



# Discrimination in employment – minimise the risks to your business

The Equality Act 2010 (the Act) prohibits discrimination and harassment in respect of the following “protected characteristics”:

- Age
- Disability
- Sexual orientation
- Pregnancy and maternity
- Religion or belief
- Gender reassignment
- Marriage and civil partnership
- Sex and race

## What are the types of discrimination?

There are various types of discrimination and other examples of unlawful conduct that are set out in the Act that apply to most (and in some cases all) of the protected characteristics such as:

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

## This law doesn't just apply to employees

The discrimination laws apply to the employee/employer relationship and it is important to ensure that your business is free from discrimination towards your employees, but its scope is much wider than that. It extends to job applicants, self employed individuals and anyone attending your premises. An employer can also be liable for discrimination carried out by its employees.

## The cost of discrimination

The risks to your business are varied and include damage to reputation, large compensation payments, turnover of staff and wasted management time. The Employment Tribunal may award uncapped compensation in

discrimination cases. The liability that can arise from failing to deal with discrimination in the workplace can therefore be substantial.

## We can help

We have extensive experience advising employers about complex discrimination issues.

*Policies and Procedures:* We can draft equal opportunities and bullying and harassment procedures on your behalf. Adequate procedures may give an employer a defence to a discrimination claim.

*Training:* We can advise your employees, particularly managers, on discriminatory issues and your policies and procedures. For an employer to have a defence, it must have trained its staff on the policies designed to prevent discrimination.

*Resolving conflict:* We can assist in resolving conflict during employment – see our factsheet entitled ‘Conflict in the Workplace’.

*Tribunal Representation:* We can act on your behalf in defending an Employment Tribunal claim and have substantial experience in successfully defending employers against complex claims.

## For further advice please contact:

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