

Introduction to Equalities online version

Tutors' notes

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Introduction

This is the new reps training course for 2021. It has been developed from previously run sessions for the Energy Sector and incorporated with a few elements of our reps training to allow the reps to embed the learning and have a plan of action on completing the course. Further EDI training may be developed in the future on campaign training or specific areas of equalities where there is an appetite for more learning from reps. This introductory course is to be run online over 3-hour long sessions using zoom or some other video conferencing service.

The course is split into three parts (as one long session but with two short breaks) The activities are to complete as a group (up to 8 delegates) with the PowerPoint presentation cut down to a minimum with the tutor sharing the screen.

How these notes work

There are 5 core resources associated with the course:

1. The PowerPoint presentation, which includes visual aids, but also maintains the structure/order of the course
2. The participants workbook, which covers slides, action plan, useful links
3. Jamboard. Another approach to sharing and engaging with the reps. This exercise is approached early in the session to help to break the ice with the group and ascertain learning so far.
4. Polls – used in this training as a quiz/assessment of learning. (Note: Zoom meeting templates with all the course polls pre-added, are available on both the Research and Education Zoom accounts).
5. The tutor's notes which explain the activities, suggest discussion-prompts, give (loose) timings, and 'index' the other resources, tying the whole thing together.

(As tutors who've committed to delivering this course, we would suggest a small amount of preparation time ahead of the course to ensure you're familiar with the session, activities and tutor instruction.)

Tutor Notes/Course Structure

Session	Slide no/WB page	Notes	Resources
Before the course	N/A	<p>Tutor to ensure you have joined online zoom meeting slightly earlier than the start time; Have the following opened up on the computer:</p> <ul style="list-style-type: none"> • Set up Google Jamboard for first exercise • Set up Zoom polls/quiz (see separate sheet for Test Your Knowledge quiz Q&A) • Ensure participants have course pack in advance of course 	Google Jamboard Quiz (Q&A) Sheet
Course Outline. 9.30 – 9.40		<ul style="list-style-type: none"> • You may need to help people with technical issues such as sound. • Run through the zoom basics – microphone – mute etc, video – off if necessary, reactions when showing the power point, chat box for anything private or sharing, change name function, raise hand function. Polls • Add if zooms crashes or issues with connectivity, tutor will join asap – please ask delegates to work on the activity/next activity/etc. • Interactive course and reps are encouraged to discuss, raise items and participate in the sessions 	Zoom Top ten tip for zoom (already sent ahead of the course.)
Introductions and objectives	No Slide / refer to pg 3	<ul style="list-style-type: none"> • Tutor should go first (keep very brief in the hope everyone else will too!) • Added in how long they've been a rep as this should guide the tutor in terms of reference to the pitch of the sessions • Introductions should be quick, giving most of the time to a bit of social interaction • Write down answers to what they want to get from the course. This can be referred to during the day but also covered by next steps, further courses perhaps. The most important point is that these are the outcomes of the delegates and to recap over them at the end of the 3 sessions to ensure they've been met wherever possible. 	Workbooks Tutor, Pen & paper to make notes, or use whiteboard and save to send at the end of the session.
	Slides 2-4/pg. 3	<ul style="list-style-type: none"> • Outline structure of the course and Key learning outcome 	

	& 10-12	<p>(refer to any the participants have mentioned in their outcomes.)</p> <ul style="list-style-type: none"> • Talk through language /terminology use; <u>key point</u> here is not to let a fear of saying the wrong thing be a barrier to getting active • Note different terminology on race/ethnicity – no real consensus on best practice (though BAME increasingly unpopular); mention the glossary in the workbook • Pronouns – all pronouns are valid, remind people they can share their preferred pronouns by changing screen name if they want to 	PowerPoint & Course page terminology page.
<p>Part 1 Discrimination & Inequality in UK workplaces.</p> <p>40 mins for whole section 9.40 – 10.20</p>	<p>Slide 5</p> <p>Slides 6 & 7</p>	<ul style="list-style-type: none"> • Purpose of this section: highlight some of the key EDI issues in UK workplaces, and get the participants thinking and talking about inequality and discrimination • Quote from McGregor-Smith review to help frame rest of this section • Group Google Jamboard exercise: what does an inclusive workplace look like? Participants to use post-it notes to share ideas/thoughts on key features of an inclusive workplace (10 minutes) Tutor to explore some of the points that are raised and sum up exercise 	Whiteboard on Google Jamboard
	Slide 8	<p>Systemic equality issues in recruitment & retention</p> <ul style="list-style-type: none"> • First chart: researchers sent out multiple identical applications for various jobs, varied only by ethnicity of applicant, chart shows proportion of ‘candidates’ who were short-listed by ethnicity • Second chart: data from Institute for Employment Studies, shows how women, ethnic minorities much more likely to leave engineering careers 	
	Slide 9	<p>Pay inequality is still a huge issue</p> <ul style="list-style-type: none"> • First chart: latest ethnicity pay gap data from ONS; note that figures show adjusted pay gaps, so after differences in geography (people of colour heavily concentrated in London for example), occupation, education etc. have been accounted for. • Second graphic: Prospect win for member at energy company UK Power Networks in equal pay case – a member, Amy Arnold was being paid substantially less than 	

		<p>male graduate trainees, who were doing the same work as her; a man who was less qualified and less experienced was given the job that she had applied for.</p> <p>The case was won at tribunal (further details on Prospect website Prospect wins discrimination case against UK Power Networks)</p>	
	Slide 10	<p>Progression and the 'glass ceiling'</p> <ul style="list-style-type: none"> • First graphic: news story on how BAME civil servants face discrimination in promotions in the Civil Service • Second chart: women under-represented among top earners in engineering, over-represented among lowest earners, indicative of glass ceiling effect where women struggle to reach top of profession 	Updated figures
	Slide 11	<p>Prospect members' experiences of bullying and harassment</p> <ul style="list-style-type: none"> • First graphic: from Prospect 2018 Workplace behaviours survey, members' experiences of unwanted behaviours at work • Second chart: selected results from the Prospect BAME members survey in 2018 	Comparisons.
	Slide 12	<p>Intersectionality</p> <ul style="list-style-type: none"> • Not intended to be comprehensive discussion, just introduce the issue • People often have multiple protected characteristics, and intersectionality is about being aware of how these can interact/intersect with one another – chart shows example of how race and gender intersect in employment insecurity • Relates to point about not assuming all people sharing the same characteristic (e.g. people belonging to the same ethnic group) have the same experiences/views 	
10.20 -10.35am	Slide 13	Group discussion (15 mins)	Feed into action plan – how this may be

		<ul style="list-style-type: none"> • Answers in chat: what is the biggest EDI issue in your workplace? • Discussion of people's answers 	tackled? Who can help?
10.35 – 10.45am	Slide 14	<ul style="list-style-type: none"> • Break 10 mins 	
Part 2 Equalities Legislation & obligations on employers. (50 mins for whole session) 10.45 -11.35am. (10.45 – 11am)	Slide 15	<ul style="list-style-type: none"> • Purpose of section: provide a brief overview of equalities legislation, including EA 2010, PSED, and Equality and Human Rights Commission (EHRC) recommended good practice; isn't intended to be a comprehensive treatment of equalities law, just an introduction to key obligations on employers. • Trainer presentation: equalities law (15 minutes) 	
	Slide 16	<ul style="list-style-type: none"> • EA 2010: major piece of equalities law, consolidates and extends previous legislation • The Equality and Human Rights Commission (EHRC) is enforcement body, but is under-resourced – roughly 80% real terms cut to funding since 2008 • Defines 9 protected characteristics; prohibits discrimination, harassment or victimisation of people with those characteristics (with some very limited exceptions) • Protections extend to businesses of any size, and to workers regardless of employment length; 'employment' defined fairly broadly (most Prospect/BECTU members covered) 	
	Slide 17	<p>Obligations on employers</p> <ul style="list-style-type: none"> • Direct discrimination: discriminating against someone specifically because of a protected characteristic they hold ('but for' the fact they hold that characteristic, they wouldn't have been discriminating against) 	

		<ul style="list-style-type: none"> • Indirect discrimination: where an apparently neutral policy or practice has the effect of disproportionately disadvantaging people with protected characteristics (e.g. a company pays higher bonuses to people who work more unsocial hours – may be indirectly discriminatory to women who are more likely to have caring responsibilities) • Indirect discrimination does not occur if an employer can show ‘objective justification’ for the discrimination – essentially a legitimate reason for the discrimination that is not related to protected characteristic (e.g. skills shortages lead some men to be paid more, might be objectively justifiable); must be a <u>proportionate means of achieving a legitimate aim</u> • Generally, need a comparator who doesn’t hold protected characteristic to compare treatment with 	
	Slide 18	<p>Obligations on employers (II)</p> <ul style="list-style-type: none"> • Harassment: defined as where a worker is subjected to unwanted behaviour which is humiliating, degrading, intimidating and violates their dignity • Three types of harassment: harassment related to a protected characteristic (‘related to’ is defined fairly broadly – e.g. could include situations where worker is perceived to hold characteristic (like sexual orientation), even if they don’t); sexual harassment; and less favourable treatment for rejecting or submitting to unwanted conduct • Victimisation: where a worker is penalised for doing something protected by the Act (e.g. reporting harassment, or supporting someone else to report) 	
	Slide 19	<p>Obligations on employers (III)</p> <ul style="list-style-type: none"> • Protections cover job applicants, employees & former employees • Employers are also responsible for unlawful behaviour of staff (e.g. sexual harassment) unless they can show they took “<u>all reasonable steps</u>” to prevent it; having an equality policy is, by itself, unlikely to be sufficient • EHRC recommended best practice (covered later in the presentation) is a good guide to what “all reasonable steps” might mean 	

Slide 20	<ul style="list-style-type: none"> • Important to point out that although you can register with your local council as disabled in order to receive certain benefits/discounts/etc, there's no longer a way to 'register as disabled' (i.e. there's no national register or similar). There used to be, but there isn't any more. There is for blind/visually impaired folks. If it means 'registering' (e.g. making them aware) with an employer. <p>Protections for workers with disabilities</p> <ul style="list-style-type: none"> • Discrimination arising from disability: this is distinct from direct or indirect discrimination against workers with disabilities, relates to situations where a worker with a disability is discriminated against because of something connected to their disability – e.g. they are penalised for taking a lot of sick leave, but the sick leave arises from the disability • Reasonable adjustments: employers have a duty to remove obstacles to workers with disabilities participation in the workplace – e.g. by amending policies, removing physical barriers, providing assistance/aids; even if cost involved, provided it is reasonable in the circumstances • Resonabl 	
Slide 21	<p>Public Sector Equality Duty</p> <ul style="list-style-type: none"> • PSED: outline of key features of the Duty; relatively weak, with limited enforcement in practice, but a potential tool for activists to use • Some successes in using PSED to challenge behaviour of public authorities (e.g. challenging council development plans) • Many Prospect/BECTU members will be working for orgs. covered by the PSED 	
Slide 22	<p>Discrimination in pay</p> <ul style="list-style-type: none"> • Equal Pay: equal pay for equal work, where equal work is defined as like work (basically the same or very similar work); work rated as equivalent (i.e. in a formal, robust job evaluation exercise); work of equal value (work that is potentially very different but requires similar levels of skill/knowledge/complexity etc.) 	

		<ul style="list-style-type: none"> • Burden of proof on workers to show inequality; burden on employers to prove justification • Material factor defence – a substantial, objectively justifiable reason for the pay difference not related to sex • Equal pay rules cover all contractual terms (not just pay) and Equality Act provides protections for other protected characteristics, not just sex • Gender Pay Gap (GPG): not the same as equal pay, measures difference in average pay for men and women; influenced by gender segregation – i.e. concentration of women in lower paying types of jobs. The figures are published yearly by companies with more than 250 staff, based on “snap shot” dates - 30th of March for public sector employers and 5th of April for private & non-profit companies on the 5th April. 	
(11am – 11.10am)	Slide 23	<ul style="list-style-type: none"> • Quiz – test your understanding. <p>Questions on poll within zoom, the correct answers in bold</p> <ol style="list-style-type: none"> 1. What is the definition of the Gender Pay Gap <ol style="list-style-type: none"> a. The difference in pay for men and women doing the same job b. The difference in average pay for men and women c. Neither of these <p>(Answer A is closer to the definition of equal pay)</p> 2. The provisions of the Equality Act 2010 only apply to workers while they are directly employer <ol style="list-style-type: none"> a. True b. False (they also apply to job applicants and to former employees, as well as workers who are not direct employees (e.g. agency workers).) 3. Which protected characteristic is missing from this list: Age; Sex; Gender reassignment; Marriage/civil partnership; Pregnancy & maternity; Race; Religion or belief; Sexual orientation <ol style="list-style-type: none"> a. Disability (ethnicity is included in ‘race’ characteristic, other two options are not protected characteristics) 	Zoom Poll function

		<ul style="list-style-type: none"> b. Political beliefs c. Ethnicity d. Favourite colour <p>4. Direct discrimination is always unlawful</p> <ul style="list-style-type: none"> a. True b. False (direct age discrimination may be lawful if passes objective justification test; also directly discriminating in favour of workers with disabilities is permitted) <p>5. Employers must make reasonable adjustments for workers with disabilities unless there is a cost involved</p> <ul style="list-style-type: none"> a. True b. False (what is deemed reasonable will partly depend on the circumstances and may entail a cost for the employer) <p>6. In deciding whether behaviour counts as harassment, the intentions of the perpetrator are the only factor to consider</p> <ul style="list-style-type: none"> a. True b. False (intention is largely irrelevant, more important is the effect that the behaviour has on the target worker(s)) 	
11.10 – 11.20am	Slide 24	<p>What should your employer be doing?</p> <ul style="list-style-type: none"> • Outlines some of the Equality and Human Rights Commission (EHRC)'s recommendations for good practice by employers; not legal requirements (unless subject to Public Sector Equality Duty (PSED) but help minimise risk of breach of Equality Act 	EHRC Good Practice
11.20 – 11.35am	Slide 25	<p>Group discussion – rate your employer (15 minutes)</p> <ul style="list-style-type: none"> • Poll: how would you rate your employer on EDI? • Discussion of ratings (use breakouts if larger group) 	Zoom Poll Function

11.35 – 11.45am	Slide 26	<ul style="list-style-type: none"> ● Break – 10 mins 	
<p>Part Three: Taking action in your workplace</p> <p>(45 minutes for whole section)</p> <p>11.45 -12.30</p>	Slide 27	<p>Purpose of section: introduce some ideas for ways to get active in your workplace, start a conversation about EDI organising and some of the challenges you might face</p>	
11.15 – 12.00	Slide 28	<p>Trade union members are key to addressing workplace EDI issues</p> <ul style="list-style-type: none"> ● The Equality and Human Rights Commission (EHRC) has limited ability to enforce equalities legislation, underfunded and understaffed ● Trade union members are well placed to know the issues, and devise good solutions; can leverage collective strength of union members to pressure employers to act ● Legal routes to tackling issues can be very important, but can also be long, expensive, and not always lead to satisfactory outcomes ● Some issues (e.g. harassment) require a cultural change that legal action alone won't achieve ● Outline of benefits of collective action/organising ● Change can't be top-down, must be led by workforce if it is to be meaningful 	
	Slide 29	<p>Where to begin</p> <ul style="list-style-type: none"> ● Purpose of slide is to outline some basic initial steps that someone could consider taking if not much activity is happening in their workplace ● Outlines some of the things to think about with respect to how your branch operates, and whether you are prioritising EDI enough, being inclusive in how you 	<p>Possibly highlight further in the back to work plan</p>

		operate etc?	
	Slide 30	<p>Putting principles into practice</p> <ul style="list-style-type: none"> • Outlines some key aspects of ‘allyship’ – being ready to show solidarity with those facing oppression and actively working to fight inequality and discrimination • Active bystander – being ready to challenge inappropriate language/behaviour • Visibility – making clear to colleagues where you stand on the issues • Education – taking responsibility for teaching yourself about the issues, helping to raise awareness among other colleagues • Listen & learn – recognise your own privilege (advantages you get simply from being in a majority group, e.g. white, male etc.) and how that might blinker you, be ready to hear alternative perspectives • Not enough to not be discriminatory, need to actively fight for equality 	
	Slide 31	<p>Is your employer following good practice?</p> <ul style="list-style-type: none"> • Reminder of EHRC good practice guidance for employers – is your employer following it, and if not, how can you change that? • Data collection can be a key part of mobilising colleagues and challenging employer 	
	Slide 32	<p>What if your employer won’t act?</p> <ul style="list-style-type: none"> • Some ideas of what to do if you are struggling to get your employer to act • Could include finding ways to build pressure on your employer or acting without your employer, where appropriate 	
	Slide 33	<p>Challenges of EDI organising</p> <ul style="list-style-type: none"> • Outlines some of the challenges of doing EDI work, and some tips on how to respond to them 	

12.00 – 12.10	Slide 34	<ul style="list-style-type: none"> • Group discussion – rate your branch (10 minutes) <ul style="list-style-type: none"> ○ Poll: how would you rate your branch? ○ Discussion of ratings (use breakouts if larger group) • Group discussion – managing challenges (15 minutes) <ul style="list-style-type: none"> ○ Work through example challenging statements, discuss ways to respond 	Forward planning to add to action plan.....
12.10 - 12.25	Slide 35		
Conclusion (5 mins)	Slide 36		
		<ul style="list-style-type: none"> • How to get members to help/identifying potential activists. 	Information included in pack.
Action Plan 2 mins		<ul style="list-style-type: none"> • Highlight other information in course pack/action plan and further links. 	Action plan Organisers/officers are sent a blank copy with the tutor feedback
2-3 mins	Slide 14/Page 40-44	<ul style="list-style-type: none"> • Go over learning outcomes from delegates at beginning of the day • Run last Poll! • Say goodbyes 	
		<ul style="list-style-type: none"> ○ End of the course 	