10. EQUALITY, DIVERSITY AND INCLUSION

10.1 INTRODUCTION

10.1.1 Equality

- Equality focuses on **fair treatment and equal opportunities** for all individuals.
- Ensures people are **not disadvantaged** because of personal characteristics.
- Mainly supported through **anti-discrimination legislation**.

10.1.2 Diversity

- Diversity is about **recognizing and valuing differences** among people.
- Includes differences in background, experience, culture, beliefs, and perspectives.
- In organizations (especially IT), diversity leads to **broader skills, creativity, and better problem-solving**.

10.1.3 Inclusion

- Inclusion ensures people **feel valued, respected, and heard**.
- Goes beyond hiring diverse staff by creating an environment where:
    - People can contribute freely
    - Views are taken seriously
- Poor inclusion can exist even in a diverse workforce.

10.1.4 Relevance to IT and Information Systems

- IT professionals often hold **managerial or supervisory roles**, so they must:
    - Avoid discriminatory behaviour
    - Prevent discrimination by others
- System design must consider **accessibility** (e.g. for users with disabilities).
- Inclusive IT systems lead to **better user support and usability**.

10.2 ANTI-DISCRIMINATION LEGISLATION (OVERVIEW)

10.2.1 Purpose of Legislation

- Provides a **legal framework** to prevent discrimination.
- Applies to:
    - Employment
    - Education

- o Provision of goods and services
- Public sector organisations have **additional obligations**.

10.2.2 Equality Act 2010

- Consolidates all UK anti-discrimination laws into a **single Act**.
- Enforced by bodies such as the **Equality and Human Rights Commission (EHRC)**.
- Aims to ensure **consistency and fairness** in handling discrimination cases.

10.2.3 Importance for IT Professionals

- Legal responsibility to:
    - o Treat employees fairly
    - o Design systems that **do not exclude users**
- Technology can be used to:
    - o Improve accessibility
    - o Reduce unintentional discrimination (e.g. accessible interfaces)

10.3 WHAT IS DISCRIMINATION?

10.3.1 Definition

- Discrimination means **treating a person or group less favourably** because of certain personal characteristics.

10.3.2 Protected Characteristics (Equality Act 2010)

Discrimination is unlawful based on:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race, colour, ethnic origin, nationality
- Religion or belief
- Sex
- Sexual orientation

10.3.3 Direct Discrimination

Meaning

- Occurs when someone is treated **less favourably explicitly** because of a protected characteristic.

Examples (Exam-Friendly)

- Paying a woman less than a man for the same job
- Rejecting applicants based on gender or race
- Refusing services to someone due to sexual orientation

Harassment

- Unwanted conduct related to a protected characteristic that:
    - Violates dignity
    - Creates a hostile or offensive environment

Victimisation

- Treating someone badly because they:
    - Made a discrimination complaint
    - Supported someone else's complaint

Key exam point: Harassment and victimisation are treated as **forms of direct discrimination**.

10.3.4 Indirect Discrimination

Meaning

- Occurs when a **general rule or policy** disadvantages a particular group.
- The rule appears neutral but has **unequal effects**.

Examples

- Height requirements disadvantaging women
- Mandatory Saturday work disadvantaging Jewish employees
- Policies favouring existing tenants' children

Justification

- Allowed only if it is:
    - A **proportionate means**
    - Of achieving a **legitimate aim**

10.3.5 Occupational Requirements

- In limited cases, discrimination may be lawful if:
    - The requirement is **essential to the job**
    - It is **properly justified**
- Example:
    - Female personal care assistant for a female client
- Must be **carefully applied** and may be reviewed by an employment tribunal.

10.4 DISCRIMINATION ON THE GROUNDS OF SEX

10.4.1 Background

- Historically, women faced **systematic disadvantage** in employment and society.
- Examples included:
    - Lower pay scales for women
    - Loss of employment on marriage
    - No right to return to work after childbirth
    - Limited access to senior roles and professional education
- Discrimination also existed in:
    - Housing
    - Financial services
    - Hospitality and accommodation

10.4.1 EMPLOYMENT

10.4.1.1 Recruitment and Terms of Employment

- It is unlawful to discriminate based on **sex or marital status** in:
    - Recruitment and selection
    - Pay, holidays, sick pay, notice periods, and benefits
- Job advertisements must **not explicitly or implicitly** restrict applicants to one sex.

10.4.1.2 Equal Pay for Equal Work

- Equal pay applies to:
    - Same work
    - Like work
    - Work of **equal value** (equal effort, skill, and decision-making)
- Employers cannot justify pay differences based solely on gender.

10.4.1.3 Promotion, Training and Benefits

- Discrimination is unlawful in:

- o Promotion opportunities
- o Transfers
- o Training access
- o Any employment-related benefits

10.4.1.4 Dismissal and Redundancy

- Employees must not be dismissed or selected for redundancy due to:
    - o Sex
    - o Marital status
- Such actions can result in claims for **unfair dismissal and discrimination**.

10.4.1.5 Victimisation

- It is unlawful to victimise an employee for:
    - o Making a sex discrimination complaint
    - o Supporting another employee's complaint

10.4.1.6 Wider Coverage

- The law also applies to:
    - o Trade unions
    - o Professional bodies
    - o Registration authorities
    - o Employment agencies
    - o Vocational training providers
- **Contract workers** are also protected.

10.4.1.7 Exceptions

- Discrimination may be allowed where there is a **genuine occupational requirement**, e.g.:
    - o Actors for gender-specific roles
- Political parties may use **positive action** to ensure women are selected as candidates.

10.4.2 EDUCATION

10.4.2.1 Admissions and Access

- Education providers must not discriminate based on sex when:
    - o Offering admission
    - o Allocating places on courses
    - o Providing facilities and services

10.4.2.2 Exceptions

- **Single-sex institutions** are permitted under the law.

10.4.3 PROVISION OF GOODS AND SERVICES

10.4.3.1 General Rule

- It is unlawful to discriminate on grounds of sex in:
    - Hotels and accommodation
    - Entertainment and leisure services
    - Banking and insurance
    - Selling or letting property

10.4.3.2 Charitable Exceptions

- Charities may lawfully restrict services if:
    - They are set up to help a specific sex-based group
    - Example: charities supporting single mothers

10.4.3.3 Important Consequences

- Businesses **cannot**:
    - Charge women less for car insurance, even if statistically safer
    - Offer better pensions to men despite lower life expectancy
- Ensures **formal equality**, not statistical fairness.

10.4.4 REMEDIES

10.4.4.1 Employment Tribunal

- Employees may bring claims for:
    - Unequal pay
    - Denial of promotion or training
    - Dismissal or redundancy
- Tribunals may:
    - Award compensation
    - Issue recommendations to employers
    - Increase damages if recommendations are ignored

10.4.4.2 Civil Courts

- Discrimination in:
    - Education

- o Goods and services

can be pursued through **civil court action** for damages.

10.4.4.3 Role of EHRC

- The Equality and Human Rights Commission:
  - o Provides guidance and advice
  - o Assists individuals considering legal action
- First point of contact for discrimination complaints.

10.4.5 DISCRIMINATION ON THE GROUNDS OF SEX — IT CONTEXT

10.4.5.1 Recruitment and Selection in IT

- IT job adverts must avoid:
  - o Gender-coded language (e.g. "aggressive developer", "young male team")
  - o Implicit bias in role descriptions (e.g. long hours without flexibility)
- Selection criteria must focus on:
  - o Skills, experience, and competence
  - o Not assumptions about availability, family commitments, or gender roles
- Automated recruitment systems must be checked for **algorithmic bias**.

10.4.5.2 Pay and Role Evaluation in IT Teams

- Equal pay applies to:
  - o Software engineers, analysts, testers, and architects doing work of **equal value**
- Employers must:
  - o Use objective job evaluation frameworks
  - o Ensure salary bands do not disadvantage women in technical roles
- Hidden pay gaps can arise through:
  - o Discretionary bonuses
  - o Stock options
  - o Overtime and on-call payments

10.4.5.3 Promotion and Career Progression in IT

- Discrimination may occur if:
  - o Women are excluded from high-visibility projects
  - o Leadership roles are informally offered rather than advertised
- IT organisations should:
  - o Use transparent promotion criteria
  - o Monitor progression into senior technical and managerial roles

10.4.5.4 Flexible Working and Family Responsibilities

- IT work often supports:
  - Remote working
  - Flexible hours
- Denying flexibility may indirectly discriminate, particularly against:
  - Women with caring responsibilities
- Employers must ensure:
  - Policies are applied consistently across genders

10.4.5.5 Workplace Culture, Harassment and Inclusion

- Harassment in IT may include:
  - Exclusion from technical discussions
  - Dismissive behaviour in code reviews
  - Inappropriate comments in team communication tools
- Such behaviour can constitute **direct discrimination** under the Equality Act.
- HR must ensure:
  - Clear reporting mechanisms
  - Prompt investigation and action

10.4.5.6 IT Systems Design and Discrimination

- Information systems must:
  - Avoid reinforcing gender stereotypes
  - Support inclusive user profiles (e.g. non-binary options)
- Poor system design can lead to:
  - Indirect discrimination
  - Legal and reputational risk
- Accessibility and usability should be built into:
  - HR systems
  - Performance management tools
  - Recruitment platforms

10.4.5.7 Legal and Business Impact for IT Organisations

- Failure to comply may result in:
  - Employment tribunal claims
  - Financial penalties

- o Damage to employer brand
- Good equality practices lead to:
  - o Better team performance
  - o Wider talent pool
  - o Improved system design through diverse perspectives

10.5 DISCRIMINATION ON RACIAL GROUNDS

Racial discrimination legislation in the UK has evolved from the Race Relations Acts (1965, 1968, 1976, 2000) and is now consolidated under the **Equality Act 2010**. It makes discrimination on the grounds of race, colour, ethnic origin or nationality unlawful. The **EHRC** is responsible for enforcement and support.

The application of racial discrimination law is complex because concepts such as race, ethnicity and nationality are not precisely defined in legislation, making interpretation context-dependent.

10.5.1 Employment and Recruitment (IT Context)

- It is unlawful to discriminate on racial grounds in:
  - o recruitment and selection
  - o pay and benefits
  - o promotion and training
  - o dismissal and redundancy
- In IT recruitment:
  - o Selection must be based on **technical competence**, not accents, names, appearance, or cultural background
  - o Requiring "UK experience only" may constitute **indirect racial discrimination**
- Automated CV-screening systems must be reviewed to ensure they do not:
  - o Systematically disadvantage candidates from certain ethnic groups
  - o Reinforce historical bias in training data

10.5.2 Language Requirements and Indirect Discrimination

- Requiring fluency in a specific language may be discriminatory unless:
  - o The language is genuinely required for the job
- In IT:
  - o English may be a legitimate requirement for documentation and collaboration
  - o Requiring local or regional languages (e.g. Welsh, Urdu) must be justified
- Global IT teams must ensure:
  - o Communication standards do not exclude capable candidates unnecessarily

10.5.3 Workplace Culture and Harassment (IT Context)

- Racial harassment and victimisation are treated as **direct discrimination**
- In IT workplaces, this may include:
  - Racial jokes or stereotypes in team communication tools
  - Exclusion from technical discussions or decision-making
  - Bias in performance reviews or code-review feedback
- Employers must:
  - Monitor digital communication channels
  - Provide clear reporting and disciplinary procedures

10.5.4 Impact on IT Organisations

- Failure to comply can result in:
  - Employment tribunal claims
  - Reputational damage in a competitive talent market
- Diverse IT teams:
  - Improve problem-solving
  - Better support culturally diverse user bases
  - Reduce bias in system design

10.6 DISCRIMINATION ON THE GROUNDS OF DISABILITY

Disability discrimination law, originally introduced through the **Disability Discrimination Act 1995**, is now part of the **Equality Act 2010**. It makes it unlawful to treat a disabled person less favourably without serious and substantial justification.

Employers and service providers must make **reasonable adjustments** to accommodate disabled individuals.

10.6.1 Employment and Reasonable Adjustments (IT Context)

- Employers must:
  - Adapt roles, environments, or tools where reasonable
- In IT roles, reasonable adjustments may include:
  - Screen readers and magnification software
  - Speech-to-text tools

- o Alternative input devices
- o Flexible working arrangements
- Disability must not be confused with inability to perform a role.

10.6.2 Recruitment and Selection in IT

- Online application systems must be accessible
- Technical tests should:
  - o Assess actual job skills
  - o Avoid unnecessary barriers (e.g. time-pressured visual tests)
- Rejecting a candidate without considering adjustments may be unlawful

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10.6.3 IT Systems as Services

- Organisations providing digital services must:
  - o Ensure systems are usable by disabled users
- This applies directly to:
  - o Websites
  - o Mobile applications
  - o Internal enterprise systems
- Accessibility is not optional; it is a legal obligation

10.7 DISCRIMINATION ON THE GROUNDS OF AGE

The Equality Act 2010 prohibits age discrimination and ended compulsory retirement ages.
Discrimination can be direct or indirect unless it is a proportionate means of achieving a legitimate aim.

10.7.1 Employment Practices (IT Context)

- Common IT risks include:
  - o Recruiting only "young", "dynamic" developers
  - o Preferring recent graduates
- Such practices may indirectly exclude older workers
- Age-neutral criteria must be used:
  - o Skills
  - o Experience
  - o Ability to learn new technologies

10.7.2 Training and Career Development in IT

- Employers must:
    - Offer training to all age groups
    - Avoid assuming older employees cannot adapt
- Continuous learning is essential in IT, regardless of age

10.7.3 Industry Impact

- Historically youth-oriented IT culture is changing
- Age diversity:
    - Improves knowledge retention
    - Strengthens mentoring
    - Reduces skill shortages

10.8 PUBLIC SECTOR EQUALITY DUTY

The Public Sector Equality Duty requires public sector organisations to actively consider equality in all activities, including employment, policy-making and service delivery.

10.8.1 IT Systems and Equality Duty

Public sector IT systems must:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations

10.8.2 Practical IT Implications

- IT systems must support:
    - Accessibility
    - Inclusive data fields (e.g. pronouns)
    - Fair algorithms
- Procurement of IT services must:

o Require suppliers to meet equality standards

10.9 POSITIVE ACTION

Positive action allows voluntary steps to address disadvantage, under-representation or different needs of protected groups.

10.9.1 Positive Action in IT Organisations

Examples include:

- Targeted outreach to under-represented groups
- Mentoring programmes for minority technologists
- Flexible working to encourage participation
- Removing unnecessary barriers in job descriptions

10.9.2 Legal Safeguards

- Positive action must be:
    o Evidence-based
    o Proportionate
- It does **not** allow automatic preference regardless of merit

10.10 INFORMATION SYSTEMS

Anti-discrimination law directly affects how information systems are designed, built and maintained.

10.10.1 Accessibility and System Design

IT professionals must design systems that support:

- Blind and visually impaired users
- Hearing-impaired users
- Users with motor or cognitive impairments

- Dyslexic users

10.10.2 Web Accessibility Standards

- W3C WCAG guidelines define:
    - Level A (minimum)
    - Level AA (recommended standard)
    - Level AAA (highest)
- Public-facing systems should aim for **Level AA**

10.10.3 Usability and Inclusion

Common accessibility issues:

- Poor navigation
- Low contrast
- Small fonts
- Unclear layouts

Fixing these:

- Improves accessibility
- Improves usability for **all users**

10.10.4 Tools and Platforms

- Developers should use:
    - OS-level accessibility features
    - Accessible frameworks
    - Built-in accessibility testing tools
- Authoring tools must:
    - Be accessible themselves
    - Support creation of accessible content

10.10.5 Legal and Ethical Implications

- Failure to provide accessible systems can result in:

- o Legal action
- o Financial penalties
- o Reputational damage
- Larger organisations have **no defence** based on cost

10.10.6 Digital Exclusion and IT Responsibility

- Some users are digitally disadvantaged:
  - o No smartphones
  - o Limited technical experience
- Inclusive system design:
  - o Reduces exclusion
  - o Supports equality objectives
- Diverse IT teams help anticipate real user needs

10.10.7 METHODS OF IMPROVING ACCESSIBILITY

Improving accessibility ensures that information systems can be used effectively by people with a wide range of physical, sensory and cognitive abilities. In IT, these methods directly influence **system design, user experience (UX), and legal compliance**.

10.10.7.1 Use Appropriate Colour Contrast

- Systems should not rely on subtle colour contrasts (e.g. yellow text on green background).
- Poor contrast makes content unreadable for:
  - o visually impaired users
  - o colour-blind users

10.10.7.2 Provide Textual Alternatives for Non-Text Content

- All non-text elements should have text alternatives:
  - o images → alt text
  - o diagrams → descriptions
  - o videos → captions and transcripts

10.10.7.3 Ensure Full Keyboard Accessibility

- All system functions must be usable via keyboard alone
- Important for users who:
  - o cannot use a mouse
  - o rely on assistive technologies

10.10.7.4 Avoid Mandatory Time Constraints

- Do not force users to complete tasks within strict time limits
- Some users:
    - read slowly
    - require assistive technologies

10.10.7.5 Support Screen Readers

- Pages must be structured so screen readers can interpret them correctly
- This includes:
    - proper heading hierarchy
    - meaningful labels

10.10.7.6 Control and Reduce Animation

- If animations are used:
    - allow slowing them down
    - allow turning them off
- Excessive motion can:
    - distract users
    - trigger medical conditions (e.g. seizures)

10.10.7.7 Allow Font Customisation

- Users should be able to:
    - change font size
    - change font style
- Helps users with:
    - visual impairments
    - dyslexia

10.10.7.8 Make Error Recovery Easy

- Systems should help users avoid or correct mistakes
- Examples:
    - undo/redo options
    - confirmation before destructive actions

10.11 AVOIDING DISCRIMINATION

Avoiding discrimination requires more than simply supporting anti-discrimination legislation. Organisations, especially in the IT sector, must ensure that **all employees understand and follow the organisation's commitment** to equality. In large organisations, failures often occur due to inconsistent behaviour, lack of awareness, or poor procedures.

Even when an organisation acts lawfully, it may still face:s

- unlawful harassment from customers or users of IT systems
- unjustified accusations of discrimination

Effective compliance helps organisations **defend themselves legally** and maintain a positive working environment.

10.11.1 Written Anti-Discrimination Policy

- Organisations must have a **clear written policy** that:
    o supports equality
    o explains unacceptable behaviour
    o outlines consequences of discrimination
- The policy should be:
    o well publicised
    o easily accessible to all staff
- **IT context:**
    o Policies should cover online behaviour, emails, internal messaging platforms and remote working environments

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10.11.2 Training and Awareness Programmes

- Regular training ensures staff:
    o understand the policy
    o recognise discriminatory behaviour
- Training should be provided to:
    o new employees
    o existing staff
    o managers and team leaders
- **IT context:**
    o Training can include inclusive software design, accessibility awareness and ethical use of technology

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10.11.3 Effective Procedures

- Organisations must have procedures for:
    - handling complaints
    - investigating incidents
    - taking disciplinary action
- Proper procedures protect:
    - employees
    - the organisation
- **IT context:**
    - Digital reporting systems and HR platforms are often used to log and manage complaints securely

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10.11.4 Importance of Procedural Compliance

- In discrimination cases, tribunals often assess:
    - whether correct procedures were followed
    - not just whether discrimination occurred
- Failure to follow procedures can:
    - weaken the employer's defence
- **IT context:**
    - Audit trails, access logs and documentation are critical in supporting investigations

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10.12 DIVERSITY AND INCLUSION

Diversity and inclusion go beyond legal compliance and play an important role in **creating fairer workplaces and better organisations**. In the IT industry, they directly affect **innovation, product quality and employee retention**.

10.12.1 Diversity

- Diversity refers to involving people with:
    - different protected characteristics
    - different backgrounds and experiences
- This may include:
    - gender
    - ethnicity
    - disability
    - age
    - neurodiversity
- **IT context:**

- o Diverse teams bring broader perspectives that improve software design and problem-solving

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10.12.2 Inclusion

- Inclusion ensures that diverse employees:
  - o are listened to
  - o can participate in decision-making
- Without inclusion:
  - o diverse employees may feel undervalued
  - o staff turnover may increase
- **IT context:**
  - o Agile teams and collaborative development benefit from inclusive cultures

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10.12.3 Benefits of Diversity and Inclusion in IT

- Better decision-making
- Improved innovation
- Products that serve a wider range of users
- Higher employee retention
- Improved business performance

10.12.4 Organisational Measures to Promote Diversity and Inclusion

10.12.4.1 Inclusive Recruitment Practices

- Review job adverts to remove unnecessary barriers
- Avoid excessive experience requirements
- **IT context:**
  - o Helps attract returners, career-changers and under-represented groups

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10.12.4.2 Inclusive Conferences and Events

- Encourage applications from under-represented groups
- Ensure diverse panels and speakers
- Introduce codes of conduct
- **IT context:**
  - o Common in tech conferences and professional events

10.12.4.3 Unconscious Bias Training

- Raises awareness of hidden biases
- Helps reduce unfair decision-making
- **IT context:**
    - Particularly important in recruitment, promotion and performance reviews

10.12.4.4 Inclusive Publicity and Communication

- Use diverse images in documentation and marketing
- Helps people identify with the organisation
- **IT context:**
    - Improves employer branding and user trust

10.12.4.5 Use of Personal Pronouns

- Promotes respect and understanding
- Helps create inclusive communication
- **IT context:**
    - Often included in email signatures and internal platforms

10.12.4.6 Flexible Working Practices

- Includes:
    - remote working
    - flexible hours
    - job sharing
- **IT context:**
    - Widely adopted in technology companies
    - Supports work-life balance and inclusion

10.12.5 Role of BCS in Diversity and Inclusion

- BCS monitors diversity in the IT labour market
- Tracks:
    - gender

- o ethnicity
- o age
- o disability
- Highlights under-representation and informs policy

10.12.6 Business Case for Diversity and Inclusion

- Reports show organisations with diverse leadership:
  - o perform better financially
  - o make better decisions
- Benefits arise from:
  - o wider viewpoints
  - o empowered employees
- **IT context:**
  - o Leads to more inclusive and accessible technology solutions

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10.12.7 Role of Training and Leadership

- Senior management and HR:
  - o define diversity goals
  - o promote inclusive culture
- Organisations can influence:
  - o suppliers
  - o partners
  - o customers