

EMPLOYMENT ESSENTIALS EXPLAINED

# Welcome

## Employment essentials explained

Diversity and Inclusion

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# Meet the team

Connect with your hosts on LinkedIn by scanning the relevant QR code below.



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# Protected Characteristics

The Equality Act 2010:

Age

Disability

Gender reassignment

Marriage and civil partnership

Pregnancy and maternity

Race

Religion or belief

Sex

Sexual orientation

# Types of Discrimination

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Instructing, causing, inducing and helping discrimination

# How has the pandemic changed things for women and those with disabilities in the workplace?

## Women

- Sector specific damage
- Future impact for women
- Domestic work

# How has the pandemic changed things for women and those with disabilities in the workplace?

## Disabled Employees

- Vulnerable to job losses
- Barriers to new employment
- Disruption to processes
- Long COVID

# How has the pandemic changed things for different age groups and those from ethnic minorities?

## Different Age Groups

- Younger groups most affected:
  - Larger numbers on furlough scheme
  - Predominantly work in sectors most affected
  - Fall in graduate job / apprenticeships
  - Lower salaries predicted

# How has the pandemic changed things for different age groups and those from ethnic minorities?

## Ethnic Minorities

- More vulnerable to job losses
- Increased exposure to COVID-19



# Practical Steps

- Flexibility
- Networking, mentorship/sponsorship
- Work experience/training
- Open conversation
- Consistency across hierarchy
- Unconscious bias

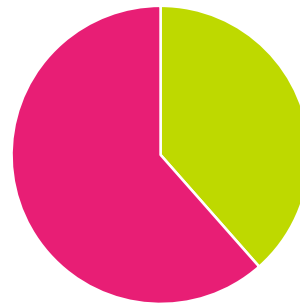
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# Poll time!

Have you had to deal with a clash of protected characteristics in the workplace?

# Poll result

Have you had to deal with a clash of protected characteristics in the workplace?



■ Yes    ■ No

# What are common stumbling blocks for employers handling diversity and inclusion in the workplace?

Statutory defence (S109(4) Equality Act) exists where the employer can show it took all reasonable steps to prevent the discriminatory act from occurring.

BUT in *Allay (UK) Ltd v Gehlen (UKEAT)* – the employer fell down on ‘stale’ training.



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# Poll time!

What is the biggest challenge facing your D&I team?

# Poll result

What is the biggest challenge facing your organisation in terms of D&I?



- Lack of data
- Lack of engagement
- Workplace culture
- Lack of resource
- Knowing what to prioritise

# What should employers do when two or more protected characteristics clash at work?

## The Equality Act 2010

### Section 7 Gender reassignment

(1) A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

### Section 10 Religion or belief

- (1) Religion means any religion and a reference to religion includes a reference to a lack of religion.
- (2) Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

### Section 12 Sexual orientation

(1) Sexual orientation means a person's sexual orientation towards; (a) persons of the same sex, (b) persons of the opposite sex, or (c) persons of either sex.

# What should employers do when two or more protected characteristics clash at work?

*Maya Forstater v (1) CDG Europe (2) Center for Global Development and (3) Masood Ahmed*

a recent example of a clash between the protected characteristic of philosophical belief and gender reassignment which made the national press when the EAT decision was published last week.



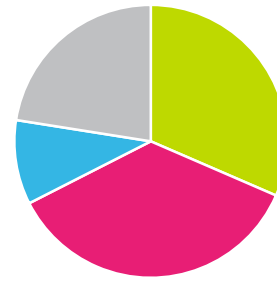
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# Poll time!

What is your organisation doing to promote diversity and inclusion?

# Poll result

What is your organisation doing to support D&I in the workplace?



■ Employee networks

■ Training

■ Staff survey

■ Nothing specific

# What positive steps can employers take to progress diversity and inclusion at work?

## Positive Steps

- Stop aggregating all minorities
- Mix up your teams
- Supplier credentials
- Ethnicity pay gap reporting
- Challenges with collecting data
- Mental health
- Cognitive load

# What positive steps can employers take to progress diversity and inclusion at work?

## Recruitment Initiatives

- CV blind
- Biases
- Change the race ratio campaign

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