

Discrimination and sexual orientation

Legislation is in place to protect individuals from discrimination on the grounds of their sexual orientation – it is unlawful to deny a person a job or to subject them to harassment because of sexual orientation. The law also ensures that people are given equal chances of training and promotion, whatever their sexual orientation.

“Sexual orientation” means a sexual orientation towards people of the same sex and/or of the opposite sex. It covers gay men, lesbians, bisexuals and heterosexuals.

The Employment Equality (Sexual Orientation) Regulations 2003 protect everyone including employees, workers and some genuinely self employed people. They cover job applicants, employees and potentially ex-employees, and apply to all workers whatever the size of the employer and whether it is public or private sector. There is no length of service requirement to bring a claim.

In practice, there are a number of contexts in which discrimination can affect employers and their workers in the workplace. These include recruitment, advertisements, arrangements for offering employment, terms on which employment or contracts are offered, bullying and harassment, promotion, transfer and training, dismissals, “any other detriment” and post employment discrimination.

What we can offer businesses

Foot Anstey offer guidance to help businesses understand their obligations under the Regulations and to give practical advice on where potential problems may arise. We pride ourselves on fixing problems with the minimum fuss.

We know that employment queries often need instant advice and that mistakes can be costly. We always aim to keep employers out of the tribunal, but if they get there, our clients’ defence will be in safe hands.

What we can offer individuals

If you feel you are being discriminated against on the grounds of your sexual orientation you must first raise a grievance in writing with your employer. You must wait at least 28 days after raising this grievance before you can bring a claim in the Employment Tribunal. At Foot Anstey we can offer you advice on whether you have a potential claim as well as how to conduct your grievance.

Whether you are a business or an individual, we offer a superior level of availability and affordability. Our service standards are high and our base in the south west allows us to offer City expertise at regional rates.

For more information or advice please contact the Living Together team:

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