

University of St Andrews: Human Resources – Equality & Diversity Inclusion

EIA Toolkit: Equality Legislation Table

Overview of the main piece UK equality legislation – the [Single Equality Act](#):

- Became an Act in April 2010, provisions came into force on 1 October 2010.
- Simplifies the interpretation and understanding of 116 pieces of equality laws.
- Makes it easier for employees and services users to bring cases of discrimination.
- Extends the current enforcement powers of employment tribunals.
- Chapter 2 of the Act relates to Higher Education provision.

Refer to the '[EIA Toolkit: Examples of Impact Table](#)' (Appendix 7) for an understanding of how 'protected characteristics' of the Single Equality Act impact EIAs.

The Single Equality Act, page 234, explains that the following equality legislation has been consolidated into the one Single Equality Act:

UK Legislation incorporated into the Single Equality Act	Brief Description
Age	
Employment Equality (Age) Regulation 2006	Protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.
Disability	
Disability Discrimination Act (DDA) 1995	Outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.
Disability Discrimination Amendment Act 2005	Introduces a positive duty on public bodies (including universities) to promote equality for disabled people and being inclusive of the SENDA.
Special Educational Needs and Disability (SENDA) Act 2001	It is unlawful to discriminate against students with a disability. Governing Bodies of Institutions could be held legally liable for any failures to abide by the Act. Individuals could also face litigation. The Act places an anticipatory duty on the University which means that it is not acceptable to wait until a disabled person applies to a course or tries to use a service before thinking about what reasonable adjustments should be made.
Gender	
Equal Pay Act 1970 (Amended)	This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value.
Employment Equality (Sex Discrimination) Regulations 2005	Introduces new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

Equality Act 2006 (Gender)	Introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination.
Employment Equality (Religion or Belief) Regulation 2003	The directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions.
Gender Recognition Act 2004	The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.
Sex Discrimination Act 1975	The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs.
Sex Discrimination (Gender Reassignment) Regulations 1999	The Act seeks to prevent sex discrimination relating to gender reassignment. It clarified the law for transsexual people in relation to equal pay and treatment in employment and training.
Race	
Race Relations Act 1976	The Act prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises.
Race Relations Amendment Act 2000	Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.
Race Relations Act 1976 (Amendment) Regulation 2003	Introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.
Racial and Religious Hatred Act 2006	The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.
Religion or Belief	
Equality in Employment Regulations (Religion or Belief) 2003	Unlawful to discriminate on the grounds of religion or belief, directly or indirectly; or to harass or victimise somebody because they have made a complaint or intend to, or if they give or intend to give evidence to a complaint of discrimination. Applying to all aspects of employment (recruitment, terms and conditions, promotions, transfers, terminations and training) and vocational training.
Racial and Religious Hatred Act 2006	The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.

Equality Act 2006 (Religion or Belief)	Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services.
Sexual Orientation	
Civil Partnerships Act 2004	Provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.
Employment Equality (Sexual Orientation) Regulation 2003	The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions. An employee does not have to be of that perceived sexual orientation to prove harassment has occurred, or to bring a complaint to an employment tribunal. Any employee who has found the conduct of other employees towards them has created an intimidating, hostile, degrading, humiliating or offensive environment, irrespective of the individual's personal sexual orientation, is entitled to bring a harassment claim.
Equality Act (Sexual Orientation) Regulations 2007	It is unlawful to fail to provide goods, facilities or services, or to provide them on less favourable terms on grounds of sexual orientation.
Social Inclusion	
Carers (Equal Opportunities) Act 2004	Giving legal rights and protections for carers at work.
Employment Relations Act 1999	Giving employees the right to take (unpaid) time off work for dependants in cases of emergency.
Work and Families Act 2006	The Work and Families Act set out the right of parents of children under six (or 18 if the child is disabled) to request flexible working. Employees who have worked for their employer for at least 26 weeks can apply to make a permanent change to their terms and conditions.
Cross Strand	
Equality Act 2006	Establishes a single Commission for Equality & Human Rights by 2007 that replaces equality commissions. Read sections on: Gender; Religion or Belief; and Sexual Orientation.
EU Anti-discrimination Directive	Equal treatment between persons irrespective of racial or ethnic origin; equal treatment in employment and occupation; equal treatment between men and women in the access to and supply of goods and services; equal opportunities and equal treatment of men and women in matters of employment and occupation.
EU Anti-discrimination Bill 2008 (EU Anti-discrimination Directive 2012)	On 2 July 2008 the European Commission issued a draft directive on anti-discrimination. Prohibits discrimination on grounds of religion, belief, disability, age or sexual orientation in areas outside employment.