



# The Role of the Equality Rep



# Quiz Equalities & Diversity

1. When did the Equality Act become Law in the UK?
2. How many Protected Characteristics are there in the Equality Act?
3. How many types of Discrimination are there in The Equality Act?
4. What are prohibited behaviours as defined in the Equality Act?
5. What is meant by Diversity?
6. The Equality Act 2010 applies to which of the following situations?
  - a) Public services like healthcare and education
  - b) Private companies and businesses
  - c) Voluntary and charity organizations
  - d) All of the above



# Answers for the quiz - but we will be looking at all the answers in context in the Equality Act next.

- ✓ 1. The Equality Act became Law in the UK in 2010
- ✓ 2. There are 9 Protected Characteristics.
- ✓ 3. There are 5 different types of discrimination in the EA 2010
- ✓ 4. Prohibited behaviours are Harassment and Victimisation.
- ✓ 5. Diversity is ... recognising, respecting and valuing people's differences and ability to contribute and realise their full potential by promoting an inclusive culture for all.
- ✓ 6.d. All of the above. The Equality Act applies to all employers

**The Equality Act became law in 2010. It covers everyone in Britain and protects people from discrimination, harassment and victimisation.**





## Equality is

... ensuring individuals or groups of individuals are treated fairly and no less favourably, specific to their needs, than other individuals or groups of individuals.



## Diversity is

... recognising, respecting and valuing people's differences and ability to contribute and realise their full potential by promoting an inclusive culture for all.

# Equality Law

The main piece of legislation is The Equality Act 2010 which applies to

- all employers and anyone providing a service or exercising a public function;
- all job applicants, recruitment process and employees and former employees including contract and casual and agency workers.



The Equality Act 2010 ensure that individuals, or groups of individuals, are not treated less favourably based on 9 Protected Characteristics (groups of people), **can you list them?**

- Age
- Disability
- Gender reassignment
- Marriage & civil partnership
- Pregnancy & maternity
- Race
- Religion or belief
- Sex
- Sexual Orientation





# How can you be discriminated against?

**There are four main types of discrimination:**

1. Direct Discrimination (including by association and perception)
2. Indirect Discrimination.
3. Harassment (including by association and perception)
4. Victimisation..

*\*Harassment and Victimisation are prohibited behaviours*

Plus, discrimination arising from a disability, and failure to make reasonable adjustments.

# What is Unlawful Discrimination under the Act?

- Direct discrimination
- Indirect discrimination; provision, criterion or practice (“PCP”)
- Discrimination by association
- Discrimination by perception
- Discrimination arising from disability
- There is a Duty on the employer to make Reasonable Adjustments
- PROHIBITED BEHAVIOUR
- Harassment (3<sup>rd</sup> party harassment removed)
- Victimization

# Disability Definition

*“A mental or physical impairment which has a substantial adverse effect on a person’s ability to carry out normal day to day activities.”*

- A key feature is that it has lasted or will last for 12 months.
- A person who has been disabled in the past is still protected against discrimination even though they no longer have the condition.
- Some conditions covered from point of diagnosis.

*\*Not all disabilities are visible..*



# What is harassment?

## Harassment is defined as:

- Unwanted conduct physical or verbal, that has the purpose or effect of violating the dignity of people in the workplace or of creating an intimidating, hostile, degrading, humiliating or offensive environment.
- It is the effect on a person not the intent that is important.



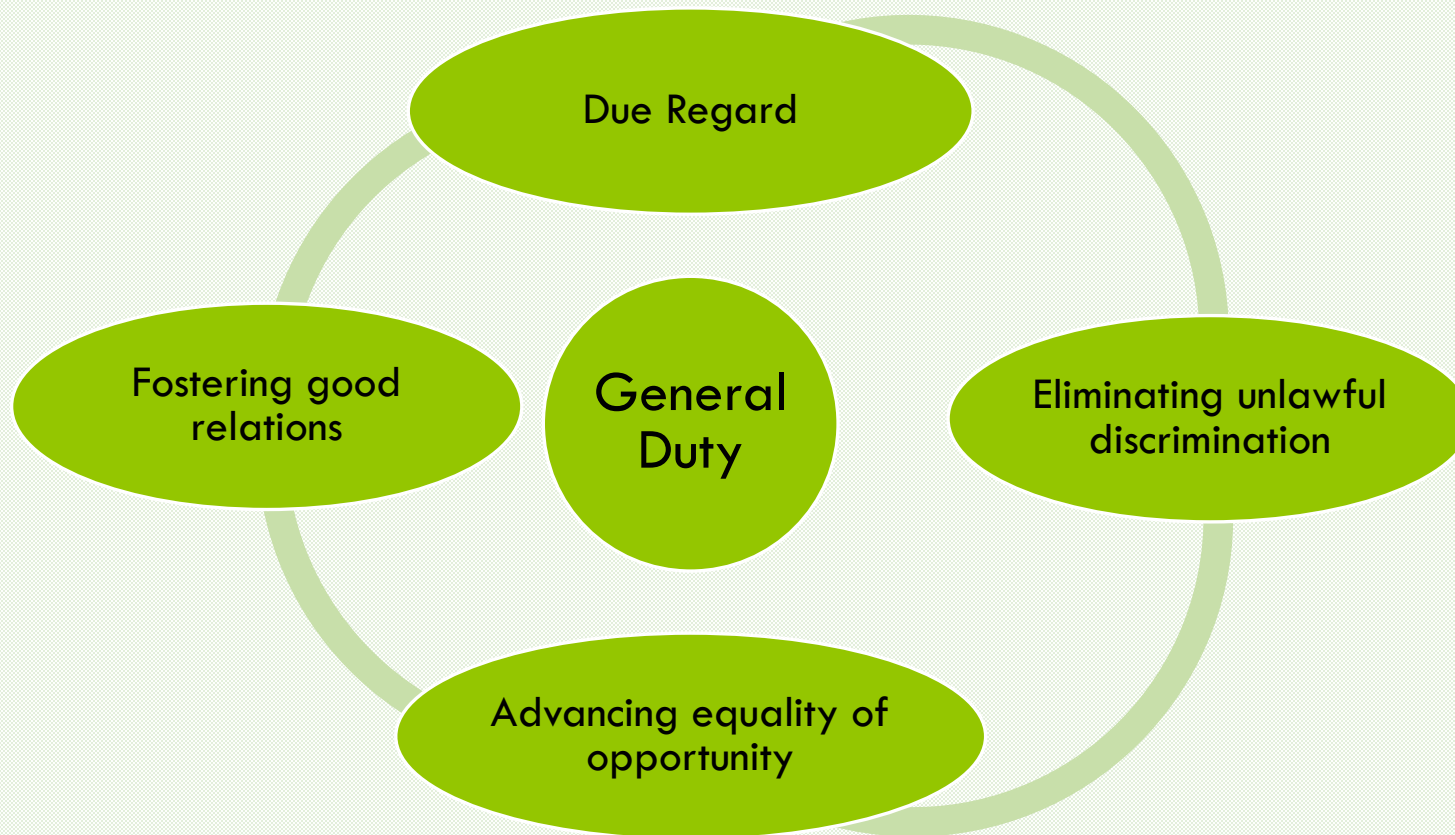
# What is Victimization?

It is unlawful to be victimised because you have made a complaint of discrimination or harassment – this also includes:

- supporting someone else's complaint
- gathering information that might lead to a complaint
- acting as a witness in a complaint



# Public Sector Equality Duty Section 149 (The Equality Act)



covers disability, race, gender, age, gender reassignment, pregnancy and maternity, religion and belief and sexual orientation.

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## The Role of the Equality Rep

Small group work, the six nearest people around you are your group:

1. What do you think the role of an Equality Rep is?

Discuss in your groups



# The Role of the Equality Rep is Supporting members



The role of equality representatives may differ from union to union, but they may perform some or all of the following functions in the workplace:

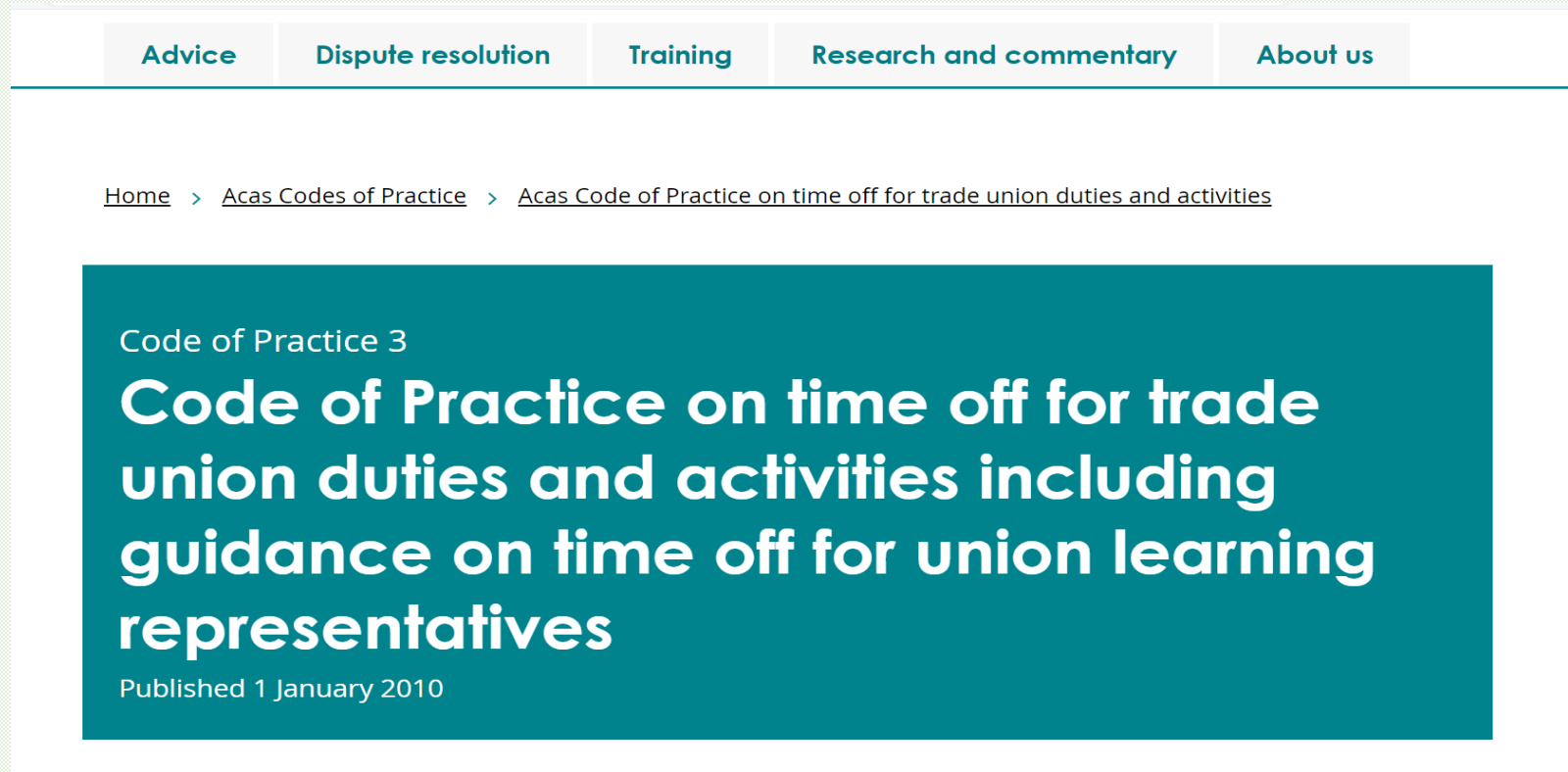
- ✓ provide information and advice about equality matters to members
- ✓ represent employees on equality issues
- ✓ help promote the value of equality in the workplace
- ✓ help employees to achieve a more reasonable life – work balance
- ✓ challenging instances of harassment and discrimination and ensuring complaints are dealt with effectively and consistently



## Continued...

- ✓ Promoting equal rights for all members
- ✓ seeking to negotiate with employer's policies and procedures that advance equality and do not lead to one group being disproportionately disadvantaged
- ✓ creating a supportive atmosphere at work and in the union in which all members feel that they can participate
- ✓ that their members opinions are valued and that it is safe to speak up when they suspect harassment or discrimination at work, without worrying about negative repercussions
- ✓ support other union representatives and advise on any equality matters that arise in collective bargaining with the employer.

\*Note that the Acas Code of Practice on time off for trade union duties and activities says that collective bargaining activities for which paid time off must be given does include equality and diversity.



The screenshot shows a navigation bar with five tabs: Advice, Dispute resolution, Training, Research and commentary, and About us. Below the navigation bar is a breadcrumb trail: Home > Acas Codes of Practice > Acas Code of Practice on time off for trade union duties and activities. The main content area features a teal background with the following text:

Code of Practice 3  
**Code of Practice on time off for trade union duties and activities including guidance on time off for union learning representatives**  
Published 1 January 2010

# Collective Bargaining around Equality

- Consult with colleagues on equality issues and gather information to support the development of an equality strategy
- Actively contribute to the creation of equality strategy for a Joint Union & Employer workplace equalities forum
- Monitor the implementation of and review local strategies and policies designed to promote equality.

# Unison Model Time Off and Facilities Agreement

If a branch is seeking time off for equality reps, insert a further section that can select from the possible clauses below, depending on how work may be divided with general union reps:

6. TIME OFF FOR EQUALITY REPRESENTATIVES Accredited Union Equality Representatives shall be entitled to take reasonable paid time off for the following purposes:

6.1 Carrying out duties that are concerned with any aspect of collective bargaining and representation of individual members in relation to equality and diversity matters;

6.2 Identifying, investigating and analysing matters relating to equality;

6.3 Making representations to the employer on equality matters;

6.4 Engaging in consultations with the employer on equality matters.



# Unite – Equality Reps

*“Equality is at the centre of our industrial strategy, and it is put firmly on the bargaining table. I understand the clear and urgent need for our union to action all Unite equalities policies to move forward.*

*Union Equality Reps by rule should be elected in every workplace and branch and play a very important role in building a strong campaigning union for all. We continue to call for collective statutory rights for all union equality reps who make a real difference in the workplace, the wider community, and in the union”.*

**Sharon Graham**

**Unite General Secretary**

**Unite The Union Rule Book**

Employers to consult with Union Equality Reps as a first step towards understanding the diverse needs of workers.”

(EHRC Employment Statutory Code of Practice)

- “When obtaining information on pay, a Union Equality Rep can assist in the process.” (EHRC Code of Practice on Equal Pay)
- “The next Labour government will ... give equalities reps statutory rights – so they have time to protect workers from discrimination.”
- The Labour Party Manifesto 2017 & 2019 And New Deal for Working people 2024
- “...Employers to consider the role of Union Equality Reps and needs for time off, facilities and training. Union Equality Reps can for example: promote diversity management, help ensure legal compliance, conduct audits, raise awareness and engage employers on equality issues...”
- (ACAS guide to Trade Union Representation in the Workplace)

# Equality Issues in your workplace - discussion

1. What are the issues in your workplace?
2. Discuss and make a note of the most common issues in your group
3. How many of the issues have an equality aspect?



# Equality in the workplace – other factors?

- Invisible/hidden' disabilities
- Women and in work poverty
- The menopause
- Workplace apprenticeships and gender balance
- Mental health
- Domestic abuse





# How many of the issues have an equality aspect?

- Invisible/hidden' disabilities  
Neurodiversity
- Women and in work poverty
- Menopause in the workplace
- Apprenticeships and gender balance
- Mental health & work related stress
- Blame culture
- Domestic abuse – is a trade union issue
- Shift Patterns
- Poor Training including health Safety and Welfare
- Temperature at work
- Rest breaks
- Staff shortages
- Pay and benefits

# Equality Law Legal terms

- In your groups, match as many of the cards as you can to their best definition.
- There may be more than one possibility and there are some rogue answers, your task is to select the best definition. (as it appears in the EA 2010)

# Next Steps

- Get copies of your employer's
- Equality and Diversity policy
- Dignity at work procedures sometimes called Bullying and Harassment procedures – there may be policy documents also.
- Ask a Trade Union Rep/Health and Safety/Union Learning Rep (ULR) for information from your Branch about training for Equality Reps from own Union or TUC National Education programme
- Check your Union and Employers Facilities Agreement for time off and Faculties and update to include Equality Reps paid time off for training and duties soon!

# Equalities Resources

- [Stream - Dashboard \(curatr3.com\)](https://curatr3.com)
- [TUC Anti-Racism Taskforce | TUC](#)
- [Stream - Reasonable adjustments passport - Reps' guide to reasonable adjustments passports - Reasonable adjustments passport \(curatr3.com\)](#)
- [Reasonable adjustments disability passports | TUC](#)
- [Autism Awareness in the Workplace FINAL.pdf \(tuc.org.uk\)](#)
- <https://www.tuc.org.uk/resource/equality>
- [Equality - Practical advice | TUC](#)
- [The menopause in the workplace - A toolkit for trade unionists Wales TUC Cymru | TUC](#)

## Equality Law

- [Layout 1 \(tuc.org.uk\)](#)
- [Layout 1 \(tuc.org.uk\)](#)



For all your contributions to  
the workshop.

**Thank you!**

The Role of  
The Equality Rep



# Thank You

