

Appendix 1: Legal framework

- The Equality Act came into force in October 2010 and replaced previous equality legislation. Sections of the Act apply to the provision of goods, facilities and services, premises, employment and education. The Equality Act outlines nine grounds upon which discrimination is unlawful. These are known as 'protected characteristics' and they are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief (including lack of belief)
- Sex
- Sexual Orientation

- **Discrimination**

Direct discrimination is defined as treating one person less favourably than another, because of a protected characteristic.

Discrimination by association is a type of direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Discrimination by perception is a type of direct discrimination against someone who is perceived to have a protected characteristic.

Indirect discrimination is when a provision, criterion or practice is applied, which particularly disadvantages people with a protected characteristic. Indirect discrimination can be justified, if it can be shown to be a proportionate means of meeting a legitimate aim.

Discrimination arising from (o.ai)-1 (ns7 (e a).7 p8 0 -1t)-1.7 (e (ho)-5.2 (i)--1 (s)3.7 (1 (on io1.7 (o)5.1 ((ho)-5.2

can help alleviate disadvantage experienced by people who share a protected characteristic, reduce underrepresentation in relation to particular activities, and meet particular needs

- **Reasonable adjustments**

The Equality Act 2010 places a duty upon higher education institutions to make reasonable adjustments for staff, students and service users in relation to:

- provisions, criteria or practices
- physical features
- auxiliary aids

These adjustments apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people.

- **Public Sector Equality Duty**

BU is a public body and as such is subject to, and compliant with, the Public Sector Equality Duty. This is defined as the general duty which is supported by specific duties. The general duty requires the University to have “due regard” to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

There is no prescribed process on how to demonstrate due regard.

The specific duties require BU to:

- publish information to demonstrate its compliance with the equality duty. Information should be published every 12 months.
- prepare or publish equality objectives and last for 4 years.
- publish information and objectives in a manner that is accessible to the public.