



GMB EQUALITY BULLETIN

Dear Colleague,

Welcome to GMB's first equality bulletin. We hope you find the information useful and engaging. We intend to issue these bulletins monthly - any comments on improving the content are welcome.

Enjoy reading.

Best wishes,

Kamaljeet Jandu

To jump to a specific item, please click on the relevant item link below.

Equality Bill

- ✚ [Equality and Diversity Forum Newsletter 13th July](#)
- ✚ [Government Equalities Office – Equality Bill Successfully Passes Scrutiny 8th July](#)
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13 July 2009

Welcome to the Equality and Diversity Forum Newsletter














Please click on the individual items below or on the link at the bottom of the page to view the full newsletter.

New items include:




Law and policy

-  [EHRC action against BNP](#)
-  [Equality Bill passes scrutiny](#)




Publications and research

-  [Fawcett report on 'Ethnic minority women's livelihoods'](#)
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-  [Capacitybuilders consulting on its action plan for equality](#)
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-  [Stop Discrimination Newsletter](#)
-  [The Equal Rights Review – Volume Three](#)
-  [EHRC Equality News 12](#)
-  [EU Fundamental Rights Agency update](#)

Events

-  [MPA Domestic and Sexual Violence Board – 28 July 2009](#)
-  ['Public services: The dual challenging of tackling discrimination and meeting needs' – 30 July 2009](#)
-  [Cornwall Cultural Diversity Celebration – July 2009](#)

Recruitment, funding and tenders

-  [Vacancy: MHF Strategic Partnership Project Officer](#)
-  [Vacancy: IARS Treasurer](#)
-  [Vacancy: Westminster Equalities Partnership Policy Manager](#)

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Best wishes

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Government
Equalities Office

Putting equality at the heart of government

GEO News

8th July 2009

In this issue

- Equality Bill successfully passes scrutiny
- Consultations go live

Equality Bill successfully passes scrutiny

Yesterday the Equality Bill successfully passed scrutiny by MPs on the Public Bill Committee in the House of Commons.

The Committee debates ranged across a number of key themes in the Bill including the socio-economic duty on public authorities; the definition of gender reassignment; the definition of disability and the distinct nature of protection for disabled people; the balance between competing rights, for example, in relation to religion or belief and sexual orientation; gender pay gap reporting; positive action; the public sector Equality Duty; equal pay; and age discrimination.

The Bill was strengthened in two important ways. A Government amendment was accepted which will protect people against dual discrimination so a black woman discriminated against because of this particular combination of characteristics could bring a single claim for combined sex and race discrimination. A change to the Bill was also made regarding pregnancy and maternity provisions. It will now be clear beyond all doubt that a pregnant woman or a woman nursing a baby, for example, should not be treated unfavourably for those reasons.

The Bill will now progress to Report stage in the House of Commons when MPs as a whole will have the chance to debate and propose amendments.

Consultations go live

We launched two consultations in June: one on the specific duties underpinning the public sector Equality Duty; and one on the ban on age discrimination in goods and services. The consultations are live and we would welcome your views.

To access a copy of the documents online visit www.equalities.gov.uk or for a hard copy call the GEO enquiries line on 020 7944 0601.

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Dods Monitoring

Organisation: Government Equalities Office

08.07.09

Equality Bill: New amendments agreed by committee MPs

Vera Baird, Solicitor General, has welcomed two important amendments to the Equality Bill. This came on the day the Bill successfully completed its scrutiny by committee MPs in the House of Commons on Tuesday 7 July 2009.

The Equality Bill was amended to make clear that treating a woman unfavourably because of pregnancy or maternity - at work or in shops and public services - is unlawful and cannot be justified.

A new 'dual discrimination' clause was also inserted into the Bill to allow people directly discriminated against because of a combination of two protected characteristics to make a claim.

This would mean, for example, that a black woman who is discriminated against because her employer has a particular stereotyped attitude towards black women - as opposed to black men or white women - could bring a single claim for combined race and sex discrimination.

Vera Baird, Solicitor General and Equality Bill Lead Minister, said:

"We are determined to strengthen the Bill to make it absolutely clear that discrimination against pregnant women and new mothers cannot be justified. Protection against 'dual discrimination' is also a progressive step forward in fighting discrimination, giving people access to justice when they experience this particular type of discrimination which can be caused by stereotyped attitudes.

"The successful completion of the committee scrutiny process means the Equality Bill is making good progress and we are a step closer to creating a more equal society."

The committee debated key areas in the Equality Bill including equal pay, gender pay gap reporting, positive action, the public sector Equality Duty, age discrimination, the socio-economic duty on public authorities, the definitions of gender reassignment and disability, and the balance between competing rights such as sexual orientation and religion or belief.

The Equality Bill will now go to the Report stage in the House of Commons, when all MPs will be given the opportunity to debate and propose further amendments to the Bill.

The majority of the Equality Bill should come into force by Autumn 2010, subject to its progress through Parliament. This is the earliest anticipated commencement date following Royal Assent.

More details of the Equality Bill are in "A Fairer Future" which can be viewed at: www.equalities.gov.uk

Notes

* The Bill will simplify the law which, over the last four decades, has become complex and difficult to navigate. Nine major pieces of legislation and around 100 other measures will be replaced by a single Act written in plain English to make it easier for individuals and employers to understand their legal rights and obligations.

* The Equality Bill will strengthen our equality law by:

* Introducing a new public sector duty to consider reducing socio-economic inequalities;

* Putting a new Equality Duty on public bodies;

* Using public procurement to improve equality;

* Banning age discrimination outside the workplace;

* Introducing a power to require gender pay reports;

* Extending the scope to use positive action;

* Strengthening the powers of employment tribunals;

* Protection from discrimination for people who are, for example, associated with disabled people or people of a particular age or who are wrongly perceived to be transsexual

* Introducing protection against dual discrimination;

* Clarifying that breastfeeding mothers are protected against discrimination;

* Banning discrimination in private clubs; and

* Strengthening protection from discrimination for disabled people.

* The Equality Bill will, in general, cover England, Scotland, and Wales. Northern Ireland has its own equality legislation.

* The Government published two consultations on how to implement parts of the Bill. The first consulted on proposals for specific duties on public authorities. The second consulted on ending age discrimination in services and public functions.

* The Equality Bill will replace the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995, much of the Equality Act 2006, the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations 2003, the Employment Equality (Age) Regulations 2006, and the Equality Act (Sexual Orientation) Regulations 2007 (where applicable, as subsequently amended), plus other ancillary pieces of legislation.

* The Government Equalities Office is responsible for the Government's overall strategy, legislation and priorities on equality issues. It was established in October 2007.

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Dods Monitoring

Organisation: Equality and Human Rights Commission

Research finds no bias in allocation of social housing

Commission research finds no bias in allocation of social housing to immigrants

The vast majority of people who live in social housing in Britain were born in the UK according to a research study published by the Equality and Human Rights Commission today. The study found that less than two per cent of all social housing residents are people who have moved to Britain in the last five years and that nine out of ten people who live in social housing were born in the UK.

The independent research, which was undertaken for the Commission by the Institute for Public Policy Research (IPPR), found that social housing policies are targeting those in most need including the homeless, the elderly and families with children.

It found no evidence to support the perception that new migrants are getting priority over UK born residents. Nor was there any evidence of abuse of the system, including 'queue jumping' or providing false information.

The research shows that within UK-born and Foreign-Born communities the proportion of people living in social housing is similar at around one in six people. It also reveals that many more recent migrants, those who have arrived in the past five years, have bought their own homes (17 per cent) than live in social housing (11 per cent).

Most new migrants to the UK over the last five years, particularly from the newer European Union member states such as Poland, have been ineligible to claim entitlement to social housing as they do not meet the criteria set by national legislation. Only new migrants who are a European Economic Area worker, have been given 'settled' or 'refugee' status by the Home Office, or have leave to remain in the UK, are eligible for social housing.

Despite the evidence, the public has a different perception of who gets priority for social housing. Focus group discussions held as part of the project exposed widely-held fears that the allocation process puts white British families at a disadvantage and that migrants are 'cheating the system'. This myth is often at the core of discriminatory behaviour and contributes to tension and violence in many areas.

The report identifies a number of factors which could be contributing to these perceptions, including:

The belief that privately owned flats in blocks which were previously social housing are still "owned by the council";

New developments often include social housing as well as privately owned accommodation with little visual difference between the two;

The Borders Agency is using empty social housing to accommodate asylum seekers temporarily, which may be fuelling the idea that they are 'queue jumping'

Some ex-local authority, mixed-tenure housing association and key-worker homes have high numbers of residents from particular ethnic groups - for example hospital and care home workers;

Clusters of people of the same background living in a neighbourhood may serve to entrench beliefs about unfair advantages.

The reduction in the social housing stock as existing tenants exercise their right to buy; fewer new builds over the last few decade and the increase in the number of

households in the UK, caused by greater life-expectancy, marital breakdown and to a lesser extent, immigration have all led to increased demand for social housing.

The report recommends that public concerns about the effects of migration on housing should be addressed by policy makers at a local level. It also suggests that more needs to be done to increase people's understanding of entitlement to social housing, as the lack of transparency in the process may perpetuate the belief that the system itself is unfair.

Trevor Phillips, Chair of the Commission, said: "We have to recognise that people's perceptions are powerful, so it's vital that social housing providers and policy makers work to foster understanding about what is really happening on the ground. Much of the public concern about the impact of migration on social housing has, at its heart, the failure of social housing supply to meet the demands of the population. The poorer the area, the longer the waiting lists, therefore the greater the tension. Government and social housing providers need to work with the communities they serve to address these issues."

Notes

A copy of the report Social housing allocation and immigrant communities can be downloaded [here](#).

These findings are based on work by the Institute for Public Policy Research which included social housing policies in England, an analysis of Labour Force Survey and other data, a survey of the social housing allocation policies of 50 selected local authority and interview with a small number of housing officials, and re-analysis of four focus groups.

The present criteria for allocating social housing are outlined in the Housing Act 1996 as amended by the Housing Act 2002 and the Housing Act 2004. This legislation says that a number of groups of people should be given priority including the homeless and priority needs groups, such as families with children and the elderly. Immigration status affects entitlement to social housing. Broadly, to be eligible, migrants need settled status, or be a European Economic Area worker, or have refugee status or leave to remain in the UK. Most new migrants have no entitlement to social housing.

Housing tenure by country of birth, Labour Force Survey, 2007. Figures referred to in the press release are in bold.

Housing type by country of birth

Place of birth by housing type

Place of birth by housing type	UK born	Foreign born	Foreign born & arrived in the UK in the past five years
Owner occupier	92.0%	7.4%	0.6%
Social tenant	87.8%	10.0%	1.8%
Private tenant	58.3%	25.5%	16.2%
Other	69.2%	19.6%	11.2%

Country of birth by housing type

Place of birth by housing type	UK born	Foreign born	Foreign born & arrived in the UK in the past five years
Owner occupier	74.1%	51.4%	16.6%
Social tenant	17.3%	17.8%	11.6%
Private tenant	7.1%	26.9%	63.6%
Other	1.6%	3.9%	8.2%

The Commission is a statutory body established under the Equality Act 2006, which took over the responsibilities of Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission. It is the independent advocate for equality and human rights in Britain. It aims to reduce inequality, eliminate discrimination, strengthen good relations between people, and promote and protect human rights. The Commission enforces equality legislation on age, disability, gender, race, religion or belief, sexual orientation or transgender status, and encourage compliance with the Human Rights Act. It also gives advice and guidance to businesses, the voluntary and public sectors, and to individuals.

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Dods Monitoring

Organisation: Age Concern and Help the Aged

15.07.09

Landmark court case puts government under further pressure to allow people to work beyond 65

The Government will have to make the case in the High Court this Thursday (July 16 2009) as to why the National Default Retirement Age (DRA) is necessary, in a landmark three year legal battle to give people the right to continue working beyond the age of 65.

Just days after the Government announced that the DRA review will be brought forward to 2010, Age Concern and Help the Aged are piling on more pressure in the High Court to get this senseless rule scrapped immediately.

Age Concern and Help the Aged, represented by national law firm Irwin Mitchell, will argue that the National Default Retirement Age introduced under the Employment Equality (Age) Regulations 2006 fails to interpret an EU Directive against age discrimination correctly. The UK Government will have to make the case to the High Court as to why its social or employment policy objectives make the National Default Retirement Age necessary.

The case which began in December 2006 returns to the High Court following a judgment from the European Court of Justice in March 2009. European judges confirmed the UK government will have to overcome a high hurdle in the UK courts to justify allowing forced retirement.

Millions of people approaching retirement will be waiting anxiously for the outcome of the case to find out whether the law will protect them if they want to continue working beyond 65. More than 300 employment appeals are on hold until this case clarifies the law.

Support for a change in the law is strong, with research by Age Concern and Help the Aged earlier this year showing that almost nine out of ten over 50s believe people should have the right to continue working past 65 if they wish, as long as they are capable of performing well in their job.

Michelle Mitchell, Charity Director for Help the Aged and Age Concern said: "We've heard a lot from Government over the last few days about the retirement age, but Ministers have dragged their heels for years on this issue, forcing us to challenge it in the UK courts on behalf of older people across the country. The promised review in 2010 is a step in the right direction, but it doesn't come soon enough for thousands of people reaching 65 now who desperately need to carry on working to pay the bills, boost their pensions or simply because they want to. While we wait for Government to finally end this discriminatory practice, we hope this case will, once and for all, stamp out the senseless practice of forcing people to retire at 65 purely on the basis of their age rather than ability to do a job."

NOTES:

1. Building a Society for all Ages, published July 14 2009, outlines a number of new measures which include: Bringing forward a review of the Default Retirement Age (DRA) which had been due to start in 2011 in direct response to a changing economic landscape.
2. Employment Equality (Age) Regulations 2006 were introduced to transpose the EU Directive 2000/78/EC into domestic legislation. They stipulate that a British employer can dismiss a member of staff without redundancy payments on that person's 65th birthday. They also give employees the right to request working beyond retirement age, but although employers have a duty to consider these requests, they need offer no justification for refusal.
3. Age Concern and Help the Aged is represented by leading national law firm Irwin Mitchell, which employs more than 2,000 staff with offices across the UK. Barristers acting in the case are Robin Allen QC and Declan O'Dempsey from Cloisters Chambers.
4. More details about the case and the reasons behind the action against the UK Government can be viewed on Age Concern's website at: ageconcern.org.uk/campaigns-forcedretirement.asp
5. Approximately 25,000 people are forced out of work on reaching 65 each year.
6. A recent poll carried out by ICM in April 2009 found almost nine out of ten (87 per cent) of people over 50 say they believed people should have the right to continue working past 65 if they wished, as long as they are capable of performing well in their job.
7. The National Default Retirement Age was considered by the House of Commons Work and Pensions Select Committee, 'The Equality Bill: how disability equality fits within a single Equality Act, 20th April 2009. (paragraph 122)
8. Age Concern's free information booklet "Calling Time on Age Discrimination" sets out the steps that employers must take to dismiss someone approaching retirement. Another free booklet "Your employment choices" outlines some of the options for older workers.

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Welcome to the thirteenth issue of Equality News from the Equality and Human Rights Commission

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EQUALITY NEWS ISSUE 13

Equality and Human Rights Commission

July 2009

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Welcome...

In this issue, you can find out about our three-year strategic plan, our work on the proposed Bill of Rights, our research into social housing allocation and much more.

Top stories

[Commission launches three-year strategic plan](#)

[Forward to a friend](#)

About Equality News

Equality News is an online newsletter from the Equality and Human Rights Commission. It's intended to cover our work on equality and human rights.

If you have already subscribed, you can change your subscription details or update your profile such as your email address, areas of interests using the [subscribe option here](#).

If you would like to comment on this newsletter, or have suggestions for future issues, please use our [feedback form](#).

The plan sets out our priorities and work programmes to March 2012.

[Commission's work on proposed Bill of Rights for Britain](#)

The Commission is providing leadership in the process by developing a set of key principles.

[Commission takes action over BNP's potential breach of race discrimination law](#)

The Commission has written to the British National Party over possible breaches of anti-discrimination law.

[Commission research finds no bias in allocation of social housing to immigrants](#)

The vast majority of people who live in social housing in Britain were born in Britain, according to new research.

[Jobcentre Plus needs to do more to promote equality](#)

The Jobcentre Plus agency is not meeting all the expectations of its public sector duties on equality.

[Winners announced for Young Brits at Art](#)

The ten winners of the Commission's 2009 Young Brits at Art competition were announced on 2 July.

Our news and views

[Catch up on all the latest news and comments from the Commission over the past month...](#), including our interventions in two cases which have secured protection for more disabled people and for social housing tenants.

National and regional updates

[Details of our work in the English regions, Scotland and Wales...](#), including legal roadshows in Scotland and the National Eisteddfod.

Credits: Angela Powell, Carly Wong, Catherine Spain, Christine Armstrong, Colin Macfarlane, Jamie Westcombe, Moyo Adeneye, Peter Reading, Phil Pavey, Sandra Peet

Working for the Commission

We have a number of opportunities currently being advertised and more jobs will be posted on our website over the coming weeks.

[Please visit our website for more information on job opportunities.](#)

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27 July 2009

Welcome to the Equality and Diversity Forum Newsletter

Please click on the individual items below or on the link at the bottom of the page to view the full newsletter.

New items include:

Law and policy

Reappointment of EHRC Chair and Deputy Chair
Borders, Citizenship and Immigration Act

Publications and research

Green paper: Shaping the Future of Care Together
EHRC Equality Measurement Framework

Consultation on ageing and review of the default retirement age

Legal Aid consultation

EHRC publishes three-year strategic plan

Speakers Conference Interim Report

EHRC Annual Report and accounts

'The MacPherson Report – Ten Years On'

Transformative Justice Project (TJP) E-Newsletter

Headlines from the Citizenship Survey (April 2008-March 2009)

Fawcett: 'The Equality Bill – defining a new approach or business as usual?'

Research: 'Understanding the Risks of Social Exclusion Across the Life Course'

EHRC Equality News 13

Events

Report launch: 'EveryOne IN' – 28 August 2009

GEO Equality Bill events – 1-4 September 2009

Seminar on equality throughout the public services – 28 September 2009

Recruitment, funding and tenders

Vacancies: Equality and Human Rights Commission

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Best wishes

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10 August 2009

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New items include:

Law and policy

[NHS Equality and Diversity Council](#)

Publications and research

[EHRC Human Rights Inquiry research reports](#)

[Women and Work Commission review report](#)

[Charter of rights of women seeking asylum](#)

[EHRC Inquiry into Race Discrimination in Construction Industry](#)

[Coalition on Men and Boys report](#)

[Outrage statement on the Equality Bill](#)

[Guidance on mainstreaming community cohesion](#)

[Research on the economic case for cohesion](#)

[New TAEN newsletter '50+ Matters'](#)

[CLG: 'Single equality progress report'](#)

[Fawcett Society August e-newsletter](#)

[European Anti-Discrimination Law Review](#)

[Women's National Commission annual report 2008-09](#)

Events

[Working with asylum seekers and refugees – 20 August 2009](#)

[Launch: 'No Home from Home' – 1 & 2 September 2009](#)

[Equality Bill consultation events – 1-4 September 2009](#)

Recruitment, funding and tenders

[Vacancy: ROTA Executive Secretary](#)

[Vacancy: EFD Training and Events Manager](#)

[Vacancies: Victim Support Trustees](#)

[Vacancies: Women's National Commission commissioners](#)

[Vacancy: Unison National Officer, Race Equality](#)

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date: 9 August 2009

embargo: 00.01hrs Tuesday 11 August 2009

Older people face being forced into early retirement without more help to find work

Long-term unemployed older people are at risk of never working again unless tailored support is offered to help them back into work, a new TUC report warns today (Tuesday).

The report draws on findings from the English Longitudinal Study of Ageing (ELSA) which shows that unemployed people over 50 are ten times as likely to still be out of work after two years than back in work.

The briefing also warns that a period of long-term unemployment for an older person massively increases their chances of never working again. This is particularly the case for men, with every year of unemployment making it 24.3 per cent less likely that they will find work again. Almost half of all unemployed people over 50 today have been out of work for over a year.

The TUC report that says that being forced into early retirement can lead to social exclusion and often leads to poverty in retirement, as people will not have built up sufficient pension provision.

The unemployment rate for people over 50 is currently 4.3 per cent, lower than the overall unemployment rate of 7.8 per cent, and far lower than youth unemployment (18-24 year olds) which is 17.3 per cent. As a result the Government has rightly prioritised tackling youth unemployment, as joblessness at a young age can permanently a career, says the TUC.

But the TUC warns that the Government must also look at tailored support for older people to prevent them from being forced into early retirement against their will.

The TUC is particularly concerned with the 'work for your benefits' scheme for the long-term unemployed, proposed in the Welfare Reform Bill. The scheme will force people to do compulsory work experience, earning as little as £2 per hour, which will do nothing to improve the job prospects for older workers, most of whom already have plenty of skills and experience.

The Government's job guarantee, delivered by the Future Jobs Fund, in which employers receive subsidies for taking on an unemployed person for at least six months, is a far better way to tackle long term unemployment says the TUC.

The report calls for the job guarantee, which is currently on offer to some young people, to be better funded and extended so that older people can benefit from the scheme too.

TUC General Secretary Brendan Barber said: 'In previous recessions people complained about the injustice of working women keeping men out of jobs. Sadly today, people are saying similar things about older workers causing youth unemployment.

'The idea of forcing older workers out of the labour market is morally offensive and would cause economic chaos. The UK would instantly lose vital skills and experience and young people would not necessarily be in a position to take up their jobs.

'It's true that the young people have been hit hardest by the recession and it's absolutely right that the Government targets getting them back into work. We cannot afford to lose another generation to mass unemployment, as happened in the 1980s.

'But we must not forget older people, who have the skills and experience needed to get us through this recession. The Government must introduce tailored support for older people to prevent them being forced into retirement against their will and face old age in poverty.'

NOTES TO EDITORS:

- The TUC report on older workers and the recession is available at www.tuc.org.uk/extras/olderworkersrecession.pdf

- All TUC press releases can be found at www.tuc.org.uk

- Register for the TUC's press extranet: a service exclusive to journalists wanting to access pre-embargo releases and reports from the TUC. Visit www.tuc.org.uk/pressextranet

- Congress 2009 will be held at the BT Convention Centre, Liverpool from Monday 14 September to Thursday 17 September. All applications for media passes must be received no later than noon Monday 7 September. Any applications received after this date will be processed in Liverpool and subject to a £50 administration fee. The form for media credentials, plus information on how to book wireless internet access and a phone line at the BT Convention Centre can be accessed at www.tuc.org.uk/mediacredentials

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