



The Equality Act and its implications A Christian Distinctives Briefing

The Equality Act broadly retains the current UK position on the legal right to employ Christians in certain posts, as in the 2003 legislation. The Bill received Royal Assent on 8th April 2010. Most of its provisions, including those concerning employment, are due to come into force in October 2010.

The Equality and Human Rights Commission (EHRC) accompanying Code of Practice on Equal Pay was under consultation until April 2010 and was presented to parliament for approval on 27th July. It is intended to be ready for publication in autumn 2010. This new Code of Practice will supersede, and lead to revisions to, the current detailed ACAS guidance for employers and employees on the 2003 legislation. It is important to note that codes of practice are often taken into account by employment tribunals.

General information on the Bill can be found on the EHRC website:

www.equalityhumanrights.com/legislative-framework/equality-bill. Guidance for employers, which comes into force on 1st October 2010, is at <http://www.equalityhumanrights.com/legislative-framework/equality-bill/equality-act-2010-guidance/>. Specific information relating to the Christian Sector is best accessed via your preferred "umbrella or support" organisation's website. Some examples include: Catholic Church of England and Wales: www.catholic-ew.org.uk; CARE: www.care.org.uk; Evangelical Alliance: www.eauk.org; Lawyers Christian Fellowship: www.lawcf.org

Christian Distinctives suggest you prepare practically for the legislative changes in the following ways:

- Ensure that your organisation is working within the current legislation. Our handbook, *Distinctives*, <http://www.christiandistinctives.org/distinctives.htm>, contains guidance on writing an ethos statement and identifying posts that can lawfully be held by Christians.
- Consider doing a "health check" of your current situation. Either use Distinctives or alternatively you may wish to do Aspire, <http://www.aspirewebsite.org>, a more robust audit to ensure "objectively" that your ethos is based on your beliefs
- Ensure that the person or team responsible in your organisation for people and employment have the time, expertise and competence to work on this issue, and / or additional financial resource to increase capacity if necessary
- Keep the Trustees and Senior Team informed of the implications of changes to legislation and guidelines, and thus to potential changes in employment policy and practice
- Pray for wisdom for your Trustees and Staff involved in considering and implementing future changes

If we can be of further help, please do email us at info@christiandistinctives.org

There may be changes in the situation so for an up to date version of this note please check:

www.christiandistinctives.org/legalreqs.htm