

Gender Equality Duty

The Gender Equality Duty (GED) will take effect from April 2007. It has been introduced by the Equality Act 2006, which also establishes the Commission for Equality and Human Rights (CEHR) to replace the Equal Opportunities Commission, Commission for Racial Equality and the Disability Rights Commission from autumn 2007.

The GED requires public authorities to promote equality of opportunity for men and women, and to eliminate sex discrimination and harassment. It follows similar duties relating to race and disability introduced in the past few years – in fact the Disability Equality Duty just came into force on 4 December 2006.

The duty is not about providing identical services to men and women. Rather, authorities will have to demonstrate how they are developing policies and service delivery to meet the differing needs of men and women. An example given by the Equal Opportunities Commission is that men are less likely than women to visit their GP, meaning they seek treatment later in the course of an illness, damaging their health and requiring more expensive treatment. The GED could see primary health services targeting men by providing health information and drop-in clinics at sporting events, in pubs or workplaces.

There are two ways that the GED may affect your organisation:

Compliance – Some museums and cultural or countryside bodies are named in the legislation as public authorities to which the GED applies. More generally voluntary sector organisations which are providing public services will also need to comply. The new duties will be enforced by the CEHR, which can issue notices requiring compliance and recommending appropriate action.

Lobbying – If you can identify ways in which the delivery or funding of public services are not meeting the needs of women or men, the GED may be a useful tool in lobbying for changed priorities. If your organisation can deliver appropriate services you may be able to use the duty to negotiate better funding. This may be particularly relevant for organisations providing women-only services, such as support for victims of rape or domestic violence.

For more information, see the Equal Opportunities Commission and Women's National Commission websites:

<http://www.eoc.org.uk/Default.aspx?page=15016>

http://www.thewnc.org.uk/wnc_work/cehr.html#Gender%20Equality%20Duty

The Equality Act also covers discrimination on grounds of religious belief or sexual orientation when providing goods, facilities or services, premises or education, or in the exercise of public functions. The details are still being worked out in regulations which are expected to be introduced later this year. *Legal Eyes* will keep you posted.

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