

# Diversity Checklist (Sexual Orientation)

It is now illegal to discriminate on the grounds of sexual orientation. Here are ten key action points to help make the regulations work in practice.

## 1. Understand the law

The Employment Equality (Sexual Orientation) Regulations, became law on 1 December 2003, and make it unlawful to discriminate in employment or training on grounds of sexual orientation. Lesbians, gay men and bisexuals, are now entitled to protections similar to those already provided for women, disabled and black and ethnic minority staff.

## 2. Act now

Make sure your policies and practices comply with the regulations. Employers now risk legal claims from staff who have been treated less favourably in, for example, recruitment, promotion, training, or dismissal; are disadvantaged as a group by workplace practice and policy because of their sexual orientation; or have been offended – either intentionally or unwittingly – by homophobic actions or comments.

## 3. Communicate the changes

Explaining the new laws to staff and line managers is critical. Make sure everyone understands that LGB staff are covered by discrimination legislation and knows what they must do to comply with the regulations.

## 4. Make the business case for diversity

Robust diversity policies contribute substantially to long-term competitiveness, attract higher skills, motivated employees and loyal customers. More organisations are also making the link between how they treat existing and potential employees and how they are perceived by customers. Persuade colleagues to see diversity issues as an opportunity not a threat.

## 5. Build a culture of respect

Up to two thirds of lesbians and gay men may conceal their sexuality from colleagues. They often find it difficult to get support when private events affect their work. Work to create an environment where LGB people can feel safe and do their best. Make equal treatment for LGB people both a question of fairness and a question of common sense.

## 6. Recruit fairly

Recruiters often have stereotyped notions of what LGB people are good at or not so good at, and these affect their decisions. They may believe LGB people will not fit in. Ensure that recruiters understand fair selection criteria and apply them consistently.

## 7. Tackle harassment and bullying

Often LGB people who have been harassed will not want to complain because it would force them to come out as gay. Make LGB staff feel confident about using your procedures even if it would mean having to reveal their sexual orientation.

## **8. Review terms and conditions**

Anyone with the same-sex partner is likely to be excluded from at least some workplace terms and conditions. Review key benefits such as pensions and insurance cover, and ensure your policies explicitly state that benefits such as parental leave, relocation allowances and travel benefits are available to same-sex partners of nominees of the employee's choice.

## **9. Manage performance fairly**

Ensure that everyone on your organisation makes decisions based only on merit and competence. LGB people are sometimes passed over for promotion, disciplined unfairly or even dismissed for no good reason. They often find they are described as not being team players, simply because they are unable to be entirely open about their personal or social lives.

## **10. Monitor and evaluate your policies and practices**

Monitoring is essential to check whether unfair discrimination is going on and whether an organisation's diversity policy is working in practice. Think about how you will reassure LGB people that it is safe to provide information for monitoring purposes.