination Act 1995(Amendment) Regulations 2003

The DDA introduces measures aimed at ending discrimination on the grounds of disability. The Act's provisions include employment, access to goods, services and facilities, and the

buying and renting of land or property. The Act is being introduced on a staggered basis, with many of the Act's provisions now being brought into force. The Disability Discrimination Act 1995(Amendment) Regulations 2003 came into force on 1st October 2004. From this date there will no longer be an exemption for those who employ fewer than 15 people, practical work experience will also be covered by the DDA whether unpaid or paid and new groups of workers are covered e.g. police and prison staff. From 1st October 2004 employers are under a new obligation to make reasonable adjustments to the physical features of premises to facilitate access for disabled people under Part 111 of the DDA. Service providers have a statutory obligation to take reasonable steps to remove physical barriers or provide services by other appropriate means.

The Disability Discrimination Act 2005

This act amended and extended the existing provision in the 1995 Act and introduced duties on public authorities to promote disability equality.

The Human Rights Act 1998

The Human Rights Act 1998 came into force on 2nd October 2000 and is one of the most significant pieces of constitutional legislation enacted in the United Kingdom.

The Act allows people to claim their rights under the European Convention on Human Rights (ECHR), in UK courts and tribunals instead of going to the European Court in Strasbourg. The Act requires all public authorities in the UK to act compatibly with the Convention rights and has significant implications for many areas of local government activity.

The Sex Discrimination (Gender Reassignment) Regulations 1999

The Sex Discrimination (Gender Reassignment) Regulations 1999 became effective from 1st May 1999. The Regulations extend the Sex Discrimination Act 1975 to cover direct discrimination on the grounds of gender reassignment in employment, self-employment and vocational training. This group have the right not to be discriminated against on the grounds that an individual intends to undergo, is undergoing or has undergone gender reassignment. Exceptions may be made in very limited circumstances, if there is a genuine occupational requirement for the worker to be of a particular sex in order to do the job and the employer can show that the treatment of the person is reasonable.

The Employment Equality (Religion or Belief) Regulations 2003

The Employment Equality (Religion or Belief) Regulations came into force on 2nd December 2003. The Regulations make it unlawful to discriminate on grounds of religion or belief in employment including recruitment, terms and conditions, promotions, transfers, dismissals and training. They prohibit direct or indirect discrimination, harassment, victimisation and discrimination during employment and in certain circumstances after the working relationship has ended. It may be about the individual's religion or belief (real or perceived) or it may be about the religion or belief (real or perceived) of those with whom the individual associates. Exceptions may be made in very limited circumstances if there is a genuine occupational

requirement for the worker to be of a particular religion or belief in order to do the job. Liability falls on both the employer and the employee who is found to have acted in a discriminatory way.

The Employment Equality (Sexual Orientation) Regulations 2003

The Employment Equality (Sexual Orientation) Regulations 2003 came into force on 1st December 2003. The Regulations make it unlawful to discriminate on grounds of sexual orientation in employment including recruitment, terms and conditions, promotions, transfers, dismissals and training. They prohibit direct or indirect discrimination, harassment, victimisation and discrimination during employment and in certain circumstances after the working relationship has ended. It may be about the individual's sexual orientation (real or perceived) or it may be about the sexual orientation (real or perceived) of those with whom the individual associates. Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular sexual orientation in order to do the job. Liability falls on both the employer and the employee who is found to have acted in a discriminatory way.

The Employment Equality (Age) Regulations 2006

The Employment Equality (Age) Regulations 2006 became effective from 1st October 2006. The Regulations make it unlawful to discriminate against workers, employees, job seekers and trainees because of their age in employment matters including recruitment, terms and conditions, promotions, transfers, appraisals, dismissals and training. They prohibit direct or indirect discrimination, harassment, victimisation and discrimination during employment, and in certain circumstances after the working relationship has ended. It may be legitimate in very limited circumstances to treat people differently on the grounds of their age, if it can be proven there is an objective justification that allows an employer to set requirements that are directly age discriminatory, due to being a proportionate means of achieving a legitimate aim. There can also be a genuine occupational requirement for the worker to be of a particular age in order to do the job, and certain exemptions from or exceptions to the age regulations exist.

The Equality Act 2006

This Act made it unlawful (apart from certain exceptions) to discriminate on the grounds of religion or belief, or sexual orientation in the provision of goods, facilities and services, the management of premises, education, and the exercise of public functions. It also introduced a duty on public authorities to promote gender equality.