

Introduction to discrimination

There are different types of discrimination that are unlawful under equality law, and are therefore not permitted within the Methodist Church in Britain.

Direct discrimination

This is where a person is treated less favourably than another person because of any of the protected characteristics/grounds.

Indirect discrimination

This is when a policy, rule or procedure applies to everyone, but has a disproportionate impact on people with any of the protected characteristics/grounds.

Discrimination based on association

This is where there is discrimination against a person because they have an association with someone with a protected characteristic/ground (in Great Britain, this does not apply to marriage, civil partnership, pregnancy or maternity). (This type of discrimination is not explicitly prohibited in Jersey or Gibraltar).

Discrimination based on perception

This is where there is discrimination because someone believes a person has a protected characteristic/ground, even if they do not actually have that characteristic/ground (in Great Britain, this does not apply to marriage, civil partnership, pregnancy or maternity).

(This type of discrimination is not explicitly prohibited in Jersey, Guernsey or Gibraltar).

Harassment

This is conduct relating to a particular characteristic/ground, which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment (in Great Britain, this does not apply to marriage, civil partnership, pregnancy or maternity). Sexual harassment is unlawful under this provision.

Victimisation

This is where a person is treated badly because they have, or are suspected of having, raised a complaint under the Equality Act.

Dual discrimination

This is where there is discrimination based on two combined characteristics/grounds. For example, it is unlawful to discriminate against Black women, even if other women and Black men are not discriminated against.

Positive action

Positive action refers to actions that are designed to remove barriers that might prevent people with certain characteristics/grounds from being employed or progressing through an organisation. For example, positive action could be undertaken to avoid under-representation of people with protected characteristics in senior roles. These actions are lawful, however someone from an under-represented group can only be favoured if they are at least equally well-qualified for a role as another candidate. It is unlawful to favour them if there is another more qualified candidate.

Alleged discriminator's characteristics

The characteristics/grounds of an alleged discriminator are irrelevant. So, for example, when considering whether or not discrimination on the grounds of sexual orientation has taken place, the sexual orientation of the person alleged to have discriminated is not relevant.

Single-characteristic groups and organisations

It is permissible to have groups and services that are only available to people with a protected characteristic, provided there is a legitimate reason and a suitable alternative. For example, single-sex schools are permitted provided there are sufficient school places for all pupils in other schools. So a prayer group that was only for people of a particular characteristic would be permitted, provided there were other prayer groups that were open to all.