



# The Equality Bill

## Creating a fair society

The Government is committed to creating a fair society with fair chances for everyone. For society to be fair people must have the chance to live their lives freely and fulfil their potential. To achieve this we need to tackle inequality and root out discrimination.

Equality not only has benefits for individuals but for society and the economy too. A more equal workforce is a stronger workforce. A more equal society is one more at ease with itself. To help us create the equal and fair society we all want to see we will introduce an important new package of measures at the heart of which is a new Equality Bill.

## What the Equality Bill will do

The aim of the Equality Bill is to fight discrimination in all its forms and help to make equality a reality for everyone. Specifically the Bill will:

**Strengthen** the law by:

- **Banning age discrimination** in the provision of goods, facilities or services. This is not about stopping older people enjoying free bus passes, it is about tackling unjustifiable age discrimination where it has negative consequences. There will be further consultation on this and a transition period before it is implemented.
- **Increasing transparency**, for example, by banning secrecy clauses which prevent people discussing their own pay. We cannot tackle inequality if it is hidden. Greater transparency will help us to tackle persistent inequalities like the gender pay gap which stands at 21%.
- **Ensuring public bodies report on equality issues** such as gender pay and ethnic minority and disability employment in their organisations. This will show us where more needs to be done.
- **Extending the scope for positive action**. This is a chance for employers to make their workforce more diverse when choosing between two job candidates of equal merit. A head teacher, for example, may decide to appoint a man if there were no male teachers in the school. This would benefit boys who would gain a role model they can relate to.
- **Extending the period during which women-only shortlists are allowed**. This will help to increase the representation of women in Parliament and elected bodies.
- **Strengthening enforcement**, for example, by allowing tribunals to make wider recommendations in discrimination cases. This will enable the whole workforce to benefit from improvements after an individual wins a discrimination claim.



**Streamline** the law by:

- [Distilling nine pieces of legislation into a single Act](#). A clearer legal framework for equality will be easier to understand and implement, particularly for businesses at a time when resources are stretched.
- [Creating a single new Equality Duty on public bodies](#) to tackle discrimination, promote equality of opportunity and encourage good community relations<sup>1</sup>. The new duty will cover race, disability and gender, as now, but also include age, sexual orientation, gender reassignment and religion or belief, replacing the three existing, separate duties with a single, more effective framework.
- [Simplifying the definition of disability discrimination](#) so people are clear whether they are protected.

**Support** wider work to promote equality which includes:

- [Ensuring the public sector has due regard to equality when buying goods and services](#). Every year £175 billion is spent by the public sector on goods and services supplied by the private sector. This purchasing power can be put to good use to improve equality.
- [Providing additional funding to support the work being done by trade union equality representatives](#) who help to create a more equal workforce.
- [Advice and guidance from ACAS, and information on the Business Link website](#) to help employers understand what equality means for their workforce, and to improve working life for everyone.
- [The work of the Equality and Human Rights Commission](#) which provides advice and guidance on equality issues.
- [Equality and Human Rights Commission inquiries into the financial sector and construction industry](#) which will look at persistent inequalities in these sectors and make recommendations based on examples of best practice.
- [Helping to increase the number of ethnic minority women councillors](#). There are only 149 ethnic minority women councillors in England. Better representation will ensure that the voice of ethnic minority women is heard, and local councils better reflect the communities they serve. We have set up a cross-party Taskforce chaired by Baroness Uddin to take this work forward.
- [Considering how Parliament could be more representative of society as a whole](#). A Speaker's Conference has been set up to consider and make recommendations on how to improve the representation of women, disabled people and people from ethnic minority communities in the House of Commons.

<sup>1</sup> The public sector Equality Duty will not be an absolute duty to take action but will require public authorities to consider and address equality issues in all their functions, insofar as is relevant and proportionate.



- Taking steps to understand other forms of inequality, and the role they play in determining people's chances in life. Factors like family background, educational attainment, where you live, and the sort of job you have can influence your chances in life as well as things like gender, ethnic background, and whether or not you have a disability. We set up the National Equality Panel in 2008, chaired by Professor John Hills of the London School of Economics, to analyse these factors as well as the links between them. By better understanding these links we will be more able to tackle the problems where they exist. The Panel will report in 2009.

## Progress so far

We have made considerable progress in shaping the important new Equality Bill. We have done this in the following ways:

- In June we published *Framework for a Fairer Future – the Equality Bill*, and in July our response to the consultation held in 2007 and the approach we intend to take in the Bill.
- We are talking to people about how the new single Equality Duty for the public sector should work.
- We have been working with the financial services and age sector representatives to explore how the age discrimination ban might work in relation to insurance, and financial products and services.
- We announced a programme of work to address age discrimination issues in health and social care and an advisory group.
- We are working closely with the Office of Government Commerce and talking to people to consider how we can promote equality through public sector purchasing.
- We are continuing to take forward a separate piece of work, outside the Bill, to consider whether there is a case for allowing representative actions in the discrimination context.
- We published a consultation document called *Improving Protection from Disability Discrimination* about adopting the concept of indirect discrimination for disabled people.

It is also important that we stay closely in touch with all the organisations with an interest in the Equality Bill. We are doing this in the following ways:

- We held four events across the country to explain to people what the Equality Bill will do, and why it is important, and spoke at dozens more.
- We set up a stakeholder group so we can hear people's views and consider them as we develop the Bill. The group meets once a month, and the advice and guidance we have received so far has been invaluable.



## Next steps

The Equality Bill was announced in the Queen's Speech in December 2008. We are now busy drafting the Bill ready to introduce it into Parliament.

A number of specific pieces of work will support this process:

- [Further discussions on how to prevent age discrimination in the provision of goods, facilities and services](#). It is important that we consult thoroughly to understand how to implement this part of the Bill in future.
- [Further discussions with the Office of Government Commerce and other stakeholders](#) to explore the role that procurement can play in promoting equality.
- [Further discussions on the public sector Equality Duty](#). We want the new duty to deliver better outcomes, not more paperwork. We will set out our views on how this can best be done in Spring 2009 with final decisions being taken following a full public consultation.
- [Discussions with employers, unions and others](#) to improve reporting and performance on equality.
- [Further consideration of the case for allowing representative actions](#) in discrimination cases.
- [Further consideration of multiple discrimination](#). This includes looking at the practicalities of providing redress to people who have faced this problem.

## More information

For more information on the Equality Bill or the work of the Government Equalities Office visit [www.equalities.gov.uk](http://www.equalities.gov.uk).

Alternatively, contact our general enquiries line on 020 7944 0601 or email [enquiries@geo.gsi.gov.uk](mailto:enquiries@geo.gsi.gov.uk).