

Preventing discrimination

1 . Advice for employers

By law (Equality Act 2010), all employers must take steps to prevent discrimination.

You should:

- understand [what the law says about discrimination](#), and your rights and responsibilities
- recognise the benefits of an inclusive and diverse workforce
- put policies and procedures in place and keep them up to date
- inform and train your staff and managers
- create ways for staff to be heard
- make it clear how staff can complain if discrimination happens

Taking positive steps to prevent discrimination can:

- reduce the chance of employment tribunal claims and reputational damage
- make people happier and more productive at work

If you're a small organisation with limited resources, there's still a lot you can do to prevent discrimination. Making your organisation more inclusive does not have to be costly or complicated.

Public sector organisations have an extra legal responsibility to stop discrimination, under the [public sector equality duty](#).

Improve equality, diversity and inclusion

Discrimination is less likely to happen in an organisation that recognises the benefits of an inclusive and diverse workforce. For example, employing a range of people from different backgrounds.

[Find out more about improving equality, diversity and inclusion](#)

Put policies and procedures in place

You must follow a full and fair procedure for handling discrimination complaints, in line with the [Acas Code of Practice on disciplinary and grievance procedures](#).

You might want to develop specific policies for your organisation, for example:

- a bullying, discrimination and harassment policy – including how you will handle complaints
- an equality, diversity and inclusion policy

If you create a specific equality, diversity and inclusion policy

If you decide to create a specific equality, diversity and inclusion policy, you should do this in consultation with either:

- a recognised trade union
- other employee representatives, if you do not recognise a trade union

[Find out more about creating an equality, diversity and inclusion policy](#)

Make sure other policies are in line

It's important that all your policies match up. You should check all relevant policies to make sure they do not discriminate against anyone. This includes any policies you have on:

- absence
- data protection
- dress code
- flexible working
- recruitment
- social media
- training and development
- working hours

For example:

- if you have a social media policy, make it clear that people must not discriminate in any activity connected to their work
- if you have a dress code, make sure it's flexible enough to accommodate any needs related to protected characteristics (for example race, religion, sex, gender reassignment)

Inform and train staff

You should make it clear to staff what behaviour is acceptable and that they must not discriminate against anyone at work. Doing this helps to:

- create a fairer and more inclusive workplace
- reduce the risk of 'vicarious liability' – this is when an employer could be held responsible if one of their employees discriminates against someone

You should also train line managers and supervisors to recognise and address discrimination. They should role-model inclusive and non-discriminatory behaviours. Line managers and supervisors can have a lot of influence over how people in their teams behave.

Actions you can take include:

- making sure all staff know where to find relevant policies
- reminding staff of their responsibility not to discriminate against others
- training your staff to recognise and understand discrimination
- training your managers to deal with discrimination complaints
- providing regular equality and diversity training

Acas training for employers and managers includes:

- [training on dealing with unacceptable behaviours at work](#)
- [equality, diversity and inclusion training](#)

- [free online training](#) – including discrimination and equality, diversity and inclusion

Consider mentoring

You could consider mentoring schemes. For example:

- a scheme to support disabled staff to progress in their career
- a 'reverse mentoring' scheme where more junior ethnic minority staff share their experiences and ideas with senior staff

You could use a mentoring scheme to take [positive action](#), for example to support people to progress in their career. You must be able to prove this action is needed to help a disadvantaged or under-represented group.

Create ways for staff to be heard

This can include setting up formal groups for people to share experiences, raise concerns and support each other. For example a:

- disability network
- LGBT+ network
- race equality network
- women's network

You could also appoint 'champions' to speak up for under-represented groups and flag issues that need addressing at a higher level.

Make sure you support these groups or roles once they're set up. This includes:

- giving people the time to be involved
- actively listening to concerns raised
- taking steps to resolve issues

Evaluate and measure change

You should regularly check if policies and procedures for preventing discrimination and handling complaints are working or if they need to change.

You should also regularly evaluate other steps you've taken. How you do this will depend on what you've done and any issues you were trying to address.

For example, you could:

- [check the diversity of your staff](#)
- do anonymous staff surveys
- see if staff turnover is higher among some groups than others
- do an analysis of roles and pay grades to see if staff from all groups are represented and paid fairly
- consult with your trade union, if there is one
- see if complaints about discrimination decrease

If discrimination complaints increase

When you first take steps to tackle discrimination, it can sometimes lead to more discrimination complaints.

This does not mean more discrimination is happening, only that it's being talked about. If employees see you taking discrimination more seriously, they might have more confidence to raise concerns.

This can be an opportunity for you to deal with problems that were not dealt with before.

Get more advice and support

[Find out more about discrimination and the Equality Act 2010](#)

If you need help to deal with any challenges in your organisation, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)

2. Public sector equality duty

The public sector equality duty (PSED) is a legal duty under the Equality Act 2010 for anyone who:

- works in the public sector
- does work on behalf of the public sector

What public sector employers must do

Under the duty, you must consider how you could:

- stop discrimination for staff, customers and other users of your services
- help support equality and equal opportunities in the day-to-day running of your organisation
- help make good relations by tackling prejudice and promoting understanding of all protected characteristics

The duty helps ensure public bodies consider the needs of everyone in their day-to-day work, including:

- their employees
- when shaping policies
- when delivering services

Find out more

You can find the full list of employers who must follow the public sector equality duty in [Schedule 19 of the Equality Act 2010 on GOV.UK](#).

As well as the overall public sector duties, there are also specific duties that apply in England, Scotland and Wales.

[Find out more about the public sector equality duty from the Equality and Human Rights Commission](#)

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