

## FURTHER INFORMATION AND SUPPORT

ACAS (Advisory, Conciliation and Arbitration Service) provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. On their website there are guides on equality and discrimination [www.acas.org.uk](http://www.acas.org.uk)

The Equality and Human Rights Commission have produced a series of guides covering different aspects of the Equality Act including third party harassment, which is tailored to meet the specific needs of small and medium sized businesses.  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Legal information in this leaflet is provided for guidance only and should not be regarded as an authoritative statement of the law.

# GOOD PRACTICE GUIDE

[www.bedford.ac.uk](http://www.bedford.ac.uk)  
01234 291000



MORE CHOICES  
OPPORTUNITIES  
EXPERIENCES

## Equality and Diversity in the Workplace

Bedford College, Cauldwell Street, Bedford MK42 9AH



**Bedford College welcomes the diversity of our learners. Whether studying on our campuses or in the workplace, all our learners are entitled to develop their skills and knowledge in a supportive environment free from discrimination, victimisation, bullying and harassment.**

## LEGISLATION

All employers and service providers have a responsibility under the Equality Act 2010 to treat their employees and service users fairly. There are nine 'protected characteristics' which is a term that refers to aspects of our identity that are protected by law from discrimination, harassment and victimisation:

- Age
- Disability
- Ethnic origin
- Gender
- Gender reassignment
- Marriage or civil partnership
- Pregnancy or maternity
- Religion or belief
- Sexual orientation

There is also protection against discrimination where someone is perceived to have one of the protected characteristics or where they are associated with someone who has a protected characteristic.

Remember - we all belong to more than one of these groups!

## HARASSMENT AND BULLYING

Definitions of harassment and bullying vary and there is much overlap. Both are unacceptable and if left unchecked or badly handled can create serious problems for an employer. Examples of harassment and bullying can include:

- Unwelcome physical contact
- Cyber bullying
- Offensive comments regarding any of the protected characteristics
- Non-verbal abuse such as wolf whistling, signs and gestures
- Incitement of others to behave in an offensive or oppressive manner
- Provocative behaviour such as wearing racist badges or insignia
- Distributing offensive or discriminatory materials such as leaflets, videos and emails
- Displaying images that can humiliate or demean groups of people
- Being deliberately left out and excluded

The Equality Act also makes employers potentially liable for harassment of their employees by people who are not employees of the company such as customers or clients (third parties).

## WHAT CAN EMPLOYERS DO?

- Take prompt action to stop harassment or bullying as soon as it is identified.
- Ensure that offensive comments are not dismissed as banter.
- Investigate when complaints are made and keep a record of any action taken.
- Use your judgement to correct behaviour that could be considered offensive and remind employees and learners of company policy on these matters. For an example of Equality and Diversity Policy which an employer can adapt to meet their needs please visit: [www.acas.org.uk](http://www.acas.org.uk)
- If applicable, be prepared to take reasonable steps to ensure the working environment is accessible to all employees and learners, for example toilets, changing facilities and eating areas can be used by everyone.

## BUSINESS CASE FOR ENCOURAGING EQUALITY AND PREVENTING DISCRIMINATION

- Having greater awareness and understanding of the different protected characteristics, alongside tackling discrimination, can help to reduce the chance of complaints, disciplinary action or an employment tribunal claim - and avoid the costs and disruption to the company.
- Improve team spirit - an employee or groups of employees who are being discriminated against are likely to be unhappy, less productive and demotivated, and this can have a negative impact on all employees.
- If employees who have been discriminated against feel undervalued or 'forced out' and leave, the company will run up the costs of recruiting, training and settling in new staff, and its reputation as both a business and employer may be damaged.
- Having employees from a wide range of backgrounds and skills can help develop a working environment producing ideas and solutions that might not come from a less diverse group. A diverse workforce can also help a company better understand and meet diverse customer expectations.

