

Glasgow's Learning...

About Equalities

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Laws to protect against discrimination

Race discrimination

The law on race and race discrimination is well established. In particular:

- The Race Relations Act 1976 makes it illegal to discriminate against people because of their race - either directly or indirectly in employment, training and education, housing, public appointments, provision of goods, facilities and services.
- The Race Relations (Amendment) Act 2000 placed three main responsibilities on public authorities:
 - to eliminate unlawful racial discrimination
 - to promote equality of opportunity
 - to promote good relations between people of different racial groups.

Gender discrimination

There are a number of laws which protect people from discrimination on the basis of gender – either as service users or employees:

- The Sex Discrimination Act 1975 makes it unlawful to discriminate on the grounds of gender in employment, education and providing good, services and facilities.
- The Gender Recognition Act 2004 recognises the right of people to have full legal recognition of their true gender.
- The Equality Act 2006 also places a duty on public authorities to work to eliminate unlawful discrimination and harassment, and promote equality of opportunity. This means they have to gather information on how their work affects men and women, consult on their work, identify key priorities on gender; publish and report on a gender equality scheme.

Disability discrimination

The relevant law relating to disability, discrimination and community learning and development is set out in three main pieces of legislation:

- The Disability Discrimination Act (1995) and The Disability Discrimination Act (2005) place responsibilities on a range of organisations to protect individuals from being discriminated against in employment, education and management activities. They also protect people from discrimination in accessing goods, facilities and services. The 2005 Act places a duty on all public sector authorities to promote disability equality.
- In 2002, the Special Educational Needs and Disability Act 2001 was introduced. This Act requires schools, colleges, universities, adult education providers and youth services to take the same steps as other service providers in ensuring that they do not discriminate against disabled people and make reasonable adjustments to their services and premises.

Other equalities groups

The Equality Act (2006) prohibits discrimination in the provision of goods and services. The 'Employment Directive on Equal Treatment' means that - as a European Union member state - the UK must prohibit discrimination in work and vocational training on the grounds of age, sexual orientation, religion, belief and disability. This is especially relevant for any CLD provider who provides guidance, training or work experience aimed at helping people to go into work.

There are also a number of laws and amendments that have been introduced in the UK which outlaw discrimination against specific other equalities groups:

- Sexual orientation – the Civil Partnership Act 2004 means that same sex couples can form a legal civil partnership. The Equality Act (Sexual Orientation) Regulations 2007 came into effect from 30 April 2007. Since then it is unlawful to discriminate on the grounds of sexual orientation in the provision of goods, facilities and services; in the disposal and management of premises; in education and in the exercise of public functions.
- Faith and belief - The Race Relations Act makes it illegal to treat a person less favourably than others on racial grounds - meaning race, colour, nationality or ethnic or national origins. But there has been some confusion about how this legislation deals with faith. The Employment Equality (Religion and Belief) Regulations 2003 prohibit discrimination in employment and training.
- Age - The Employability (Age) Regulations 2006 came into effect in October 2006. It is now illegal to treat someone less favourably because of their age, without justification, in employment and vocational training.

[Click here to download the section on laws to protect against discrimination which you can print and save.](#)



Race Discrimination - Did you know...

White graduates are three times more likely to be offered a position by a top UK company – even though only 18% of 18 year old white students are working towards a qualification, as opposed to 32% of Black Caribbean and 44% of Black African students.

Source: DFES, 2002, Commission for Racial Equality, 2004



Gender Discrimination - Did you know . . . ?

During recent research, 49% of those interviewed said age was the most common reason for discrimination at work.

Source: Survey conducted by GfKNOP for Equality and Human Rights Commission



Gender Discrimination - Did you know . . . ?

The average hourly rate earned by women is still only 87.4% that of men.

Source: What is the pay gap..., 2006, Women and Equality Unit, January 2007



Disability Discrimination - Did you know . . . ?

There is an estimated one million disabled adults likely to be covered by the Disability Discrimination Act in Scotland (this is about one in five people).

One in five disabled Scots have reported harassment because of their disability.

Source: Disability Rights Commission, Disability in Scotland, 2004, Facts and Figures



Other Equalities Groups - Did you know . . . ?

An estimated 5 to 7% of the population is lesbian, gay or bisexual. This means one in every 15 potential service users.

Source: Stonewall FAQs (see [stonewall website](#))



Pause for thought . . . ?

Could my organisation be discriminating against certain people – without knowing it?

Do you think you help the people you work with understand enough about the law and how it applies to them?

The Find out more box below offers further information sources that will guide you on this subject.



Find out more...

You can find out more about the laws that protect people against discrimination from the [Same Difference?](#) resource. This resource also provides information sources and guidance documents to help you understand your responsibilities under the law.

Further information about the law in the UK is available on the Equality and Human Rights Commission [website](#).

[Section 2.5](#) also provides further information on the Equality Act.

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