



DISCRIMINATION REPORT

An analysis of discrimination enquiries during 2017

Introduction

Citizens Advice Guernsey is a free local resource available to all and covers a diverse range of issues. At the point of access, we provide independent locally relevant advice. We can cover any subject meaning it has a large depository of information to help assist the issues that affect our clients.

This body of information and practical application enables us to assess the trends that may arise, in specific areas of interest to a broad range of external bodies.

In 2017 there were 47 queries relating to discrimination, of which 25 identified themselves as being discriminated against.

A direct comparison between 2017 and 2016 is challenging due the amalgamation of the numbers for 2016 and 2015 (64) in last year's report. However, a high-level view of the published figures it would be reasonable to say that there is a small, but steady level of discrimination queries, averaging 3.5 cases per month.

The purpose of this report is to determine and assess any trends, to gauge levels of awareness, understanding and types of discrimination experienced by our clients.

As in previous years, a large proportion of cases in 2017 involved the workplace, with bullying/harassment topping the table, with cases involving gender and race coming second and third respectively. These three issues represent just over 80% of cases logged with Citizens Advice Guernsey.

Methodology

All cases are logged within our database using specific codes which are then further examined and investigated.

A client may require several follow up calls as their case progresses, each would be given a new reference number, linking back to the initial call, all calls have been included in this report. There can also be 'secondary' discrimination that comes to light, stemming from the root of the initial case. However, in this report we will focus on the primary discrimination, as this would be the reason for contacting Citizens Advice in the first place.

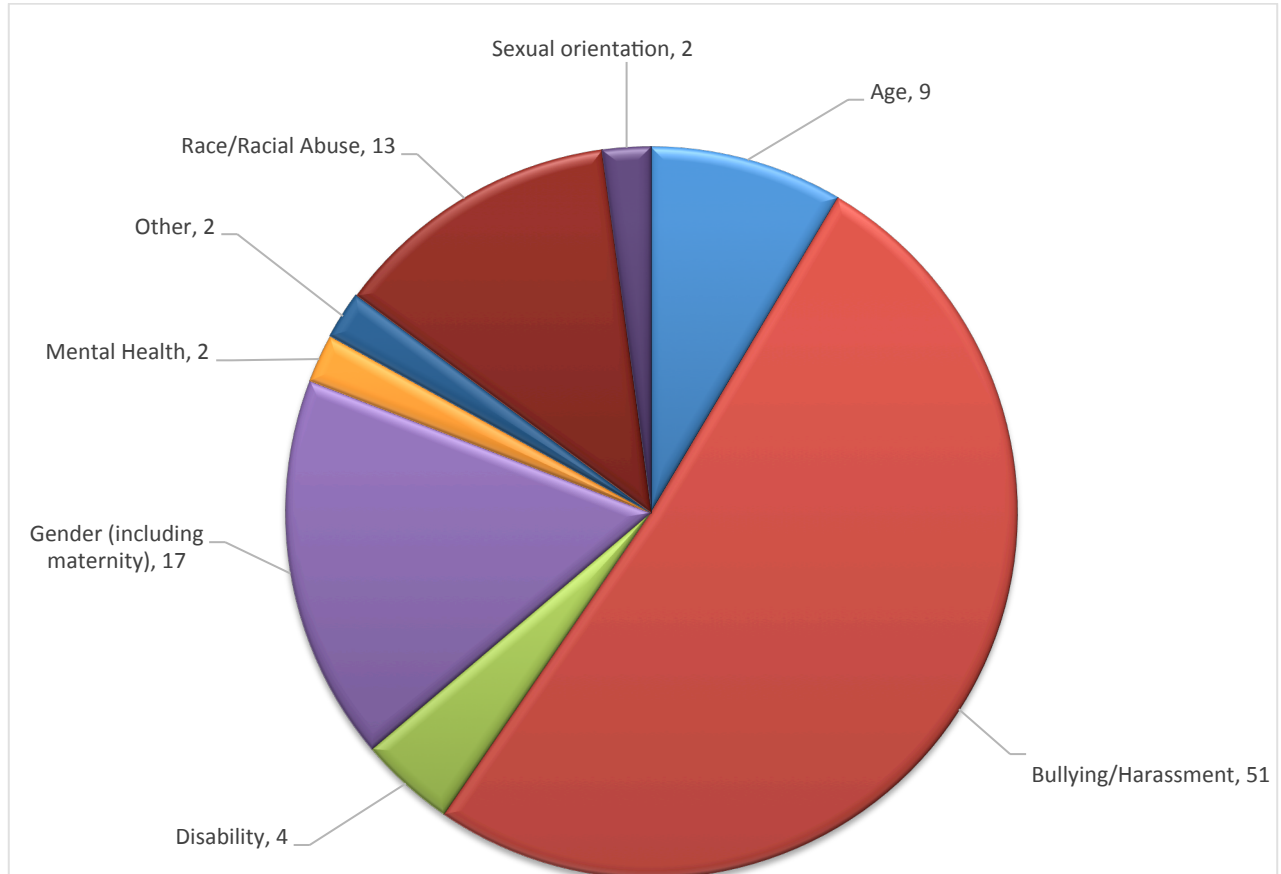
In this report we also identified whether people self-disclosed or not, (i.e. whether they felt that they were being discriminated against). We accepted their self-disclosure as a true reflection of how they felt about their situation, but we also thought it would be useful to use it as a measurement to gain a better understanding of people's awareness discrimination within the community

The report was divided into two headings:

- Community/Home
- Workplace

In previous reports 'Maternity' had its own sub heading, in 2017 this has been amalgamated within 'Gender'. 'Local Discrimination' has also been removed to give clearer sub headings as we felt that it did not accurately reflect what was happening within the community.

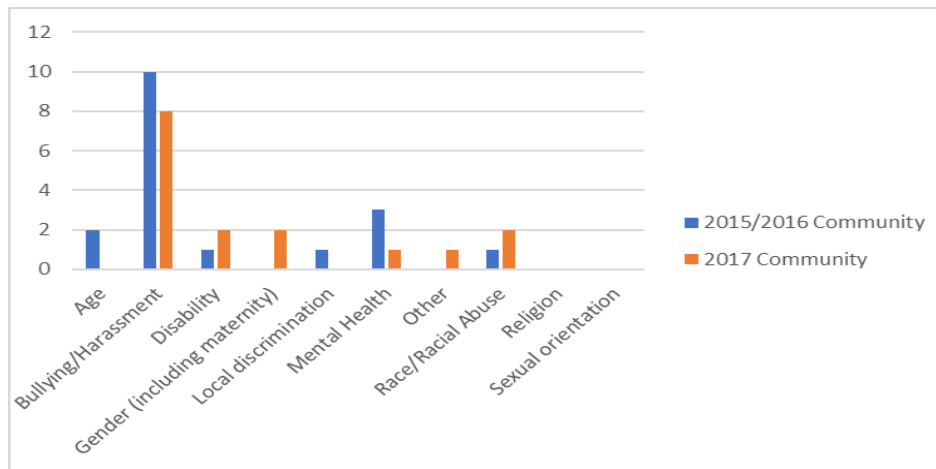
Total percentage breakdown of 2017 discrimination codes



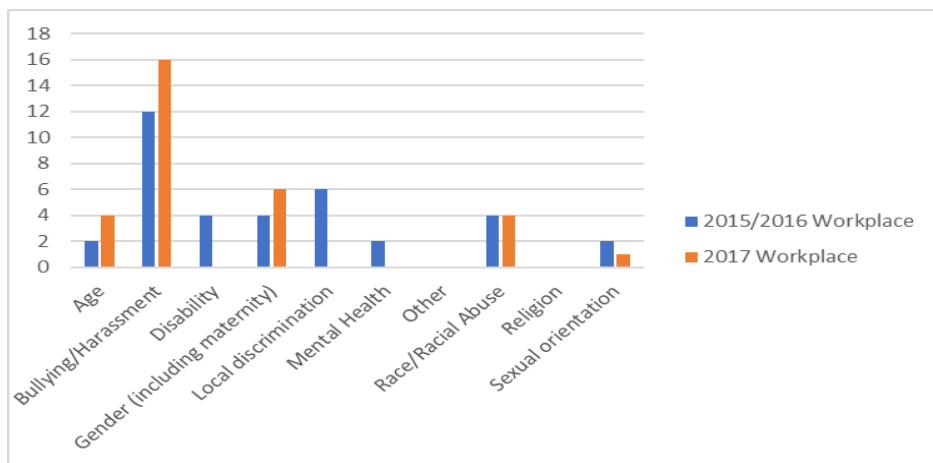
Rankings 1 = highest, 8 = lowest (based on number of cases)

Characteristics	2017 Ranking	Movement
Bullying/Harassment	1	↔
Gender (including maternity)	2	↑
Race/Racial Abuse	3	↑
Age	4	↑
Disability	5	↓
Mental Health	6	↓
Sexual orientation	6	↓
Religion	8	n/a
Other	8	n/a

Comparisons - Community



Comparison - Workplace



Conclusion

Given the relatively small number of cases, it is difficult to make definitive conclusions. However, there are some trends that are worth noting.

Bullying and Harassment in 2017 as in 2016 was the most reported primary behaviour, but often in relation to another characteristic. For example, case 173620, the client was being bullied at their workplace, due to their sexual orientation. Complexity was added when the issue then spread out into the wider community, affecting their home life. However, that case aside, bullying and harassment reported within the community seem to stem mainly from family or financial disputes.

In the case file mentioned above, the added complexity was not unusual and the discrimination may manifest itself in other ways. This means that it takes time for the advisor to unpeel the layers to get to the heart of the issue. In some ways, bullying appeared to be used as a short cut, when for whatever reason they wanted to get rid of the employee. Employers seem to understand the significance of one year's continuous service and would often use this to their advantage in making the working environment difficult.

It may be a tenuous link to suggest that because there is more widespread information about bullying and harassment it may explain why this behaviour is the most self-reported. It would be worth exploring to ascertain if having clear definitions of a characteristic would help the wider community to gain a better understanding. Does having a 'label' help?

Much of the discrimination reported here, appears to take place within the workplace, although its impact often reaches out into the community. Gender discrimination increased from 6% to 17%, ranking second in the overall list for 2017, primarily because of maternity and how employers treat women when they declare their pregnancy.

In third place was race related issues, all of which occurred in the workplace. Some of these were straightforward, for example, a client met their performance targets, which had been formally confirmed by the employer, then everyone, except the client received a bonus. The only difference was race. Others, not so straightforward as that. We believe the client if they feel they have been discriminated against because they do not share the same nationality as the line manager and feel that being are treated differently, or in some cases assumptions made based purely on nationality without empirical proof. The latter may be an insignificant number, but nevertheless, being mindful of cultural diversity and embracing difference can make a positive difference.

During the research it became evident that there was an overlap with some social policies such as population management and employment law. In the workplace, some employers seem reluctant to issue contracts of employment, perhaps not understanding the importance, or unable to issue. Failure to send, whether intentional or not creates a power imbalance in favour of the employer. There also appeared to be a misuse of non-Guernsey workers understanding of local laws. To a lesser extent, this lack of knowledge also showed within the wider community and there needs to be a stronger, co-ordinated approach that helps address the power imbalance in circumstances such as these.

It appears to be that the State of Guernsey's intention is to bring in more protected characteristics and at the time of writing, they are looking to other countries legislation to speed up the process. Having a co-ordinated, cohesive discrimination policy in Guernsey, will help to facilitate more accurate and consistent reporting. It will give the opportunity to create a structured framework of what it is acceptable in our community and hopefully this will help promote Guernsey externally by having positive and welcoming environment both at home and work.