

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix A

1. The Equality Legislative Framework

- 1.1 The Single Equality Scheme covers the University's current legal duties under
 - The Race Relations (Amendment) Act (2000)
 - The Disability Discrimination Act (2005)
 - The Gender Equality Act (2006)
- 1.2 These Acts impose positive “general” duties on all public bodies to promote race, disability and gender equality in all aspects of service and employment. There are also “specific” duties in relation to Higher Education. The duties require us to work to promote equality and eliminate discrimination in all our activities.
- 1.3 Although there are common themes (outlined below), the legislation has been passed at different times and there are subtle differences in the requirements. All of the differences and commonalities need to be taken into account when we develop our equality schemes to ensure equality of opportunity.

2. Race Relations (Amendment) Act 2000

- 2.1 The original Race Relations Act (1976) outlawed discrimination on the grounds of race, colour, nationality and ethnic or national origins and covers employment, education, and the provision of facilities or services. The RR (A) A amends this legislation and requires us to take a more proactive approach to:
 - eliminate unlawful racial discrimination
 - promote equality of opportunity
 - promote good race relations between people of different racial groups
- 2.2 In addition Higher Education Institutes have **Specific duties**. These are:
 - prepare a written policy on race equality
 - assess the impact of our policies on students and staff
 - monitor the recruitment and progress of students and staff

- set out arrangements for publishing the results of monitoring

3. Disability Discrimination Act (2005) (DDA)

3.1 **Under the Disability Discrimination Act 2005**, public authorities have a **general duty** to:

- Promote equality of opportunity between disabled people and other people.
- Eliminate discrimination that is unlawful under the Act.
- Eliminate harassment of disabled people that is related to their disabilities.
- Promote positive attitudes towards disabled people.
- Encourage participation by disabled people in public life.
- Take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

3.2 Higher Education Institutes have **specific duties**. These are:

- The active involvement of disabled students and staff in the development,
- agreement and implementation of the action plan. This should be "effective and influential".
- Robust methodology to assess the impact of current and proposed activities to improve provision for disabled students, staff and visitors
- To publish the results of monitoring, assessment and reviews (including an annual review).

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix A

4. Under the Gender Equality Act 2006, public authorities have a **general duty** to:

- Eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act, Gender Reassignment Regulations 1999/2008, and unlawful discrimination under the Equal Pay Act 1970

- Promote equality between men and women

- Higher Education Institutes have specific duties to:
 - Produce a gender equality scheme setting out how the general and specific duties will be fulfilled and setting out gender equality objectives
 - Consider the need to include objectives to address the causes of any gender pay gap
 - Gather and use information on how policies and practices affect gender equality in the workforce and the delivery of services
 - Consult stakeholders and take account of relevant information
 - Implement the actions set out in the scheme
 - To publish the results of monitoring, assessment and reviews (including an annual review).

5. **Summary of requirements - Race, Disability and Gender legislation**

- 5.1 As can be seen from the above outline of the legislation regarding Race, Disability and Gender, there are common themes to the requirements they place on the University. These are:
- eliminating unlawful discrimination/harassment
 - promoting equality of opportunity

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix A

- preparing a written policy or scheme on how we will address the aims above
- assessing the impact of our policies, practices and procedures on different groups and publishing results
- monitoring the recruitment and progress of students and staff and publishing results
- reviewing and revising policies and/or schemes and action plans once every three years

5.2 The additional HEI specific requirements for Race, Disability and Gender are summarised in the table below:

Race	Disability	Gender
Promote good relations between persons of different racial groups	Promote positive attitudes towards disabled persons Encourage participation by disabled persons in public life Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons	Consider the need to have objectives to address the causes of any gender pay gap

6. Gender Reassignment, Religion or Belief, Sexual Orientation and Age

6.1 Our Single Equality and Diversity Scheme will also encompass these strands which are covered by the following legislation:

- Employment Equality (Gender Reassignment Regulations) 1999/2007
- Employment Equality (Sexual Orientation) Regulations 2003/7

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix A

- Employment Equality (Religion or Belief) Regulations 2003/7
- Employment Equality (Age) Regulations 2006

6.2 Although this legislation does not yet have positive duties to promote equality, the new Equality Act will extend the legislation to cover this from October 2010. The Act will bring together equality strands in one harmonised, modernised and simplified piece of legislation. It proposes to “replace the race, disability and gender equality duties with a single duty on public authorities to promote race, disability and gender equality” and also to consider “whether a single public sector equality duty should be extended to cover age, sexual orientation, and/or religion or belief”. The University must ensure that its policies and employment practices do not discriminate on these grounds.