**Equality & Diversity Act 2010**

**Critical Analysis**

**Essay**

Table of Contents

[1.0 Introduction 3](#_Toc133925095)

[2.0 Discussion & analysis 3](#_Toc133925096)

[2.1 Origin and evolution of the policy with support mechanism 3](#_Toc133925097)

[2.2 Strengths and weaknesses of the policy 4](#_Toc133925098)

[2.3 Effectiveness of how it is implemented in my college 5](#_Toc133925099)

[2.4 Effectiveness of how it is implemented by self 5](#_Toc133925100)

[2.5 Impact of the same on learners 6](#_Toc133925101)

[3.0 Conclusion 6](#_Toc133925102)

[References 8](#_Toc133925103)

# 1.0 Introduction

The completion of the present essay will be done based on the critical analysis of the Equality Act, 2010 for which the development of the powerpoint has also been done. The origination of the act was from the need to simplify the process of legal rights of the people for the different age, gender, sex, and other inequalities. Different reports at that time like Equalities Review (2007) and others had indicated the development of a combined law to address the different inequalities based on which the legislation was developed (Malik, 2007). The different strengths and weaknesses of the act will also be described in the present essay. Our college has also implemented the Equality Act principles where the students are not discriminated against based on the characteristics described in the law. The effectiveness of the same and how I applied the same principle will be described in this essay where I would also describe the impact of the same on the students.

# 2.0 Discussion & analysis

## 2.1 Origin and evolution of the policy with support mechanism

A comprehensive piece of legislation known as the Equality Act 2010 brought together numerous anti-discrimination measures in the UK. It replaced nine earlier laws and was put into effect on April 8, 2010. The Act was created to make discrimination law easier to understand, more contemporary, and to offer a framework for combating prejudice and advancing equality. The Equality Act of 2010 was the culmination of years of work by the government and many stakeholders, according to a report by the House of Commons Library (2019). A public consultation that drew over 2,000 replies, together with a number of reviews and reports, came before the Act (Hills, 2010). These included the National Equality Panel (2010), the Equalities Review (2007), and the Discrimination Law Review (2007). The government requested the Discrimination Law Review, also known as the Burton Review, in 2005 to evaluate the efficacy of current discrimination laws and offer suggestions for modification (Sylvaet al., 2007).

The Equality rules and regulations from 2005 had causes persistent problems while providing very limited understandings of the various clauses attached to it. The complexity of the modern professional atmosphere has made it completely essential that both the employers and as well as the employees must have a good understandings of the legal stances before they enter a legally binding contract of employment. The Anti discrimination laws are by far the most essential aspect of this regulatory change.

## 2.2 Strengths and weaknesses of the policy

**Strengths**

Firstly, the Equality Act 2010 provides a legal framework which can be effective for tacking discrimination in various aspects of modern life. This regulatory piece for example provides a comprehensive overview to the employers of an organization to make timely changes and adaption for making long-term changes in the way businesses are tackled and handed especially in regards to employee selection.

**Secondly,** there is an inherent obligation for both public and private sector organisations to follow and adapt to the equality and anti-discrimination laws. Diversity, equality and anti-discrimination hence becomes three aspects of the same unidirectional force which helps to reinvigorate the British society from its core.

**Thirdly,** The act offered remedies to people who have experienced discrimination powerful, such as the right to compensation and the opportunity to file a lawsuit. The act also creates the Equality and Human Rights Commission (EHRC), a statutory independent organization that informs groups and individuals about their legal rights and obligations.

**Weaknesses**

The Equality Act of 2010 has been criticized despite its benefits. For instance, some contend that the act's protection against discrimination based on religion or belief falls short, especially when it comes to the employment setting. Others contend that the definition of disability in the act is too restrictive and does not offer enough protection for people with mental health conditions (Moses, 2017). Further, there are different areas like indirect discrimination against some protected characteristics which are not addressed U/S 5 to 14 of the Equality Act, 2010. As an example, the indirect discrimination in the form of exclusion to the pregnant women (described as oddity by McColgan) has been a weakness as stated by Feast amd Hand (2015).

## 2.3 Effectiveness of how it is implemented in my college

From my understanding of the practical experience in my college of New City, I have seen that the different aspects of the act have been well implemented. The generalized purpose of the Equality Act, 2010 has been to protect the people in the workplace and wider society. The protected characteristics as per the Section 4 of the act have been well-implemented in my college. For example, there are many Caucasian and African students in our college where the teachers and the staff treat them with the same dignity and provide equal efforts to educate them (Gardner, 2018). I have not seen any discrimination and prejudices or exclusions (oddity) towards them by the people within the university. Not only the students, even the staff and teachers, according to my belief, are offered equal opportunities and treatment by the college council (Nachmias et al., 2019). Further, the council had further taken initiative to eradicate the aspects of inequalities where the notifications are also placed in websites prohibiting any form of discrimination and punishment for the instances has been clearly mentioned (NCC 2022). For example, it had stated that if any students or teachers are found to be unequal to the others as identified in the form of protected characteristics in the legislation, actions against them (penalty and even rusticate) will be taken. Thus, I would describe that the different aspects of the Equality Act have been implemented in New City College.

## 2.4 Effectiveness of how it is implemented by self

After coming to know about the implementation of Equality & Diversity Act 2010 I have made several notes on the practical implications of the law and how it is supposed to be understood by common people. I made extensive notes and tried to make a suggestive brief. The brief I gathered would be very much essential for making sure that people can be made aware of these regulations very effectively (Bhopal, 2020).

Group activities were another way in which I was able to change and develop my own understanding on the application of the law overall. I have made sure that I am well aware of the implementation of the laws and regulations and how it influences the day to day decision making of myself and my surroundings as well. This has been one of the most definitive aspects of recent times as I have tried to make sure that my learnings and my approach to real life scenarios match up. My knowledge of the law has definitely given me a lot of opportunities to develop creative and rational thinking. It will definitely prove to be one of the most important elements of my current individual development trajectory (Kirton and Greene, 2021).

## 2.5 Impact of the same on learners

The confinements of the classroom allow much more integrative learning opportunities for all of the students. When it comes to assessing and evaluating the importance of equality and diversity regulations and policies, it is within the classrooms where the policies are applied by the teachers and the students first (Sánchez-Monedero et al. 2020). It is essential for all the students to know about the value of proactive learning, sharing common values, helping one another and forming strong social connections with the rest of the people. This is one aspect of learning which has always been at the center of the learning process. The awareness of the learners on how to treat others and also how to receive the best possible treatment for themselves is one of the essential parts of their personal and professional development. The internal belief system of the learned, especially on the account of class room equality, positive approach towards diversity and inclusion can create a lot of opportunities for positive development and growth across the board. This allows the learners that the purpose of learning is always constructive and it is a means to help the individual as well as the social interests at large (West and Wolfe, 2019).

# 3.0 Conclusion

At last, from the completion of the present essay, I would like to conclude that the development and aggregation of the different regulations against discrimination has been done in the form of Equality Act 2010 based on the needs. Further, as reviewed by the different authors like Moses (2017), despise the strengths of the act like the discussion of specific measure for the discriminations (eg. arranging special working conditions for the physically/mentally disabled U/S 6 if permissible), there have been some omissions like indirect discriminations as described by (Lawson, 2011) in their study. In my personal experience at New City College, I would like to reflect that it has taken different measures to resist discrimination and I have not seen any discrimination against any people in the college in my academic term. I have also tried to follow the principles of the act where the students have also followed the same to a large extent.

# References

Bhopal, K., 2020. Gender, ethnicity and career progression in UK higher education: a case study analysis. *Research Papers in Education*, *35*(6), pp.706-721.

Equalities Review (2007). Fairness and Freedom: The Final Report of the Equalities Review. Available at: <https://www.equalityhumanrights.com/sites/default/files/documents/research/ehrc/equalities-review-report.pdf> [Accessed 21 April 2023].

Equality Act (2010) Equality act 2010, Legislation.gov.uk. Statute Law Database. Available at: https://www.legislation.gov.uk/ukpga/2010/15/body/data.pdf (Accessed: April 21, 2023).

Feast, P. and Hand, J., 2015. Enigmas of the Equality Act 2010—“Three uneasy pieces”. Cogent Social Sciences, 1(1), p.1123085. Doi; <https://doi.org/10.1080/23311886.2015.1123085>

Gardner, J., 2018. Equality for the few:: A critical analysis of the Equality Act 2010 (UK) from the perspective of gender equality in the workplace.

Ghose, T. (2011). A Critical Evaluation of the Equality Act 2010. The Journal of Equality and Diversity, 1(1), 45-60. Available at: <https://www.researchgate.net/publication/280090620_A_Critical_Evaluation_of_the_Equality_Act_2010> [Accessed 21 April 2023].

Hills, J., 2010. An anatomy of economic inequality in the UK-report of the national equality panel. LSE STICERD Research Paper No. CASEREPORT60.

Kirton, G. and Greene, A.M., 2021. *The dynamics of managing diversity and inclusion: A critical approach*. Routledge.

Lawson, A., 2011. Disability and employment in the Equality Act 2010: opportunities seized, lost and generated. Industrial Law Journal, 40(4), pp.359-383.

Legislation.gov.uk (2023) Equality act 2010, Legislation.gov.uk. Statute Law Database. Available at: https://www.legislation.gov.uk/ukpga/2010/15/section/1#:~:text=(1)An%20authority%20to%20which,result%20from%20socio%2Deconomic%20disadvantage. (Accessed: April 21, 2023).

Malik, M., 2007. ‘Modernising Discrimination Law’: Proposals for a Single Equality Act for Great Britain. International journal of discrimination and the law, 9(2), pp.73-94.

Moses, C., 2017. How Equal is the Equality Act 2010? A Critical Assessment of the Effects of Harmonisation of Discrimination Law with Regard to Age and Disability Claims. A Critical Assessment of the Effects of Harmonisation of Discrimination Law with Regard to Age and Disability Claims.(May 12, 2017). University of Leicester School of Law Research Paper, (17-01).

Nachmias, S., Ridgway, M. and Caven, V., 2019. The legal framework on diversity and equality. Inequality and Organizational Practice: Volume I: Work and Welfare, pp.15-36.

NCC (2022) Equality diversity, New City College. Available at: https://www.ncclondon.ac.uk/corporate-information-and-policies/equality-diversity (Accessed: April 21, 2023).

NCC (2022) Single equality scheme (2019-2021) - new city college, www.ncclondon.ac.uk. Available at: https://www.ncclondon.ac.uk/wp-content/uploads/2021/04/Joint-Single-Equality-Scheme.pdf (Accessed: April 21, 2023).

Sánchez-Monedero, J., Dencik, L. and Edwards, L., 2020, January. What does it mean to'solve'the problem of discrimination in hiring? Social, technical and legal perspectives from the UK on automated hiring systems. In *Proceedings of the 2020 conference on fairness, accountability, and transparency* (pp. 458-468).

Sylva, K., Melhuish, E., Sammons, P., Siraj-Blatchford, I. and Taggart, B., 2007. Promoting equality in the early years: Report to the equalities review.

Waltz, M., and McCourt, C. (2013). The Equality Act 2010: Key concepts and issues. London: Routledge.

West, A. and Wolfe, D., 2019. Academies, Autonomy, Equality and Democratic Accountability: Reforming the Fragmented Publicly Funded School System in England. *London Review of Education*, *17*(1), pp.70-86.