

## Appendix A – Definitions for the purposes of this policy

### What are the Protected Characteristics?

**Age:** A person of a particular age group, the same age group (e.g. 32 year old) or a range of ages (e.g. 18 - 30 year olds). Examples

An age group would include “over fifties” or twenty-one year olds.

A person aged twenty-one does not share the same characteristic of age with “people in their forties”. However, a person aged twenty-one and people in their forties can share the characteristic of being in the “under fifty” age range.

~If you are over 18 then you are currently protected in regard to goods and services. When considering disadvantage, take into account impacts on children and young people as well as adults, and cross-cutting impacts such as parents and carers (of younger, disabled and older people).

**Disability:** A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Long-term means the impairment has or is likely to last at least 12 months or the rest of a person's life. This also covers where a person had a disability in the past, but now no longer has it.

- Carers can be covered by association.
- **Gender reassignment:** A person who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male).

**Pregnancy and maternity:** This covers discrimination in the workplace because of a woman's pregnancy or pregnancy-related illness, or because she takes or tries to take maternity leave. The period during which protection from these types of discrimination is provided is the period of the pregnancy and any statutory maternity leave to which she is entitled. During this period, these types of discrimination cannot be treated as sex discrimination.

### Examples

An employer must not demote or dismiss an employee, or deny her training or promotion opportunities, because she is pregnant or on maternity leave.

An employer must not take into account an employee's period of absence due to pregnancy-related illness when making a decision about her employment.

**The Equality Act also** protects a woman from discrimination because of her current or a previous pregnancy and provides that pregnancy or maternity discrimination as defined cannot be treated as sex discrimination. This covers discrimination in relation to public functions, education, and to associations

### Examples

A café owner must not ask a woman to leave his café because she is breast-feeding her baby.

A shopkeeper must not refuse to sell cigarettes to a woman because she is pregnant.

A school must not prevent a pupil taking an exam because she is pregnant.

- **Race:** A person's colour, nationality, ethnic or national origin.
- **Religion and belief:** Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- **Sex:** A man or a woman.
- **Sexual orientation:** A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual).
- **Marriage and civil partnership:** A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner
- Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Partnerships can be converted to a married status if this is the desire of the two civil partners. Civil partners must be treated the same as married couples on a wide range of legal matters.

**Advance Equality of Opportunity** – this includes removing or minimising disadvantages suffered by people due to their protected characteristics and ensuring steps are taken to meet the needs of people from protected groups where these are different from the needs of other people. As part of the positive action to minimise disadvantage, all external council advertisements will state that applications from disabled candidates will be welcomed and will include the 'Two Ticks' symbol. In line with the Employment Service Two Ticks Scheme, all applicants with a disability who meet the essential criteria for a job vacancy will be invited to interview and considered on their abilities.

- **Fostering Good Relations** – this is encouraging people from protected groups to participate in public life or in other activities where their participation is particularly low.

**Discriminatory Incident** – where the victim or any other person believes someone is treated less favourable or is party to unwanted or uninvited behaviour that is offensive, embarrassing, intimidating or humiliating because of their race, gender, gender reassignment, pregnancy and maternity, sexual orientation, age, disability, religion or belief.

- **The Human Rights Act 1998** - the Human Rights Act came into effect in the UK in October 2000. The Act enabled people in the UK to take cases about their human rights to a UK court. Previously they had to take complaints about their human rights to the European Court of Human Rights in Strasbourg.

### **Definition of Anti-Semitism**

The International Holocaust Remembrance Alliance (IHRC) defines of Anti- Semitism as:

Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”