



## Anti-discrimination law in Northern Ireland

### An overview for the higher education sector

This briefing provides an overview of anti-discrimination law in Northern Ireland. It also draws comparisons between anti-discrimination law in Northern Ireland and the rest of the UK.

The information provided in this briefing is aimed at staff working in higher education institutions (HEIs) in Northern Ireland, including line managers, teaching staff, senior managers and staff working in areas such as human resources or student services. It will also be useful for those working in higher education bodies throughout the UK, and HEIs in England, Scotland and Wales who wish to find out about the legal context in Northern Ireland.

Over the past 20 years, anti-discrimination law in Northern Ireland has, at points, been more extensive than anywhere else in the UK. Northern Ireland was, for example, the first part of the UK to establish a single equality commission covering a range of equality areas.

As the provisions within the Equality Act 2010 start to be implemented in the rest of the UK, anti-discrimination law in Scotland, England and Wales will become stronger and more consistent than the law in Northern Ireland. Northern Ireland does not have a single equality act, and current law in Northern Ireland does not reflect some of the new or extended provisions contained within the Equality Act 2010.

[www.ecu.ac.uk/publications/equality-act-2010](http://www.ecu.ac.uk/publications/equality-act-2010)

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This briefing begins by summarising the content and scope of anti-discrimination legislation in Northern Ireland and provides practical examples highlighting key provisions in the legislation.

This is followed by a comparison of anti-discrimination law in Northern Ireland and the rest of the UK, outlining some of the main areas in which the legal frameworks differ.

The final section provides links to some useful resources relating to anti-discrimination law in Northern Ireland.

The information in this briefing is a summary of anti-discrimination law in Northern Ireland; anyone requiring information about how the law applies in a particular situation should seek specialist or legal advice.

## Anti-discrimination legislation in Northern Ireland

In general, the legislation that applies in Northern Ireland is different to that for the rest of the UK, although many of the provisions that apply in the rest of the UK have been reflected in the legal framework in Northern Ireland via secondary legislation.

The following outlines the principal anti-discrimination legislation that applies in Northern Ireland.

### Northern Ireland Act 1998

This act established the devolved Northern Ireland Assembly.

Unlike in Wales and Scotland, anti-discrimination legislation is devolved in Northern Ireland. This means that the Northern Ireland Assembly, and not the Parliament at Westminster, is now responsible for passing or amending anti-discrimination legislation in Northern Ireland.

**Sections 73** and **74** of the Northern Ireland Act established the Equality Commission for Northern Ireland to replace the following bodies:

- = the Fair Employment Commission for Northern Ireland
- = the Equal Opportunities Commission for Northern Ireland



- = the Commission for Racial Equality for Northern Ireland
- = the Northern Ireland Disability Council

Information about the role and enforcement powers of the Equality Commission for Northern Ireland can be found on its website.

[www.equalityni.org](http://www.equalityni.org)

**Section 75** of the Northern Ireland Act 1998 places public authorities, including HEIs, in Northern Ireland under a duty to have due regard to the need to promote equality of opportunity between:

- = persons of different **religious belief, political opinion, racial group, age, marital status** or **sexual orientation**
- = **men** and **women** generally
- = persons with a **disability** and persons without
- = persons with **dependants** and persons without

Public authorities are also required to have regard to the desirability of promoting good relations between persons of different **religious belief, political opinion** and **racial group**.

Consultation is central to the effective implementation of the **section 75** duty. The **section 75** duty is fundamentally different to the public sector equality duty introduced by the Equality Act 2010 – further information is included later in this guidance.

Each public authority must prepare an equality scheme which outlines how it proposes to fulfil the statutory duties over a five year period. This involves screening the equality impact of all existing and proposed policies and conducting equality impact assessments in order to promote equality of opportunity.

### **Equal Pay Act (Northern Ireland) 1970**

Prohibits **sex** discrimination in relation to pay and terms of employment contracts.

### **Sex Discrimination (Northern Ireland) Order 1976**

Prohibits discrimination and harassment on the grounds of **sex, pregnancy and maternity, gender reassignment**, and **marital or civil partnership status**.



## **Disability Discrimination Act 1995 (DDA)**

Prohibits discrimination on grounds of **disability** and broadly covers Northern Ireland in the same way as the rest of the UK.

Amendments made to the DDA to cover the rest of the UK have subsequently been reflected in the law in Northern Ireland through secondary legislation passed either at Westminster or the Northern Ireland Assembly. For example, provisions in the the Disability Discrimination Act 2005 that was passed at Westminster (such as the duty placed on public authorities, including HEIs, to promote disability equality) were reflected in the Northern Ireland legal framework by the Disability Discrimination (Northern Ireland) Order 2006, passed by the Northern Ireland Assembly.

As a result of this order, HEIs and other specified public authorities, in carrying out their functions in Northern Ireland, are required to have due regard to the need to:

- = promote positive attitudes towards disabled people
- = encourage participation by disabled people in public life

## **Race Relations (Northern Ireland) Order 1997**

Prohibits discrimination and harassment on the grounds of **race, colour, ethnic or national origins, nationality**, including belonging to the Irish Traveller community.

## **Fair Employment and Treatment (Northern Ireland) Order 1998**

Prohibits discrimination and harassment on the grounds of **religious belief** and **political opinion**. Political opinion is not simply confined to covering Northern Ireland politics but has been held to include opinions such as membership of the 'broad left' of a trade union.

This order also contains provisions relating to equality monitoring and the statutory duty to promote fair participation in employment.

## **Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003**

Prohibit discrimination and harassment on the grounds of **sexual orientation**.



## **Employment Equality (Age) Regulations (Northern Ireland) 2006**

Prohibit discrimination and harassment on the grounds of **age**.

### **Other aspects of civil and criminal law**

Although not the subject of this briefing, the following employment regulations, which relate to the treatment of staff members who work part-time or on fixed-term contracts, may also be of interest:

- = Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000
- = Fixed-term Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002

There are other aspects of the legal framework which relate to equality issues – for example, criminal law provisions relating to the incitement of hatred ('hate crime') on grounds of **religious belief, sexual orientation, disability, colour, race, nationality** (including citizenship) and **ethnic or national origins**, and civil and criminal law provisions relating to harassment.

### **Key legal concepts**

The law in Northern Ireland protects people from discrimination on a number of specified grounds, namely:

- = **age**
- = **disability**
- = **gender reassignment**
- = **marital or civil partnership status**
- = **pregnancy and maternity**
- = **racial group**
- = **religion or belief**
- = **political opinion**
- = **sex**
- = **sexual orientation**

For convenience, and to be consistent with terminology used within the Equality Act 2010 in the rest of the UK, this briefing will refer to these grounds as the protected characteristics.



In relation to employment in Northern Ireland, discrimination is unlawful in relation to all the above protected characteristics. This legislation covers all aspects of employment, including selection processes, appointment, terms and conditions of employment, promotion, training, termination and relations thereafter (for example, the issuing of references after someone has left employment). If someone makes a claim that they have been discriminated against on grounds of **religion** or **political opinion**, the case is taken to the fair employment tribunal; for all other protected characteristics, the case is taken to the industrial tribunal.

The legal position is slightly different regarding anti-discrimination in relation to the provision of education, goods, facilities and services. In general terms, it is currently unlawful for HEIs to discriminate against current or prospective students on the grounds of any of the protected characteristics with the exceptions of **age** and **marital or civil partnership status**. If someone makes a claim that they have been discriminated against in relation to education provision or services, the claim is taken in the county court.

The legislation also covers discrimination in other areas such as the provision of commercial services, procurement and the use of facilities and premises.

This section provides an overview of the key legal concepts that apply in Northern Ireland (concepts which are very similar to those found in anti-discrimination law in the rest of the UK). It also outlines some of the key variations in how these concepts apply to the different protected characteristics.

### **Direct discrimination**

This arises where a person, on grounds of a protected characteristic, is treated less favourably than another person. Direct discrimination involves making a comparison between how other people have been, or would be, treated in the same (or 'not materially different') circumstances.



Direct discrimination may occur if, for example:


- = a Roman Catholic employee is not provided with a training opportunity which would assist him to qualify for promotion, but his Protestant colleague is provided with the training
- = an HEI promotes a male lecturer without advertising, even though a female colleague is more qualified for the post
- = an institution refuses to let a student go on a field trip or residential trip because they are a wheelchair user
- = an employer does not offer a student services post to the best candidate because they are seen as 'too old' and 'not young enough to identify with students'

**Age** discrimination is slightly different to discrimination on other grounds in that different treatment of people based on **age** may sometimes be justified if this treatment can be shown to be a proportionate means of meeting a legitimate aim. For example, an institution that places an upper age limit on admission to a course would be directly discriminating against people above the age limit, unless it could show that the age limit was objectively justified, which, in most circumstances, would be difficult.

Direct discrimination can arise not only on the basis of a person's own characteristics but also on the basis of a person's association with another person who has a particular protected characteristic (this provision does not apply to **marital or civil partnership status**).

Direct discrimination based on **association** may occur if, for example:

- = a student is excluded from events organised by a student society because her flatmate is a lesbian
- = a Protestant employee is spurned by her Protestant work colleagues because her partner is a Roman Catholic
- = a student who has missed lectures as a result of caring responsibilities for his disabled father is reprimanded for his absence, whereas a single mother is not reprimanded despite similar absence levels



Unlawful discrimination can also occur on the basis of perception of a person's protected characteristics.

Direct discrimination based on **perception** can occur if, for example:

- = an employer decides not to promote a female employee because senior staff believe her to be pregnant (irrespective of whether or not she is pregnant)
- = a lecturer refuses to recommend a student for a work placement because she believes the student to be gay (irrespective of whether or not the student is gay)

### **Indirect discrimination**

Indirect discrimination arises when an institution does something (applies a provision, criterion or practice) which, on the face of it, appears to be neutral in terms of equality issues, but which, in terms of its impact, particularly disadvantages people with a particular protected characteristic.

In cases of alleged indirect discrimination, institutions may be able to justify the action they have taken if they are able to demonstrate that it was a proportionate means of achieving a legitimate aim. However, it should be noted that this is not necessarily an easy threshold to meet.

Indirect discrimination may occur, for example, if the following scenarios arise and the measures taken cannot be objectively justified.

- = An employer advertises a post on a full-time basis and refuses to consider any requests from job applicants for flexible working arrangements (for example, job-share or part-time working). This would be likely to exclude more women than men from applying for the post as women are statistically more likely to want or need to work on a part-time basis.
- = A new requirement is placed on all staff in the library to work on a religious sabbath, such as a Saturday or Sunday.





## Disability-related discrimination

**Disability** is treated differently to the other protected characteristics in some important respects. In addition to the prohibition against direct disability discrimination, disability-related discrimination is also unlawful. There is also a duty to make reasonable adjustments for disabled people.

This is a complex area with significant obligations on HEIs. The *Disability discrimination code of practice for further and higher education*, which has been issued by the Equality Commission for Northern Ireland should be considered if any issue arises in this area. [www.equalityni.org](http://www.equalityni.org)

It is unlawful to treat someone less favourably for a reason which relates to their disability unless that treatment is justified.

Disability-related discrimination may occur, for example, in the following scenarios.

- = A lecturer takes four periods of sickness absence in a two-month period which relate directly to his disability. The lecturer is then dismissed on the grounds of his attendance record, as would happen with any employee with the same absence record, which fails to take into account the need for reasonable adjustments for disability-related leave.
- = A student with dyslexia applies for a place on an English course, disclosing their disability on the application. The admissions process involved a handwritten time assessment. The student is unsuccessful in gaining a place on the course because of the quality of their handwriting and inability to complete the task as reasonable adjustments, such as additional assessment time and/or the use of a computer were not provided.

It is unlawful to fail to make reasonable adjustments to accommodate disabled people. This duty applies to all major aspects of the operation of an HEI, including:

- = **employment**: including recruitment and selection processes, appointment, terms and conditions of employment, promotion, training and development, termination and relations thereafter – for example, the issuing of references after someone has left employment



- = **education**: covering all aspects of education delivery, including student recruitment, open days, admissions processes, induction, learning and teaching, assessment, pastoral support and graduation
- = **the built environment**: both the internal and external environment
- = **the provision of goods, facilities, services and premises**: covering, for example, the provision of student support services and the opening of facilities or events to the public or other visitors

A failure to make a reasonable adjustment may occur, for example, if:

- = an institution refuses to provide a blind student with the auxiliary aids and support services that they require (for example, the transcription of text books into Braille)
- = an HEI does not make adjustments to ensure that a visitor, who uses a wheelchair, can access a graduation ceremony they wish to attend

The range of adjustments that HEIs need to make is very broad. Further information about disability equality issues in higher education can be found on the ECU website. [www.ecu.ac.uk/subjects/disability](http://www.ecu.ac.uk/subjects/disability)

The duty to make reasonable adjustments is an anticipatory duty in relation to education and the provision of goods, facilities and services. This means that HEIs need to be proactive in preparing for the fact that a wide range of disabled people will be applying for and taking up places, and ensure that appropriate adjustments and support services are in place to meet people's access requirements.

## Harassment

Harassment is unlawful if the harasser, on grounds of a protected characteristic, engages in unwanted conduct which has the purpose or effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. When deciding if the conduct is harassment all the circumstances are considered and in particular the perception of the alleged victim.



Harassment may occur, for example, if:

- = a member of staff makes jokes about a student's sexual orientation and, as a result, makes the student feel uncomfortable
- = a manager makes sarcastic comments about the age of one of their members of staff, making them feel humiliated
- = a political discussion in a class, in which the majority of students are Roman Catholic, about the 'troubles' in Northern Ireland becomes offensive about the Protestant community

## **Victimisation**

If someone brings proceedings, gives evidence or, in any other respect, raises equality issues in relation to a protected matter, they obtain a protection against victimisation. This means that it is unlawful for an institution to treat that person less favourably than other people because they have raised that complaint of discrimination.

The victimisation provisions would also protect someone who supports another person to bring a case of discrimination against an institution.

It does not matter if the complaint of discrimination that a person has brought or supported is unfounded, providing it was made in good faith.

Victimisation may occur if, for example:

- = a student alleges that they have encountered racism from a staff member and as a result they are ignored by other staff and students
- = a manager starts to behave in a hostile manner to a member of staff after the member of staff gives evidence in an internal investigation to support a colleague's complaint of sexual harassment
- = an employee is branded as a troublemaker because they have complained that the requirement to work full-time in a management post is indirectly discriminatory against women



## Positive or affirmative action

The legislation permits a number of different positive or affirmative action measures and it is generally lawful to:

- = encourage groups that are under-represented in the organisation to apply for vacancies and training
- = take measures to meet the special needs of racial groups in relation to education, training or welfare

Examples of positive or affirmative action which are likely to be lawful are:

- = advertising a position and welcoming applications from Roman Catholics due to an under-representation in the workforce
- = organising training in a particular skill for Indian staff as the institution has a significant under-representation of Indian employees working in roles which require the use of that particular skill

However, in the majority of situations, it is unlawful to discriminate in favour of someone at the point of selection.

There are a few technical issues and exceptions relating to these provisions and specific advice should be sought where positive or affirmative action measures are being considered.

## Equality monitoring

The Fair Employment and Treatment (NI) Order 1998 requires all employers who employ more than ten employees in Northern Ireland to register with the Equality Commission, and provide a monitoring return each year.

HEIs must therefore monitor employees, job applicants, appointees, leavers, promotees and apprentices by community background, sex, whether they are working more or less than 16 hours a week and by job classification (for which the government's standard occupational classification system is used, to ensure consistency). A step by step guide to monitoring is contained in the Equality Commission's website.

[www.equalityni.org/archive/pdf/StepbyStep2004.pdf](http://www.equalityni.org/archive/pdf/StepbyStep2004.pdf)



At least every three years, those employers required to monitor must also complete a review, generally referred to as an **article 55 review**, of composition and employment practices for the purposes of determining whether members of the Protestant and the Roman Catholic communities are enjoying fair participation in employment. This obligation applies regardless of whether the employer is in the public, private or voluntary sector.

The Equality Commission for Northern Ireland recommends monitoring more extensively than required by the legislation and most public sector employers in Northern Ireland voluntarily monitor **ethnic origin** and **disability**.


## Comparison between the law in Northern Ireland and the rest of the UK

The legal position in Northern Ireland is similar to that which existed in the rest of the UK before the Equality Act 2010. A single equality bill has been discussed for many years in Northern Ireland but has not yet materialised.

This section outlines some of the main aspects in which the anti-discrimination legal framework in Northern Ireland differs to the framework that is being created in the rest of the UK under the Equality Act 2010. It is important to note that, although the Equality Act 2010 was passed by parliament and has received royal assent, most of the provisions within the Act are yet to be implemented and some parts of the Act may not be fully implemented. More information about the Equality Act 2010 can be found at [www.ecu.ac.uk/subjects/equality-act-2010](http://www.ecu.ac.uk/subjects/equality-act-2010).

### Public sector equality duty

- = There are key differences in the protected characteristics that are explicitly covered by the public sector equality duty in the Equality Act 2010 and the Northern Ireland public sector duty (**section 75** of the Northern Ireland Act 1998). In the rest of the UK, the characteristics **pregnancy and maternity** and **gender reassignment** are explicitly listed in the duty. Whilst these are not listed explicitly in the legislation in Northern Ireland, they are, in many respects, covered by other terms (for example, equality on grounds of **pregnancy and maternity** and **gender reassignment** are seen as being covered by the **sex** equality provisions).




In some other respects, the duty in Northern Ireland is broader than the duty covering the rest of the UK. For example, the duty explicitly covers **political opinion** and **persons with dependents and persons without**, which are not covered in the duty for the rest of the UK.

- = The public sector equality duty in the Equality Act 2010 states that organisations must have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct. This aspect is not made explicit in the Northern Ireland public sector duty (**section 75** of the Northern Ireland Act 1998), although it is implied in practice.
- = **Section 76** of the Northern Ireland Act 1998 requires public authorities not to discriminate on grounds of **religious belief** or **political opinion** when carrying out functions relating to Northern Ireland.
- = The part of the public sector equality duty covering the rest of the UK about the need to foster good relations applies to most of the protected characteristics (with the exception of **marital or civil partnership status**, which is not covered by any part of the public sector equality duty). In Northern Ireland, the good relations duty applies only to **racial group**, **religious belief** and **political opinion**.
- = Under the Equality Act 2010, ministers of the crown have the power to impose duties on public authorities for the purpose of better performance of the statutory duty (often referred to as specific duties). The specific duties for England are currently being consulted on by the Government Equalities Office. The Welsh Assembly government has conducted a listening exercise on the specific duties for Wales and the results are forthcoming. The Scottish government is currently analysing results and intends to publish a response to its consultation. The government's proposals would create further differences between the legal frameworks in the rest of the UK and Northern Ireland if, for example, requirements for public bodies to publish equality schemes are removed in the rest of the UK but remain in place in Northern Ireland.  
[www.equalities.gov.uk/pdf/psdresp\\_GEO\\_MakingItWork\\_acc.pdf](http://www.equalities.gov.uk/pdf/psdresp_GEO_MakingItWork_acc.pdf)

### **Socio-economic duty**

- = The Equality Act 2010 introduces a new public sector duty regarding socio-economic inequalities only for key strategic public bodies. The



public body must have 'due regard to the desirability of exercising its functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'. There is no Northern Ireland equivalent to this duty.

### Age equality

- = In the rest of the UK, age discrimination is prohibited for those aged 18 or over in areas outside employment, including the provision of goods, services and education. There is no Northern Ireland equivalent to this provision, although it is worth bearing in mind that the general equality duty (under **section 75** of the Northern Ireland Act), covers **age** alongside other protected characteristics.

### Disability equality

- = The definition of **disability** is different in Northern Ireland from the rest of the UK. In Northern Ireland, an impairment only constitutes a disability if it affects one of the following day-to-day activities:
  - mobility
  - manual dexterity
  - physical co-ordination
  - continence
  - ability to lift, carry or otherwise move everyday objects
  - speech, hearing or eyesight
  - memory or ability to concentrate, learn or understand
  - perception of the risk of physical danger

The requirement that a disability must relate to one of these activities is being removed in legislation for the rest of the UK under the Equality Act 2010.

- = In the rest of the UK, under the Equality Act 2010, the concept of indirect discrimination will be explicitly applied to disability discrimination, whereas disability equality legislation in Northern Ireland does not prohibit indirect discrimination.
- = In Northern Ireland there are different justification defences and different thresholds for making reasonable adjustments in the employment and non-employment fields.



- = In the Equality Act 2010 there is a provision that significantly restricts the scope for employers to ask job applicants disability or health-related questions or issue pre-employment health questionnaires. There is no such provision in Northern Ireland.
- = In the rest of the UK stronger provisions are being applied to general qualification bodies, such as Edexcel, to prohibit discrimination and require that they make reasonable adjustments for disabled people. Disability discrimination legislation covering qualification bodies in Northern Ireland is not as strong or extensive as the Equality Act 2010.

### **Equal pay**

- = The Equality Act 2010 places a duty on larger private sector employers to publish gender pay gap information and paves the way for similar duties to be placed on public sector employers. There is no Northern Ireland equivalent, other than the more general monitoring obligations under **section 75** of the Northern Ireland Act.
- = The Equality Act 2010 contains a section which prohibits employers from using 'pay secrecy' clauses to bar employees from discussing their pay with colleagues. There is no equivalent provision in anti-discrimination legislation in Northern Ireland.

### **Gender equality**

- = The Equality Act 2010 makes explicit that the less favourable treatment of a woman because she is breastfeeding is prohibited. Although there is no specific prohibition in Northern Ireland, similar protection may be afforded through the Sex Discrimination (Northern Ireland) Order 1976.

### **Race equality**

- = Case law has determined that the definition of **racial group** used in the rest of the UK is broad enough to protect traveller communities in a range of circumstances. However, in Northern Ireland the protection of the Irish Traveller community is more explicitly stated within the legislation itself (Race Relations (NI) Order 1997).





## Other general differences

- = In the rest of the UK there is an explicit and specific prohibition on discrimination or harassment after a relationship has ended (for example, after a member of staff has left the employment of an organisation or in providing a reference for a former student). Equivalent provisions exist in Northern Ireland only in relation to **racial group**, **religious belief** and **political opinion** in the field of employment.
- = In the rest of the UK the Equality Act clarifies and harmonises the indirect discrimination provisions across the different protected characteristics. As a result, the justification test in indirect discrimination cases – whether or not the action taken is a proportionate means of achieving a legitimate aim – is the same in respect of each of the protected characteristics. In Northern Ireland, however, the specific definitions used in relation to indirect discrimination and the justification test vary across different protected characteristics. Even within a single piece of legislation, the Fair Employment and Treatment (NI) Order 1998 Article 3, the justification issue is dealt with differently in different sections of the order.
- = The Equality Act 2010 enables individuals to bring cases of dual discrimination (claims of discrimination on two combined grounds). For example, a person could bring a case of discrimination stating that they have been discriminated against because they are a Muslim woman or a bisexual man. There is no equivalent provision for dual discrimination in Northern Ireland.
- = Under the Equality Act 2010 employers can be held liable for the harassment of their employees by third parties, such as contractors or students. Liability arises where the harassment has occurred on at least two occasions, the employer is aware of it and has not taken reasonable steps to prevent it occurring. There is no equivalent provision in Northern Ireland other than in relation to **sex** discrimination.
- = In the Equality Act 2010 the positive action provisions are expanded to create the potential for employers to take account of an under-representation in tie-break situations during staff recruitment and promotion. This means that where, for example, two job applicants are equally qualified for a position, an employer may be able to select the person who is a member of an under-represented group. No similar tie-break provisions exist in Northern Ireland.



- = In Northern Ireland the positive or affirmative action provisions are, in many ways, inconsistent between different protected characteristics. The positive action provisions in the Equality Act 2010 for the rest of the UK are more consistent across different protected characteristics.
- = In the rest of the UK there is a more consistent and harmonised approach, across the different protected characteristics, to prohibiting organisations from instructing, causing or inducing another to discriminate. In Northern Ireland, there is less consistency in this regard across the protected characteristics.
- = In Northern Ireland, under the Fair Employment and Treatment (NI) Order 1998, **political opinion** is explicitly protected as a ground on which discrimination should not take place. In the rest of the UK, **political opinion** does not feature as a ground for unlawful discrimination. This does not mean, however, that there is no legal protection at all against discrimination on political grounds, since, in the rest of the UK, discrimination is prohibited on grounds of **religion or belief** (not just **religious belief**, which is the term contained in the Fair Employment and Treatment (NI) Order 1998). The terms **religion or belief** may be broad enough to cover some beliefs that are political in nature, for example a belief in a political philosophy such as socialism or Marxism, or other beliefs, such as pacifism or environmentalism. Case law in the rest of the UK is determining what beliefs might be covered by the term **religion or belief**, for example, see the ECU website.  
[www.ecu.ac.uk/news/environmental-concerns-ruled-a-belief](http://www.ecu.ac.uk/news/environmental-concerns-ruled-a-belief)



## Further information

The ECU website contains equality guidance and information, tailored for HEIs, on a wide range of topics – from building design and conducting equal pay audits to equality monitoring and student accommodation.

[www.ecu.ac.uk](http://www.ecu.ac.uk)

ECU also offers an advice service to respond to equality-related enquiries from HEIs. [www.ecu.ac.uk/your-questions/advice-service](http://www.ecu.ac.uk/your-questions/advice-service)  
[advice@ecu.ac.uk](mailto:advice@ecu.ac.uk)

Guidance on the law and good practice, as well as links to the relevant legislation, is available on the website of the Equality Commission for Northern Ireland. [www.equalityni.org](http://www.equalityni.org)

Considerable reliance is placed upon the statutory equality codes of practice in courts and tribunals in Northern Ireland. These codes are available on the Equality Commission for Northern Ireland website. In the employment field, the Commission has also produced a helpful *Unified guide to promoting equal opportunities in employment* which summarises the employment good practice advice contained in the codes of practice.

[www.equalityni.org/archive/pdf/unifiedguideF09.pdf](http://www.equalityni.org/archive/pdf/unifiedguideF09.pdf)

A disability discrimination code of practice for further and higher education has also been issued by the Equality Commission for Northern Ireland.

[www.equalityni.org/archive/pdf/FHECOP\(SENDO\).pdf](http://www.equalityni.org/archive/pdf/FHECOP(SENDO).pdf)



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