

# 12CP BARRISTERS EMPLOYMENT

FACT 2

## DISCRIMINATION

This is where someone is treated less favourably on the grounds of or has something to do with what is called a 'protected characteristic' this might be race, sex, disability or any of the other characteristics listed in the Equality Act 2010.

Discrimination can be direct as well as indirect (see Indirect Discrimination Fact Sheet). This also includes victimisation (see Victimisation Fact Sheet) and harassment (see Harassment Fact Sheet).

Employer can be vicariously liable for discrimination.

Disability has two unique forms of claim reasonable adjustments (see Reasonable Adjustment Factsheet) and discrimination arising from (see Discrimination Arising From Fact Sheet).

Prevention is better than cure so we would recommend a visit to the ACAS website and look at the ACAS Guide on Delivering Equality and Diversity. This can be downloaded from:

[http://www.acas.org.uk/media/pdf/j/3/Delivering\\_Equality\\_and\\_diversity-accessible-version-July-2011.pdf](http://www.acas.org.uk/media/pdf/j/3/Delivering_Equality_and_diversity-accessible-version-July-2011.pdf)

Other help can be found at <http://www.equalityhumanrights.com> in the form of an Employment Code of Practice.

If you feel you are getting out of your depth always seek advice. This can be a complex area and timely assistance should help avoid costly mistakes.

If there is still no resolution you should consider seeking specialist advice on resolving the dispute and if necessary, mediation. This will in most cases resolve the position to everyone's satisfaction.