



Sample

MANAGING RACE
EQUALITY IN THE
WORKPLACE

About this document

This document provides employers and employees with information and insights about racism in society, how racism develops, and the impact of racism on an organisation, its staff, service users, customers and clients.

It contains a range of comprehensive practical actions and approaches to managing race equality in the workplace, to create a fair and inclusive environment for everyone.

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Race Discrimination: an overview

Race discrimination is when you are treated differently because of your race in one of the situations covered by the Equality Act. The treatment could be a one-off action or as a result of a rule or policy based on race. It doesn't have to be intentional to be unlawful. There are some circumstances when being treated differently due to race is lawful, explained below

What the Equality Act says about race discrimination

The Equality Act 2010 says you must not be discriminated against because of your race.

In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport. Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies and Irish Travellers.

You may be discriminated against because of one or more aspects of your race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.

Ref: www.equalityhumanrights.com

Different types of race discrimination

There are four main types of race discrimination.

Direct discrimination

This happens when someone treats you worse than another person in a similar situation because of your race.

Indirect discrimination

This happens when an organisation has a policy or way of working that puts people of your racial group at a disadvantage.

Sometimes indirect race discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the discrimination. This is known as objective justification.

Harassment

Harassment occurs when someone makes you feel humiliated, offended or degraded.

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Victimisation

This is when you are treated badly because you have made a complaint of race related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of race related discrimination.

A difference in treatment may be lawful in employment situations if:

- belonging to a race is essential for the job. This is called an occupational requirement. For example, an organisation wants to recruit a support worker for a domestic violence advice service for South Asian women. The organisation can say that it only wants to employ someone with South Asian origins
- an organisation is taking positive action to encourage or develop people in a racial group that is under-represented or disadvantaged in a role or activity. For example, a broadcaster gets hardly any applicants for its graduate recruitment programme from Black Caribbean candidates. It sets up a work experience and mentoring programme for Black Caribbean students to encourage them into the industry