Racism and other forms of discrimination can exist at individual prejudiced level but also at an institutional level.


IF provider of services treats someone less favourably for a reason relating to their personal characteristic, that cannot be justified under the Act = DISCRIMINATION.

9 key Areas: age/ disability/ gender reassignment/ marriage and civil partnership/ pregnancy and maternity/ race/ religion or belief/ sex/ sexual orientation.

Dismissal on grounds of pregnancy is illegal.

Forms of discrimination:

*Direct discrimination* - employer/service provider treats someone less favourably than he would do others.
  e.g. denying training opportunities for a woman because she is pregnant.

*Indirect discrimination* - conditions discriminate in a way that is unjustifiable and detrimental to a group because a considerably smaller proportion of that group will be able to comply with that condition. Sometimes called ‘disproportionate impact’.
  e.g. redundancy criteria to select part time workers first, aware a majority of part time staff are women, or upper age limits for particular job vacancies.

*Dual discrimination* - e.g. black and woman OR gay and disabled. Individual fits 2 characteristics.

*Discrimination by association*

*Discrimination by perception*

*Harassment* - unwanted contact, unwanted verbal, non-verbal or physical contact of sexual nature, violating dignity or creating hostile or offensive environment.

*Victimisation*

Permitted discrimination: exception under Race Relations Act 1976. E.g. employment of Chinese person as waiter in Chinese restaurant. OR Asian staff working in a care home which predominantly cares for Asian people whose first language is not English.

Public bodies exercising their functions must have regard to the need to eliminate discrimination and harassment. Public equality duty.