

Module 3 quiz Case Studies

Disclaimer: these scenarios are used for illustrative training purposes only. The information should not be taken as professional legal advice.

1. Jim's story

Jim works full-time and has two children. His church recently established a mission committee to try to help it be more of a presence in the community and attract a broader demographic of people. Jim saw this as the perfect opportunity and was gratefully accepted into the group. When Jim received the notice of the first meeting, he saw that it was scheduled for during the working day and he would be unable to attend. When he pointed this out, he was told that almost everyone who volunteers to be on committees is retired and that they do not like to be out in the evenings, and that church meetings had always been held during the day. Jim was forced to withdraw from the committee.

Which of the following is correct?

- A. The policy on the timing of the meetings is the same for everyone. However it has a disproportionate impact on those of working age. This is indirect discrimination and is therefore unlawful discrimination on the grounds of age.
- B. The mission committee is a voluntary committee and it is reasonable for the timing to be set to suit the majority of the committee. Equality legislation does not apply to this committee.

2. Jefferson's story

Jefferson has been a member of the Church Council at his church for nearly five years. The membership of the church generally has a high level of education. Jefferson left school at the age of 16. Despite being a successful tradesman, he has never felt the equal of other members of the Council. Discussions and presentations at meetings rely heavily on paperwork presented at the time and Jefferson finds it hard to keep up. When documents are circulated before meetings Jefferson is able to follow without difficulty, but other Council members have resisted making this standard practice. Jefferson feels embarrassed because no action has been taken.

Which of the following is correct?

- A. The church council is a voluntary group and it is reasonable for the materials to be presented and shared in a way that suits the majority of the council. Equality legislation does not apply to this council.
- B. Although the materials are the same for everyone, a high level of education is not necessary to be an effective member of the council. The working practices of the council have a disproportionate impact on those with a lower level of education. They therefore amount to indirect discrimination and are unlawful.
- C. The working practices of the council have a disproportionate impact on those with a lower level of education and amount to indirect discrimination. However, a lower level of education is not a protected characteristic/ground and so this is not unlawful. Nevertheless, an understanding and application of the concept of indirect discrimination in this instance can help ensure that everyone in the Methodist Church is treated equally, not just those protected by legislation.

3. Ann's story

Ann is a wheelchair user. Currently, her church is undergoing renovation. The traditionalists want to keep the existing permanent pews. Ann has tried to explain that for her this means either sitting right at the back or at the front of the church where she feels separated from everyone else. She has overheard people say that she is too sensitive, which she found very hurtful, and not giving her the opportunity to say what her needs are. Recently, she mentioned that the kitchen was not accessible for those in wheelchairs and one of the regular kitchen helpers said, "We don't ordinarily get one of you lot in here anyway." The comment left her feeling deflated and disempowered.

Which of the following is correct?

- A. Ann has not been excluded from any role due to her disability and she is still able to attend worship even with the pews. So no unlawful discrimination has taken place.
- B. If the comments towards Ann create an intimidating, degrading or humiliating environment, this would amount to harassment and would be unlawful.

4. Jan's story

A couple of families had sat in the same pews at the very front for many years. A woman with impaired hearing started coming to church. She asked that she be given space to sit at the front as lip reading helped her in understanding what was being said. Both families objected and one suggested that she get herself "stronger hearing aids". The minister moved the pews back, creating room for the woman and a number of small children to sit on chairs at the front.

Which of the following is correct?

- A. The church does have a legal obligation to make reasonable adjustments to enable Jan to participate. The size, budget and facilities of the church need to be taken into account in determining what is reasonable. The fact that moving the pews was a feasible option means that, had the church refused and expected Jan to purchase a stronger hearing aid, this would have been discrimination arising from disability and would have been unlawful.
- B. Although the church has a responsibility to make reasonable adjustments to accommodate Jan, this doesn't mean she doesn't also have a personal responsibility to ensure she can access worship. It is unreasonable to expect the church to move pews to accommodate her need to lip read and it is reasonable to ask her if there are stronger hearing aids on the market that she could purchase.

5. James' story

After a successful career as a performer, James felt the call to ordained ministry and began the process of becoming a minister. James suffered verbal abuse from those around him, including his tutors. James found his sexuality questioned even though he is heterosexual. This has continued within church communities, with members of staff commenting that, "we're so glad you're married, otherwise we'd be worried!"

Which of the following is correct?

- A. James is not gay and so does not have a protected characteristic/ground. As such, he is not protected by equality legislation.
- B. Even though James is not gay, this would be discrimination based on perception and would therefore be unlawful.

6. Peter's story

Peter was born into a very large family, the oldest boy with five sisters. From an early age Peter would set up Sunday school in the kitchen and read from the children's Bible, then get his sisters to draw pictures, which they all loved. Peter decided to put himself forward to teach Sunday school, as this is where he saw his calling within the church. He was told because of safeguarding reasons, they had decided that the Sunday school teachers would only be women, as parents were uncomfortable with men in this role. It was suggested that instead of Sunday school, he should work in the youth club with the football team.

Which of the following is correct?

- A. The Methodist Church is made up of its members and, as members, the parents have a right to decide who should lead the youth group and that it be someone with whom they are comfortable. It is not a paid position of employment so equality law does not apply.
- B. The Methodist Church is a public organisation and subject to equality law. This is direct discrimination on the grounds of sex and is unlawful.

7. Richard's story

Richard responded to an urgent request for volunteers to share in leadership of the church youth group. His offer was accepted once a clear DBS check had been received and safeguarding procedures and training completed. After a few months, one parent visited the minister to say that he and a number of parents had learnt that Richard was gay. These parents no longer wanted Richard to be involved in the Christian care and nurture of children and young people.

Which of the following is correct?

- A. The Methodist Church is made up of its members and, as members, the parents have a right to decide who should lead the youth group and that it be someone with whom they are comfortable. It is not a paid position of employment so equality law does not apply.
- B. The Methodist Church is a public organisation and subject to equality law. This is direct discrimination on the grounds of sexual orientation and is unlawful.
- C. Members of the Methodist Church have different views on human sexuality. This is accepted as contradictory convictions and the church makes practical arrangements for the practice of all views. So these parents have a right to have a youth group led by someone who is heterosexual if that is their theological conviction.

8. Rumana's story

Rumana has just been appointed to provide general administration and office support to the circuit leadership team. Rumana has chosen to wear a hijab as part of her expression of her faith as a Muslim. Tom, a circuit steward, told Rumana on several occasions that it wasn't appropriate that her husband had made her "wear that headscarf". He has also been quite vocal in the local community about what he says are "concerns about the dangers of Islam".

Which of the following is correct?

- A. Members of the church have freedom of conscience to express their views on religious issues. As such, Tom's speech is protected and is lawful.
- B. The Methodist Church is exempt from equality legislation relating to religious belief and is entitled to expect Rumana to follow its discipline. This gives the circuit stewards the right to ask her not to wear a hijab at work.
- C. The Methodist Church has employed Rumana in an administrative role and therefore has a legal obligation to ensure she does not face discrimination on the grounds of her religious belief. If Tom has created an intimidating, degrading or humiliating environment, this would be harassment and would be unlawful.

9. Maya's story

Although Maya had seen a number of notices in the church newsletter asking for people to become stewards, there was never any real explanation of what being a steward entailed. Having seen no one like her in a leadership position, Maya assumed that the adverts were not aimed at her. The minister approached her one day after the service. He explained briefly what being a steward meant and mentioned that he thought she would make a very good steward. After some thought and prayer Maya put herself forward. The leadership of the church has been very supportive of her, in particular her efforts to broaden the appeal of leadership to people.

Which of the following is correct?

- A. The minister has taken positive action to recruit someone who was different from the other members of the church leadership. Since the number of notices suggest there was not another more qualified candidate who was overlooked, this is lawful.
- B. By taking personal time to speak to Maya and not to other potential candidates, the minister has demonstrated bias and this is unlawful.

10. Kofi's story

Kofi's Methodist church has had great success at building relationships within the church with the sharing of meals after services. Kofi noticed that all the meals served are traditional British and attendance by members of ethnic minority communities was low. Kofi suggested that once a month one of the ethnic minority communities would prepare the food to encourage everyone to feel an equal part of the church. This idea was dismissed without any real discussion. One lay leader commented that, "We wouldn't be able to get the smell of your kind of food out of the church." The church leadership argued that the number of people in the church from ethnic minority groups was quite small and that the majority of church members had the right to decide how the church should be run.

Which of the following is correct?

- A. The preparing of food is part of the life of the church, which is a public organisation. So barring members of ethnic minority communities from this role is direct discrimination and unlawful.
- B. This is part of the social life of the church and so the majority of members should have the right to decide what food is eaten at these social events.

11. Daniel's story

Daniel is ten years old and has attention deficit hyperactivity disorder (ADHD). His parents recently moved near a local church. He attended the Sunday school but the teacher told his parents that his behaviour was out of control. The parents agreed to withdraw Daniel and keep him with them in church for a couple of weeks before attempting to have him attend Sunday school again. On his return to Sunday school, they agreed they would take it in turns to sit with him. The next Sunday, Daniel started off well in main church but then started walking around the church, breaking into song a couple of times. His father took him out of the church, keeping him until the service was over. At the end of the service, the minister spoke to both parents and urged that it might be best if they took care of Daniel and did not attend church.

Which of the following is correct?

- A. The size and facilities of the church need to be taken into account when deciding what reasonable adjustments should be made for Daniel. However, there is no discrimination against his parents since they do not have a protected characteristic/ground.
- B. In addition to the question of whether the church have made sufficient reasonable adjustment for Daniel, any discrimination against his parents would be discrimination based on association and could also be unlawful.

12. Olu's story

Olu was born in the UK to a family of refugees who had fled civil war. On arrival, the Methodist Church had been instrumental in helping her family to settle in their local community. Though Olu had times when it was presumed that she was 'foreign', she felt confident in her identity and her ability to challenge unwelcome comments. She felt more vulnerable as a woman, as comments about her 'rightful place' came from friends and family as well as strangers. When Olu became a presbyter not everyone in the Church agreed that a woman should take on this role. It was suggested by a few that she should perhaps be a deacon as this was a role more suited for women. Once stationed, she found that at times she was sidelined and not included.

Which of the following is correct? Please note there are two correct answers to this question so please check two boxes.

- A. Religious organisations are exempt from legislation on discrimination on the grounds of sex, where this is not in keeping with their theology. So individual Methodist churches can decide, as part of the stationing process, whether or not to accept a minister who is a woman and it is therefore reasonable for the issue to be discussed.
- B. Members of the Methodist Church have different views on the role of women in ministry. This is accepted as contradictory convictions and members of the church have the right to express their views on this issue.
- C. The Methodist Church has no exemption for discrimination on the grounds of sex with regards to stationing. If the comments and sidelining of Olu create an intimidating or hostile environment, this would be harassment and would be unlawful.
- D. Even though Olu feels comfortable challenging unwelcome comments regarding the assumption she is foreign, that does not mean that they do not amount to harassment. Although she is not foreign, this would be discrimination based on perception. Additionally, since the assumption that she is foreign is based on her ethnic heritage, this would be discrimination under the protected characteristic/ground of race.