

**Guernsey**

The equality law situation in Guernsey at the moment is complex. The legislation that currently applies is The Sex Discrimination (Employment) (Guernsey) Ordinance 2005. This only applies to employment, not to public organisations such as the Methodist Church, except in our role as an employer of ministers and lay workers. It covers discrimination on the grounds of sex, marriage or gender reassignment.

In 2019, Draft Proposals for a new discrimination law in Guernsey were published. There was then a consultation process, leading to the first piece of draft policy, The Prevention of Discrimination (Guernsey) Ordnance 2022. This is the first phase of new discrimination legislation in Guernsey and is due to come into effect in 2023. It will cover race, religious belief, sexual orientation, disability and carer status and will apply to all public organisations, including the Methodist Church. This will be the first jurisdiction covered by the Methodist Church in Britain in which carers will be explicitly protected in equality legislation.

For the time being, The Sex Discrimination (Employment) (Guernsey) Ordinance 2005 will still apply. However, the proposed second phase of the new proposals would see it superseded by new legislation that would cover sex, marriage and gender reassignment and apply to all public organisations, not just employers. The second phase of the legislation will also cover age discrimination.

The original 2019 draft proposals also proposed the protection of pregnancy and maternity status, as in all the other jurisdictions of the Methodist Church in Britain. However, this is not currently included in the draft policy.

In other jurisdictions, the aspects of someone’s identity that are protected by equality legislation are referred to as ‘protected characteristics’. However, in Guernsey they are referred to as ‘protected grounds’.

Although there is currently no equality legislation relating to the Methodist Church in Guernsey, except in its role as an employer, this training will cover all aspects of equality legislation that have been proposed in Guernsey, so that the church is prepared once it becomes legislation.

There is one type of discrimination which is unlawful in the other jurisdictions in which the Methodist Church in Britain operates, except for Jersey and Gibraltar, which is not currently covered in any of the draft proposals or policy for new legislation in Guernsey. That is discrimination that is based on perception. Although there is no current proposal for this type of discrimination to be unlawful in Guernsey, this does not mean that it should occur within the Methodist Church. As such, it will be covered by this training. However, please be aware that, if it remains not unlawful, there may be differences in how such situations are dealt with in Guernsey compared to the other jurisdictions.

For information regarding the introduction of new equality legislation in Guernsey, please click [here](https://www.gov.gg/discrimination). There is also a useful timeline [here](https://disabilityalliance.org.gg/our-voice/discrimination-legislation-resources/).

To view The Sex Discrimination (Employment) (Guernsey) Ordinance 2005, please click [here](https://www.guernseylegalresources.gg/ordinances/guernsey-bailiwick/d/discrimination/sex-discrimination-employment-guernsey-ordinance-2005/).

To view The Prevention of Discrimination (Guernsey) Ordnance 2022, please click [here](https://www.gov.gg/CHttpHandler.ashx?id=149489&p=0).

To view a summary of the draft proposals that went out for consultation in 2019, please click [here](https://www.gov.gg/CHttpHandler.ashx?id=120056&p=0).

For an explanation of why Guernsey is not simply adopting the same legislation as Jersey, please click [here](https://www.gov.gg/CHttpHandler.ashx?id=136218&p=0).