

# Introduction to the Equality Act 2010

## We are all Made In the Image of God

The Methodist Church in Britain's approach to Equality Diversity and Inclusion is situated in theology, Methodist principles and practice and, above all, in the Gospels. We are all made in the image of God.

However, there is a need for us all to understand equality law.

## The Equality Act 2010

The Act came into being on 1<sup>st</sup> October 2010 and is designed to legally protect people from discrimination in the workplace and wider society. At the time it was the largest overhaul of UK antidiscrimination law, ultimately taking significant legal steps towards creating a fair and just society.

The Equality Act seeks to recognise that people are different and need different approaches in order to allow them to flourish in the contemporary world.

This underpinning principle is at the heart of the gospel imperative of justice, inclusion and loving our neighbour.

The Equality Act 2010 covers:

- Employment and Work
- Goods and Services
- Premises
- Associations
- Transport.

The Act states that discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic. These 'protected characteristics' will be explored later in this document. Discrimination is generally unlawful.

## Unlawful discrimination is defined as:

- **Direct Discrimination** – treating a person worse than someone else just because of a protected characteristic.
  - **Indirect Discrimination** – doing something that has a worse impact on a protected group than on people who do not have that characteristic.
  - **Discrimination by Association** – treating a person worse because they are associated with a person who has a protected characteristic.
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- **Discrimination by Perception** – treating a person worse than someone else because they are assumed to have a particular protected characteristic (e.g. if a straight person does not get appointed to a job because they are assumed to be gay).
- **Discrimination arising from disability** – a person with a disability who is treated unfavourably because of something connected to their disability where it cannot be shown to be objectively justified.
- **Victimisation** – treating someone badly or victimising them because they have complained about discrimination or helped someone else complain.
- **Harassment** – engaging in unwanted conduct related to a relevant protected characteristic. Such conduct has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

## Protected characteristics

The Equality Act 2010, identifies the following nine 'protected characteristics':

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

For a detailed description of each protected characteristic, please refer to the [EDI Toolkit Module 1.3](#).

Although the law separates people into protected characteristics, in reality we all have multiple identities and each of us falls into more than one protected group.

When considering the protected characteristics it is essential to understand that they are not just about 'minority or marginalised' groups but instead about everyone. All people have an age, sex, sexual orientation, race etc. So the protected characteristic on sex is not just about women but men too.

We need to ensure that we are not viewing the Equality Act through our own stereotypes of who is included and excluded. Also, the fact that we belong to a group protected under the Act does not mean that we are incapable of discriminating against another group, or other groups similarly protected.

We all have biases, whether conscious or unconscious which could potentially lead to discrimination whether intentional or unintentional.

For more information on the Equality Act 2010, refer to the [EDI Toolkit module 1.3 The Law](#) or visit [www.equalityhumanrights.com](http://www.equalityhumanrights.com).