

SECTION 2: EQUAL OPPORTUNITIES

This section provides information on:

- The Church perspective
- Equal Opportunity monitoring
- The law on discrimination

The Church Perspective

The Methodist Conference has made a clear statement about the Church's commitment to equal opportunities.

An Equal Opportunities Policy for Employing Bodies within the Methodist Church is provided at the end of this section at [Appendix 2.1](#).

All recruitment exercises should take account of the Policy and ensure the Policy is not breached.

Linked to the Equal Opportunities Policy are the Guidelines for the Employment of People with a Criminal Record provided at [Appendix 2.2](#).

It is good practice to send a copy of both documents to applicants.

Equal Opportunity Monitoring

It is good practice for employers to monitor job applications to ensure their appointment practices are consistent with equal opportunity standards. The Pack offers an Equal Opportunity monitoring form ([Appendix 5.10](#)), which should be sent out with the application form. This information should not be disclosed to the interview panel but should be used purely for monitoring purposes.

There can be several purposes for monitoring. All relate to analysing patterns and understanding how effective an employer's practice is. Questions an employer may wish to ask are:

- Does our employee profile reflect the ethnic profile of the area?
- Are we biased towards a certain age group and possibly ignoring the abilities of other age groups?
- Is there any evidence to suggest we are unwilling to consider applications from people with disabilities?

This review of process is difficult for employers of small numbers but the questions are worth review.

The Law on Discrimination

There are several pieces of legislation that set statutory obligations on employers in respect of discrimination. These are:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006

Awards of compensation can be made against employing bodies who are found by an Employment Tribunal to have discriminated on any of these grounds. In most cases of discrimination there is no limit on the level of the fine.

It is illegal for employers to discriminate on the grounds of religion or belief unless there is a ***genuine and determining occupational requirement or there is a genuine occupational requirement*** linked to the ethos of the organisation and the nature of the work. Employers should not therefore specify a religious affiliation unless they can justify the requirement.

It is also illegal for employers to discriminate on the grounds of sexual orientation unless there is a genuine and determining occupational requirement, or to comply with the doctrines of the religion, or to avoid conflicting with the strongly held convictions of a significant number of the religious followers.

The Employment Equality (Age) Regulations 2006, introduced on 01 October 2006, apply to employment and vocational training. They prohibit unjustified direct and indirect age discrimination and all harassment and victimisation on the grounds of age for both old and young.