

8. Awareness and Knowledge of Anti-Discrimination Legislation

Key findings

Twenty two per cent of respondents cited anti-discrimination legislation, unprompted or partly prompted, as an example of employment rights.

When prompted, 91 per cent of respondents were aware of the right to be treated fairly regardless of race, gender or disability.

Detailed substantive knowledge of anti-discrimination provisions varied considerably, however. At one extreme, just over a quarter knew that age is not covered by anti-discrimination legislation. At the other extreme, over 80 per cent of respondents knew that employees are covered by anti-discrimination legislation from day one of their employment.

Between 65 per cent and 78 per cent of respondents were able to identify infringements of anti-discrimination legislation, when presented with hypothetical scenarios. The lowest proportion identifying a breach occurred in the case of a sex discrimination example (relating to enforcement of a gender-based dress code); the highest proportion occurred in the case of a race discrimination example (relating to denial of fringe benefits to a newly promoted non-white manager). Of those identifying the scenarios as unlawful, the proportion whose identification appeared to be based on actual knowledge of the legislation varied between the cases (it was highest in the race example at over 90 per cent, slightly lower in the sex example, and lowest of all in the disability example at under 50 per cent, perhaps reflecting the recent nature of the legislation in this area).

There is no clear relationship between individuals' self-assessment of their general levels of awareness/knowledge of employment law, and their substantive knowledge of anti-discrimination legislation or their ability knowledgeably to identify the unlawfulness of examples of infringements in this area. That is, in contrast to some of the other areas of law considered, there was no systematic tendency for those who claimed higher levels of awareness/knowledge of employment rights in general, to exhibit greater knowledge than others of anti-discrimination legislation in practice.

Unprompted/partly prompted awareness of anti-discrimination legislation is higher among ethnic minority respondents and disabled people, and tends to increase with age and qualification levels.

Unprompted and prompted awareness of anti-discrimination legislation is highest in white collar (especially managerial and professional) occupations, in the public administration, health and education sectors, in larger workplaces and among union members.

It is notable that white respondents demonstrate higher levels of substantive knowledge of discrimination legislation in response to specific questions, than do non-white respondents. Levels of substantive knowledge are also higher among better qualified respondents, and among those in managerial and professional occupations.

Direct experience of discrimination problems at work is associated with higher levels of informed awareness (unprompted and prompted) of anti-discrimination legislation, but not with higher levels of substantive knowledge of the specific areas of anti-discrimination tested in this survey.

Presented with the hypothetical scenarios of discrimination, most respondents (over 90 per cent) said they would take action in such circumstances when faced with the race or disability discrimination cases. In the sex discrimination example, this proportion fell to just over two-thirds.

In this chapter we present findings related to various measures of respondents' awareness and knowledge of employment rights and legislation which relate to employees' rights not be discriminated against in employment on grounds of sex, race or disability.

Again the chapter covers¹ in relation to anti-discrimination legislation:

- respondents' informed awareness (unprompted or partly prompted)
- their prompted awareness
- their substantive knowledge of specific aspects of the legislation
- their responses to three hypothetical situations or 'scenarios' relating to infringements of specific rights in this area.

8.1 Informed awareness (unprompted and partly prompted)

Referring to Table 3.5 in Chapter 3, anti-discrimination legislation was one of the areas of rights most commonly named by respondents to this question (with 22 per cent of respondents citing one or more areas of anti-discrimination legislation).

¹ For further explanation of the different definitions of 'awareness' and 'knowledge' deployed in this chapter, and throughout the report, see Chapter 2.

In Tables 8.1 to 8.4, therefore, we present a more detailed breakdown of this group of respondents who cited anti-discrimination legislation (by personal and employment characteristics, and whether they had had prior experience of employment problems).

Table 8.1 shows how unprompted/partially prompted awareness of anti-discrimination legislation varies with the standard set of personal characteristics used throughout this report. Some patterns are evident, in particular:

- As might be expected, women and respondents from ethnic minorities are more likely to cite this legislation than are men or white respondents respectively. The differences are not however large ones, although the variation by ethnic origin is of interest, as this is virtually the only area of law examined in

Table 8.1: Informed awareness of anti-discrimination legislation by personal characteristics

Personal characteristics	Informed awareness (unprompted or partly prompted)	
	Named a right related to anti-discrimination legislation	Unweighted base
Gender (%)		
Male	22.0	444
Female	22.2	556
Ethnic origin (%)		
White	21.9	949
Non-white	24.1	45
Age (%)		
16-25	17.1	139
26-35	16.1	273
36-45	27.0	276
46-55	23.7	228
56-64	31.5	81
Highest qualification (%)		
No qualifications	12.2	150
NVQ 1	14.9	96
NVQ 2	18.1	221
NVQ 3	12.3	173
NVQ 4	32.5	283
NVQ 5	40.6	66

Note: all percentages are row percentages.

the study where the recorded awareness levels of whites are lower than those of non-whites.

- There is some tendency for this measure of (unprompted/partly prompted awareness) to increase with age and with the respondent's level of qualification.

Table 8.2 looks at two further personal/family characteristics covered by anti-discrimination legislation, and which might, therefore, be expected to be associated with variation in awareness levels (disability and marital status).

Table 8.2: Informed awareness of anti-discrimination legislation by specific characteristics of relevance to this area of law

Experience of problem in relation to anti-discrimination legislation	Informed Awareness (unprompted or partly prompted)	
	Named a right related to anti-discrimination legislation	Unweighted base
Disability or health problem? (%)		
Yes	23.0	99
No	21.9	898
Marital status (%)		
Single and living alone	20.4	184
Single and living with parents, friend or sibling	14.9	90
Married or living with another adult as a couple	24.4	592
Separated or divorced	20.8	117
Widowed	*	17

Note: all percentages are row percentages.

In the case of disability, there is a small difference in the expected direction (disabled respondents are slightly more likely than their non-disabled counterparts to cite anti-discrimination legislation in response to this unprompted or partly prompted question).

Similarly, there are some differences by marital status (which may in part also reflect age differences recorded in Table 8.1 above). In particular, married/cohabiting respondents are most likely to cite anti-discrimination legislation, and single people (especially those living with parents, friends or siblings) are least likely to.

Table 8.3 presents a breakdown of variation in informed awareness (unprompted/partly prompted) by characteristics of the respondent's job or workplace. Some clear patterns emerge — in particular:

Table 8.3: Informed awareness of anti-discrimination legislation by employment characteristics

Employment characteristics	Informed Awareness (unprompted or partly prompted)	
	Named a right related to anti-discrimination legislation	Unweighted base
Occupation (%)		
Managerial/admin	32.6	183
Professional/technical	34.5	196
Assoc. professional/technical	20.2	96
Clerical/secretarial	20.4	158
Craft/skilled manual	17.5	84
Personal/protective services	12.2	71
Sales	18.8	69
Plant/machine operatives	*	28
Other unskilled	11.1	101
Sector (%)		
Primary & extractive	*	21
Manufacturing, utilities & construction	13.3	198
Distribution, catering, transport etc.	18.0	234
Business and financial services	28.7	99
Public admin, education and health	34.5	313
Other services	16.4	68
Size of workplace (employees) (%)		
Under 15	14.3	173
15-49	18.9	198
50-199	21.8	211
200-499	31.5	123
500-1999	18.0	105
2000+	36.6	91
Employment status (%)		
Permanent	21.5	885
Temporary	22.5	102
Working time (%)		
Under 16 hours p.w.	20.4	75
16-34 hours p.w.	19.4	174
35 + hours p.w.	22.7	751
Union membership (%)		
Member	27.1	333
Non- member	18.5	642

Note: all percentages are row percentages.

**= fewer than five respondents in cell.*

- Respondents in white collar/non-manual jobs in general, and managerial or professional jobs in particular, are more likely to exhibit informed awareness of anti-discrimination legislation in this sense.
- There is also significant sectoral variation, with the highest levels of unprompted/partly prompted awareness being recorded in the public administration, education and health sectors, and the lowest in manufacturing, utilities and construction.
- Generally speaking, awareness is highest in the largest workplaces, and lowest in the smallest.
- There is little difference in awareness by employment status (temporary/permanent) or working hours, but union-members are much more likely to cite anti-discrimination legislation than are non-members.

Finally, Table 8.4 shows that respondents reporting experience of employment problems in an area covered by anti-discrimination legislation record higher levels of (unprompted/partly prompted) awareness of such legislation than do those who have no experience of such problems.

Table 8.4: Informed awareness of anti-discrimination legislation by experience of problems at work relating to this area of law

Experience of problem in relation to anti-discrimination legislation	Informed Awareness (unprompted or partly prompted)	
	Named a right related anti discrimination legislation	Unweighted base
Had experience of this area of law (%)	26.7	27
Experienced problems but not with this area of law (%)	23.1	137
No problems with employment law (%)	21.8	836

Note: all percentages are row percentages.

8.2 Informed awareness (prompted)

As in the other areas of law, following the unprompted and partly prompted awareness questions, respondents were asked a direct question about their awareness of anti-discrimination legislation, as follows:

‘Another area of employment rights says you should be treated fairly regardless of race, gender or disability. Were you aware of this right?’

As noted in Chapter 3 (Table 3.6), 91 per cent of respondents answered this question in the affirmative. In this section (Tables

Table 8.5: Informed awareness (prompted) of the right not to be discriminated against, by personal characteristics

Personal characteristics	Informed awareness (prompted)	
	Aware of right not to be discriminated against	Unweighted base
Gender (%)		
Male	89.8	444
Female	92.4	556
Ethnic origin (%)		
White	91.0	949
Non-white	88.7	45
Age (%)		
16-25	91.5	139
26-35	85.3	273
36-45	94.4	276
46-55	94.2	228
56-64	86.3	81
Highest qualification (%)		
No qualifications	84.5	150
NVQ 1	93.2	96
NVQ 2	86.1	221
NVQ 3	96.1	173
NVQ 4	94.4	283
NVQ 5	94.1	66

Note: all percentages are row percentages.

8.5 to 8.8), we look at whether and how the proportion answering ‘yes’ to this question varies with the personal and job characteristics of respondents.

Looking first at personal characteristics (Table 8.5), once again there is a gender effect in the expected direction (*ie* women exhibiting higher awareness than men), and some evidence that more highly qualified respondents recorded higher levels of prompted awareness. There is no clear age pattern, however, and perhaps most surprisingly, the proportion of non-white respondents answering yes to this question is (slightly) lower than that of whites. This latter finding is somewhat difficult to interpret, given especially that, as noted above, non-whites did indeed record higher levels of unprompted/partially prompted awareness of anti-discrimination legislation. It is not possible to explore this finding in more detail from the survey data, but there

may clearly be other interpretations, *eg* it may be that white respondents are generally better informed than non-whites, in the sense that they are (slightly) more likely to know of the existence of anti-discrimination legislation, and this is picked up in the prompted question. Those non-whites who do know of the legislation however, may attribute greater importance or significance to it, and therefore be more likely to cite it as an unprompted (or partly prompted) example of an employment right.

A similar issue arises regarding the interpretation of the data in Table 8.6, where disabled people record a lower proportion answering 'yes' to this question than their non-disabled counterparts, which once again contrasts with the unprompted/prompted awareness findings. Again, perhaps, the possibility exists that disabled respondents, although less likely to be aware of the legislation, are more likely than non-disabled people to mention it as an example of an employment right (because it is more important to them).

Table 8.6: Prompted awareness of the right not to be discriminated against, by specific characteristics of interest

Specific characteristics of relevance to anti-discrimination legislation	Informed awareness (prompted)	
	Aware of right not to be discriminated against	Unweighted base
Disability or health problem? (%)		
Yes	86.2	99
No	92.1	898
Marital status (%)		
Single and living alone	94.2	184
Single and living with parents, friend or sibling	91.5	90
Married or living with another adult as a couple	90.4	592
Separated or divorced	87.3	117
Widowed	84.6	17

Note: all percentages are row percentages.

In Table 8.7, we look at employment characteristics:

Again, as with unprompted/prompted awareness, prompted awareness appears to be higher in the higher level occupations, and in the public administration, education and health sectors. Once again, there is also a clear tendency for union members to exhibit a higher level of awareness than non-members.

Table 8.7: Informed awareness (prompted) of the right not to be discriminated against, by employment characteristics

Employment characteristics	Informed awareness (prompted)	
	Aware of right not to be discriminated against	Unweighted base
Occupation (%)		
Managerial/admin	97.1	183
Professional/technical	94.2	196
Assoc. professional/technical	93.9	96
Clerical/secretarial	92.8	158
Craft/skilled manual	88.6	84
Personal/protective services	82.2	71
Sales	77.6	69
Plant/machine operatives	93.4	28
Other unskilled	84.4	101
Sector (%)		
Primary & extractive	78.9	21
Manufacturing, utilities & construction	91.4	198
Distribution, catering, transport etc.	84.5	234
Business and financial services	90.4	99
Public admin, education and health	95.2	313
Other services	91.7	68
Size of workplace (employees) (%)		
Under 15	89.0	173
15-49	89.2	198
50-199	88.9	211
200-499	92.4	123
500-1999	95.5	105
2000+	97.5	91
Employment status (%)		
Permanent	90.4	885
Temporary	93.0	102
Working time (%)		
Under 16 hours p.w.	88.7	75
16-34 hours p.w.	91.8	174
35 + hours p.w.	90.8	751
Union membership (%)		
Member	94.8	333
Non- member	88.5	642

Note: all percentages are row percentages.

Finally, however, Table 8.8 does not confirm the pattern recorded in the unprompted/prompted awareness data above, and there is no clear tendency for those with experience of employment problems related to discrimination to be more likely to report awareness of this area. Again, however, given that the data suggest¹ that those most likely to report discrimination-related problems are those with disabilities and from ethnic minorities, this may simply reflect the findings already noted for these groups in Tables 8.5 and 8.6 above.

Table 8.8: Informed awareness (prompted) of the right not to be discriminated against, by experience of problems at work relating to this area of law

Employment characteristics	Informed awareness (prompted)	
	Aware of right not to be discriminated against	Unweighted base
Had experience of this area of law (%)	90.0	27
Experienced problems but not with this area of law (%)	84.6	137
No problems with employment law (%)	91.9	836

8.3 Substantive knowledge

In this section we report the substantive knowledge-testing questions, which asked detailed questions about sex, race and disability discrimination legislation to respondents who had already indicated that they were ‘aware’ of the right to be treated fairly regardless of race, sex or disability.

8.3.1 Details of the knowledge testing questions

Six detailed knowledge questions were asked (all were multiple choice):

- one related to the size threshold (15 employees) for an employer to be covered by the Disability Discrimination Act, 1995 (DDA)
- a second asked a similar question about coverage by sex and race discrimination legislation (there is no size threshold)
- another asked about how long an individual must work with an employer to be covered by anti-discrimination legislation (there is no length of service criterion)

¹ This unsurprising finding is not reported in detail, because of the very small cell sizes involved.

- another asked about personal characteristics which are *not* covered by anti-discrimination legislation (the example given was age)
- a fifth question asked about whether there is still a quota for the employment of disabled people (there is not)
- the last question asked about whether anti-discrimination legislation covers promotion and training issues (it does).

The responses to these questions are summarised in Table 8.9 below.

The proportion of respondents getting the answers correct varied considerably.

- The highest proportion (81 per cent) knew that people are covered by anti-discrimination from day one of their employment (this is much higher than chance, with a three option multiple choice question).
- 71 per cent knew that there is no quota under the DDA, but that employers must show that they do not discriminate against disabled people (again, higher than chance with a two option multiple choice question).
- 66 per cent knew that anti-discrimination legislation covers both promotion and training issues (in a four option multiple choice question).
- 53 per cent knew that race and sex discrimination legislation applies to all employers, regardless of size (three option, multiple choice question).
- Only just over a quarter, however (27 per cent) knew that age is not covered by anti-discrimination legislation (in a three option, multiple choice question), whilst nearly two thirds thought, incorrectly, that marital status is not covered by such legislation.
- The least well known of the provisions tested was the DDA employment threshold, with only 18 per cent correctly choosing the threshold of 15 employees from a three option menu.

Table 8.10 looks at how the answers to the substantive knowledge questions on anti-discrimination legislation varied according to respondents' own assessment of their levels of awareness and knowledge.

Table 8.9: Details of knowledge questions for anti-discrimination legislation

Question	Question type	Response option	% of those asked question	% of total sample
Discrimination questions: asked of those with prior awareness of anti-discrimination legislation				
How many employees must an organisation have before they are covered by the Disability Discrimination Act? (DDA, employer size)	Multiple choice (3 options)	1	29.7	27.1
		15	17.9	16.3
		35	5.7	5.2
		Don't know	46.7	42.7
How many employees must an organisation have before they are covered by race and sex discrimination legislation? (Race & sex discrim., employer size)	Multiple choice (3 options)	1	52.7	48.2
		15	8.0	7.3
		35	2.4	2.2
		Don't know	36.9	33.7
How long must an individual have worked at an organisation before they are covered by anti-discrimination legislation? (Discrimination, length of service)	Multiple choice (3 options)	They are covered from day one	80.9	73.9
		After one month	1.6	1.4
		After three months	2.9	2.6
		Don't know	14.6	13.4
Which of the following is not covered by anti-discrimination legislation? (Discrimination, not covered)	Multiple choice (3 options)	An individual's marital status	32.1	29.3
		An individual's age	26.7	24.4
		An individual's ethnic background	5.0	4.5
		Don't know	36.3	33.2
Which of the following is true in relation to the employment of people with disabilities? (DDA, provision)	Multiple choice (2 options)	Employers must employ a percentage of people with disabilities	19.8	18.1
		Employers must show that they do not discriminate against people with disabilities	70.7	64.6
		Don't know	9.5	8.7
In which of the following aspects of employment must an employer demonstrate that they are treating all employees fairly? (Equality of work opportunities)	Multiple choice (4 options)	Access to training only	8.6	7.9
		Access to promotion only	2.0	1.8
		Both	65.8	60.1
		Neither	5.3	4.8
		Don't know	18.3	16.7
		Unweighted base (n=100%)	927	1000

Table 8.10: Knowledge of anti-discrimination legislation by self assessed awareness/knowledge combined

Self assessed awareness/knowledge	Substantive knowledge						Unweighted base
	DDA employer size	Race & sex discrim. employer size	Discrimination length of service	Discrimination not covered	DDA provision	Equality of work opportunities	
	Correct	Correct	Correct	Correct	Correct	Correct	
Well informed and knowledgeable (%)	18.6	55.3	85.7	32.9	69.1	64.8	179
Well informed but could know more (%)	19.8	53.7	82.3	27.2	69.7	67.2	465
Not well informed and could know more (%)	13.8	49.6	76.3	21.2	73.0	62.2	257
Not well informed and not interested (%)	14.8	44.4	67.9	25.9	74.1	74.1	26

Note: all percentages are row percentages.

Generally speaking, the relationship is in the expected direction, *ie* in four of the six cases, respondents who assess themselves as being well informed and/or knowledgeable in general terms are generally more likely to answer the substantive knowledge questions correctly than those who see themselves as ‘not well-informed’. The exceptions are the substantive knowledge questions, relating to whether the DDA requires a quota or not, and to whether anti-discrimination legislation covers both training and promotion issues.

Table 8.11 looks at the six substantive knowledge questions on discrimination by a range of personal characteristics, and shows that:

- There is no consistent gender pattern — in some cases a higher proportion of men get the answer right, in others a higher proportion of women. It should be noted that none of the questions specifically focus on sex discrimination issues.
- Similarly, there is no clear age pattern, in some cases the proportion getting the right answer increases with age, in others it does not. It is, however, interesting to note that the proportion of respondents who know that age is not currently the subject of anti-discrimination legislation is much higher among the oldest respondents than the youngest.
- Although caution should be exercised given the relatively small number of respondents from minority ethnic communities, it is nevertheless notable, that in all cases, a higher proportion of white than non-white respondents get the answer right (in some cases, a substantially higher proportion).

Table 8.11: Knowledge of anti-discrimination legislation by personal characteristics

Personal characteristics	Substantive knowledge						Unweighted base
	DDA employer size	Race & sex discrim. employer size	Discrim. length of service	Discrim. not covered	DDA provision	Equality of work opportunities	
	Correct	Correct	Correct	Correct	Correct	Correct	
Gender (%)							
Male	18.7	52.4	82.5	29.8	69.1	61.2	403
Female	16.7	53.2	79.0	22.5	72.6	71.8	524
Ethnic origin (%)							
White	18.1	53.3	81.4	27.1	70.8	66.2	882
Non-white	14.9	38.3	70.8	18.4	66.7	64.6	39
Age (%)							
16-25	10.1	54.3	90.7	17.8	78.5	72.1	127
26-35	14.3	63.2	79.9	26.4	76.6	64.6	248
36-45	17.3	55.1	82.4	30.3	78.4	69.8	260
46-55	23.1	43.6	76.3	25.1	55.7	60.0	213
56-64	28.1	31.3	73.8	31.8	50.8	56.9	76
Highest qualification (%)							
No qualifications	19.3	35.7	61.4	15.7	57.8	53.0	132
NVQ 1	8.3	37.6	64.3	20.0	54.2	51.2	88
NVQ 2	16.9	53.2	78.2	28.2	75.5	66.5	203
NVQ 3	17.0	54.1	90.5	17.7	72.8	72.1	160
NVQ 4	22.1	61.9	89.3	36.4	74.2	68.5	273
NVQ 5	18.8	54.0	84.4	22.2	74.6	74.6	63

Note: all percentages are row percentages.

- In nearly all of the cases, there is some tendency for substantial knowledge of these anti-discrimination rights to increase with educational level.

Table 8.12 looks at how the answers to the substantive knowledge questions vary with respondents' disability and marital status:

- Disabled people, unsurprisingly, are more likely than non-disabled people, to know that the DDA employer threshold is 15 employees. Also they are more likely to know that age discrimination is not covered by employment legislation (this may be an age effect, given that the incidence of disability increases strongly with age). On all other questions, however (including the question of whether the DDA includes a quota requirement for employers), disabled people are less likely than non-disabled people to get the answer right.

Table 8.12: Knowledge of anti-discrimination legislation by individual characteristics of specific interest

Characteristics	Substantive knowledge						Unweighted base
	DDA employer size	Race & sex discrim. employer size	Discrim. length of service	Discrim. not covered	DDA provision	Equality of work opportunities	
	Correct	Correct	Correct	Correct	Correct	Correct	
Disability or health problem? (%)							
Yes	21.4	50.3	74.7	34.5	64.7	56.2	84
No	16.9	53.2	82.4	25.0	72.0	67.8	841
Marital status (%)							
Single and living alone	13.8	65.2	87.2	28.7	71.4	68.7	174
Single and living with parents, friend or sibling	12.9	43.7	75.6	22.1	78.8	70.6	81
Married or living with another adult as a couple	18.6	52.0	81.9	29.1	71.0	66.1	551
Separated or divorced	21.4	42.7	72.1	16.2	62.2	59.5	106
Widowed	45.5	54.5	63.6	*	72.7	*	15

*Note: all percentages are row percentages.
* = fewer than five respondents in cell*

- There are no consistent patterns across the six questions, as far as the variation in response by marital status is concerned.

Turning to employment characteristics (Table 8.13), there are few strong patterns which emerge:

- There is some tendency, in all of the areas of discrimination law tested, for substantive knowledge to be more widespread among managerial and professional employees, and least widespread in some low skilled and manual occupations.
- There are no consistent patterns in substantive knowledge across the six question areas by sector or establishment size, although it is interesting to note that the smallest establishments are most likely to be aware of the DDA size threshold. It should be noted that the DDA threshold applies not to establishment size, but to organisation size, so we also present data in the table on this latter variable, which does not suggest that there is a significant difference in knowledge about the threshold according to the whether or not the organisation is covered by the employment provisions of the DDA.
- Similarly, the permanent/temporary distinction is not a good predictor of whether respondents will answer these substantive knowledge questions correctly — in some cases a higher proportion of permanent staff get the answer right, in other cases it is temporary employees who do better. The same is true of working time patterns and union membership.

Table 8.13: Knowledge of anti-discrimination legislation by employment characteristics

Employment characteristics	Substantive knowledge						Unweighted base
	DDA employer size	Race & sex discrim. employer size	Discrim. length of service	Discrim. not covered	DDA provision	Equality of work opportunities	
	Correct	Correct	Correct	Correct	Correct	Correct	
Occupation (%)							
Managerial/admin	25.5	64.2	88.6	34.3	79.5	63.9	177
Professional/technical	25.0	52.3	91.7	31.3	72.2	75.8	186
Assoc. professional/technical	6.5	54.3	83.7	32.6	69.9	75.0	91
Clerical/secretarial	13.3	52.7	81.4	29.5	67.2	71.1	148
Craft/skilled manual	14.7	54.9	79.2	20.8	74.5	71.6	73
Personal/protective services	16.0	42.7	85.1	12.0	58.1	52.7	61
Sales	11.8	49.3	77.6	27.9	79.4	68.1	62
Plant/machine operatives	22.5	46.5	47.9	15.3	59.2	41.7	26
Other unskilled	18.5	36.4	70.9	14.8	66.7	59.3	89
Sector (%)							
Primary & extractive	*	68.8	81.3	*	75.0	80.0	18
Manuf., utilities & construction	20.3	49.2	75.5	22.5	64.0	55.9	178
Distribution, catering, transport etc.	11.7	50.5	81.4	25.6	71.1	61.1	213
Business and financial services	23.0	54.7	79.1	29.4	77.9	57.0	93
Public admin, education & health	20.2	54.1	87.6	31.2	70.2	76.1	299
Other services	22.2	50.9	83.6	34.5	88.9	74.5	63
Size of workplace (employees) (%)							
Under 15	21.4	56.1	79.4	20.6	76.3	58.0	158
15-49	19.5	53.1	77.5	25.6	76.3	57.2	181
50-199	18.9	57.3	84.9	38.4	76.8	73.1	193
200-499	17.3	49.6	88.1	23.1	67.2	69.4	117
500-1999	9.4	40.0	72.6	22.9	60.0	70.5	100
2000+	20.0	41.3	85.0	24.1	58.2	60.5	88
Size of organisation (employees) (%)							
Under 15	15.1	61.6	76.7	23.0	78.4	56.2	84
15 or more	18.6	50.6	82.7	27.9	71.0	65.3	652
Employment status (%)							
Permanent	18.9	51.0	80.9	26.6	70.0	63.7	820
Temporary	11.8	63.0	82.5	25.2	76.5	80.0	94
Working time (%)							
Under 16 hours p.w.	20.8	51.1	66.0	25.5	72.9	68.1	68
16-34 hours p.w.	17.9	41.1	73.8	21.1	73.2	61.8	164
35 + hours p.w.	17.6	54.8	83.2	27.7	70.1	66.3	695
Union membership (%)							
Member	16.6	47.1	78.1	26.9	64.1	68.2	318
Non-member	18.8	54.4	82.2	25.0	73.6	64.4	585

Note: all percentages are row percentages.

Finally (Table 8.14) there is no evidence that experience of employment problems relating to discrimination is associated consistently with greater substantive knowledge of the law in this area — in some cases there is a relationship of this kind, in others the relationship is in the opposite direction. It needs to be stressed, however, that the questions cover a wide range of different discrimination legislation, and it may be that there would be a clearer relationship if we were able to look at respondents' experience of particular kinds of discrimination (sex, race, disability *etc.*) and relate this to their substantive knowledge of the relevant item of anti-discrimination legislation. Unfortunately, the numbers involved in each case would be too small for any reliable analysis of this kind.

Table 8.14: Knowledge of anti-discrimination legislation by experience of problem in this area

Employment characteristics	Substantive knowledge						Unweighted base
	DDA employer size	Race & sex discrim. employer size	Discrim. length of service	Discrim. not covered	DDA provision	Equality of work opportunities	
	Correct	Correct	Correct	Correct	Correct	Correct	
Had experience of this area of law (%)	17.9	71.4	67.9	14.3	48.1	85.2	24
Experienced problems but not with this area of law (%)	19.6	66.1	89.3	34.8	70.5	68.8	123
No problems with employment law (%)	17.6	50.1	80.2	26.0	71.5	64.6	780

Note: all percentages are row percentages.

8.4 Perception of entitlements (scenarios)

As in each of the other areas of employment rights being examined, respondents were presented with three hypothetical situations or scenarios, each representing an infringement of a particular provision of anti-discrimination legislation. They were asked to identify whether, in their view, the situation was lawful or not.

The three scenarios were as follows:

Race discrimination — benefits

You have a friend who works for a large organisation and who has just been promoted to a senior position. Your friend is Asian, but everyone else at this level is white. Previously, staff at this level have been given a car as part of the package. Your friend has been told that he will not be receiving a car, but is not given any reason for this.

Sex discrimination — dress code

The uniform at a company where your friend works is set — men are given trousers to wear and women are required to wear skirts. Your friend objects to the uniform and asks if she can be given trousers to wear. The application is refused and the employer tells her that unless she conforms to the standard uniform she faces disciplinary action.

Disability discrimination -- promotion

When a round of promotion is in process at your friend's employer, a number of items from the personnel records are used to determine who gains promotion. One of the items used is the sickness record of the employee. Your friend is disabled and has been forced to take more days off than the rest of the candidates. On this basis he is refused promotion.

8.4.1 Extent to which respondents identified scenarios as unlawful

As Table 8.15 shows, in each case the majority of respondents identified each of the described scenarios as unlawful. The largest proportion identifying the scenario as unlawful related to the race discrimination example, and the smallest to the sex discrimination (dress code) case.

Table 8.15: Perception of entitlement re: anti-discrimination legislation

Perception of entitlement	Scenario concerned		
	Race discrimination – benefits (%)	Sex discrimination – dress code (%)	Disability discrimination – promotion (%)
Identified as unlawful	78.2	64.8	73.8
Unable to identify as unlawful	21.8	35.2	26.2
Unweighted base (n =100%)	205	206	176

8.4.2 Perception of entitlement by self assessed awareness/knowledge

Table 8.16 shows that there is no tendency for those who have a more positive assessment of their own levels of awareness/knowledge of employment rights in general, to exhibit higher than average levels of substantive knowledge of the details of anti-discrimination legislation. To the contrary, in all three of the scenario examples, those who saw themselves as well informed and knowledgeable were less likely than average (sometimes considerably so) to identify the discrimination scenarios as unlawful.

Table 8.16: Perception of entitlement re: anti-discrimination legislation by self assessed awareness/knowledge

Self assessed awareness/knowledge	Perception of entitlement					
	Race discrimination — benefits		Sex discrimination — dress code		Disability discrimination — promotion	
	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base
Well informed and knowledgeable (%)	75.8	40	40.0	36	63.3	38
Well informed but could know more (%)	79.2	106	68.2	102	73.3	82
Not well informed and could know more (%)	77.3	55	67.2	62	80.4	52
Not well informed and not interested (%)	*	4	100.0	6	*	4

*Note: all percentages are row percentages.
* = fewer than five respondents in cell.*

8.4.3 Perception of entitlement by individual characteristics

Table 8.17 looks at the proportion identifying each of the discrimination scenarios as unlawful, broken down by personal characteristics:

- The gender pattern is slightly counterintuitive — women are more likely than men to identify the race and disability discrimination scenarios as unlawful, but *less* likely than men to identify the sex discrimination scenario as unlawful.
- While there are too few non-white cases to draw strong conclusions about the variation by ethnic group, it is nevertheless notable that the proportion of non-whites identifying the race discrimination scenario as unlawful exceeds that of whites.
- It is also interesting to note that in the case of both race and sex discrimination scenarios the proportion identifying the scenario as unlawful decreases significantly with age (in the third example — disability discrimination — there is no clear pattern).
- There is no clear or consistent pattern by educational level.

Table 8.17: Perception of entitlement of anti-discrimination legislation by personal characteristics

Personal characteristics	Perception of entitlement					
	Race discrimination — benefits		Sex discrimination — dress code		Disability discrimination — promotion	
	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base
Gender (%)						
Male	74.7	81	68.8	87	71.0	71
Female	82.7	124	60.2	119	76.5	105
Ethnic origin (%)						
White	76.9	193	63.8	200	72.9	169
Non-white	93.3	10	*	6	*	5
Age (%)						
16-25	88.9	33	65.6	30	86.7	27
26-35	84.3	62	69.7	56	82.9	37
36-45	76.9	45	56.0	52	65.9	52
46-55	72.1	48	72.1	48	60.4	48
56-64	50.0	14	44.4	20	88.2	12
Highest qualification (%)						
No qualifications	75.0	32	66.7	33	68.4	24
NVQ 1	78.6	18	76.9	14	89.5	20
NVQ 2	83.3	44	57.4	49	73.0	33
NVQ 3	73.7	37	80.6	32	72.2	38
NVQ 4	77.4	61	66.7	58	76.7	43
NVQ 5	75.0	11	30.8	14	58.8	17

Note: all percentages are row percentages.
 *= fewer than five respondents in cell.

From Table 8.18, it can be seen that disabled people are more likely than non-disabled to identify disability discrimination, and sex discrimination as unlawful. There are no clear or consistent patterns by marital status in whether or not respondents identify the various discrimination scenarios as unlawful.

Table 8.18: Perception of entitlement of anti-discrimination legislation by specific characteristics of relevance to this area of law

Personal characteristics	Perception of entitlement					
	Race discrimination — benefits		Sex discrimination — dress code		Disability discrimination — promotion	
	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base
Disability or health problem? (%)						
Yes	77.8	14	69.6	20	80.6	18
No	78.8	189	63.3	186	72.7	158
Marital status (%)						
Single and living alone	77.8	35	72.2	37	83.3	34
Single and living with parents, friend or sibling	95.7	26	72.7	24	81.8	12
Married or living with another adult as a couple	71.6	115	59.1	124	74.4	103
Separated or divorced	94.7	23	77.8	17	66.7	24
Widowed	75.0	6	*	4	*	3

Note: all percentages are row percentages.

Table 8.19 presents the breakdown of scenario responses by the characteristics of the job or employer:

- There is no strong or clear pattern by sector, size of workplace, working time patterns or by occupational group, although it is notable that there is no evidence that respondents in higher level occupations (managerial and professional) are systematically more likely than other groups to identify the discrimination scenarios as unlawful.
- Both union members and permanent employees are more likely (than non-members or temporary employees, respectively) to identify the race and sex discrimination scenarios as unlawful, but both of these groups are *less* likely to identify the disability discrimination scenario as unlawful.

Table 8.19: Perception of entitlement of anti-discrimination legislation by employment characteristics

Employment characteristics	Perception of entitlement					
	Race discrimination — benefits		Sex discrimination — dress code		Disability discrimination — promotion	
	Identified as unlawful	Un- weighted base	Identified as unlawful	Un- weighted base	Identified as unlawful	Un- weighted base
Occupation (%)						
Managerial/admin	61.8	34	51.1	46	77.4	36
Professional/technical	90.0	40	58.1	37	71.4	37
Assoc. professional/technical	94.4	15	52.0	27	77.8	11
Clerical/secretarial	75.0	34	59.1	29	88.9	30
Craft/skilled manual	95.7	19	66.7	10	63.2	16
Personal/protective services	83.3	20	88.2	10	46.2	11
Sales	82.4	17	86.4	13	100	14
Plant/machine operatives	*	4	*	6	*	5
Other unskilled	61.5	22	66.7	25	70.0	14
Sector (%)						
Primary & extractive	100	5	*	2	*	5
Manufacturing, utilities & construction	72.2	37	75.8	40	68.2	31
Distribution, catering, transport etc.	76.8	54	66.7	51	83.3	38
Business and financial services	78.9	22	50.0	26	90.9	16
Public admin, education and health	81.6	63	55.8	55	63.2	57
Other services	90.0	14	63.2	17	50.0	16
Size of workplace (no. of employees) (%)						
Under 15	80.8	42	62.1	29	58.3	41
15-49	81.3	51	68.6	43	73.9	32
50-199	78.1	39	67.3	45	76.3	36
200-499	87.0	26	74.5	27	75.0	20
500-1999	63.6	14	69.0	19	84.2	18
2000+	92.9	15	57.9	23	71.4	14
Employment status (%)						
Permanent	79.7	186	66.1	181	69.8	161
Temporary	66.7	18	61.3	22	95.8	13
Working time (%)						
Under 16 hours p.w.	87.5	24	*	7	100	10
16-34 hours p.w.	82.8	35	65.2	34	69.9	33
35 + hours p.w.	75.8	146	65.8	165	74.6	133
Union membership (%)						
Member	81.8	69	72.0	66	61.2	53
Non- member	80.5	132	63.7	134	78.7	119

Note: all percentages are row percentages.

*= fewer than five respondents in cell.

8.5 How far are perceptions based on knowledge?

As in previous chapters, this section looks at whether respondents who assessed the various scenario situations relating to different types of discrimination as unlawful did so on the basis of some knowledge of the underlying legislation.

Table 8.20 shows that there are big differences between the three types of scenario in this respect. Thus, in the case of the race discrimination scenario, nearly all those respondents identifying it as unlawful (92 per cent) did so on the basis of some clear knowledge about the law in question. In the case of the sex discrimination example, slightly fewer respondents (but nevertheless nearly three quarters in total) were able also to identify the legal reason, or the provision of the law which underlay the perceived unlawfulness of the situation described in the scenario. In the case of the disability discrimination example just over half of those identifying the discrimination as unlawful did so without any knowledge or understanding of the relevant legislation (it should be recalled, in this context, that the relevant legislation — the DDA — is much more recent than that which applies to sex and race discrimination. The employment provisions of the DDA came into effect in December 1996).

Table 8.20: Whether perception of entitlement for anti-discrimination legislation is based on knowledge

Whether perception of entitlement is based on knowledge	Scenario		
	Race discrimination – benefits (%)	Sex discrimination – dress code (%)	Disability discrimination – promotion (%)
Named relevant area of law	92.3	73.4	48.4
Named other area of law/don't know	7.7	26.6	51.6
Unweighted base (n = 100%)	164	116	121

Yet again, Table 8.21 suggests that there is no clear relationship between individuals' self-assessment of their levels of awareness and/or knowledge of employment law in general and their ability knowledgeably to identify infringements of anti-discrimination legislation.

Table 8.21: Knowledgeable perception of anti-discrimination legislation, by self-assessed awareness/knowledge

Self-assessed awareness/knowledge	Knowledgeable perception of entitlement (<i>ie</i> respondent named relevant area of law)								
	Race discrimination- benefits			Sex discrimination – dress code			Disability discrimination- promotion		
	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base
Well informed and knowledgeable (%)	96.2	73.5	30	61.5	25.8	18	52.6	33.3	24
Well informed but could know more (%)	86.8	68.8	89	75.0	51.2	54	46.0	33.7	58
Not well informed and could know more (%)	100.0	77.3	41	77.5	51.7	38	53.7	43.1	36
Not well informed and not interested (%)	*	*	4	*	*	6	*	16.7	3

*Note: all percentages are row percentages.
* = fewer than five respondents in cell.*

Finally, Table 8.22 extends the analysis with a breakdown by some key personal characteristics relevant to anti-discrimination legislation:

- A higher proportion of women than men, where they have identified the situation as an infringement, are able to explain their judgement using knowledge about the law in question. This applies not just to the sex discrimination example, but also to disability and (to a lesser extent) race.
- Similarly, although the cell sizes are very small in many cases, the data on ethnic origin and disability are consistent with the hypothesis that non-white respondents and disabled respondents are more likely (than white or non-disabled respondents respectively) to draw on some knowledge of the relevant legislation in assessing a discrimination situation as unlawful.

Table 8.22: Knowledgeable perception of anti-discrimination legislation, by individual characteristics

Characteristic	Knowledgeable perception of entitlement (<i>ie</i> respondent named relevant area of law)								
	Race discrimination- benefits			Sex discrimination – dress code			Disability discrimination- promotion		
	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base
Gender (%)									
Male	91.5	68.4	62	66.7	45.7	54	29.9	21.3	46
Female	92.5	76.5	102	83.1	50.0	62	68.9	52.5	75
Ethnic origin									
White	91.1	70.2	154	72.7	46.3	111	50.8	37.1	115
Non-white	100.0	93.3	9	*	*	5	*	*	4
Disability or health problem? (%)									
Yes	100.0	77.8	10	56.4	39.3	10	52.0	41.9	13
No	91.0	71.8	153	80.2	50.6	106	47.1	34.3	108

Note: all percentages are row percentages.
 *= fewer than five respondents in cell.

8.6 Taking action

Finally, Table 8.23 looks at the propensity of those respondents identifying an infringement in each of the scenarios to take action (such as seeking advice from an independent source, or discussing the matter with the employer, in the event that they faced a similar situation to that described in the scenario).

In each case a majority would take action, but it is notable that the propensity to take action is much higher in the cases of race and disability discrimination, than in the case of sex discrimination.

Table 8.23: Whether individuals would take action if scenarios related to anti-discrimination legislation happened to them

Whether individual would take action in that situation	Scenario		
	Race discrimination – benefits (%)	Sex discrimination – dress code (%)	Disability discrimination – promotion (%)
Yes, would take action	91.3	69.7	91.2
No, would not take action	8.7	30.3	8.8
Unweighted base (n = 100%)	164	116	121

Table 8.24 looks at how the propensity to take action in each of the three discrimination scenarios varies by the gender, ethnic origin and disability status of the respondent.

As far as gender is concerned, the results suggest that men would be more likely than women to take action in the case of the race discrimination example, whereas women would be more likely than men to take action in the disability discrimination scenario and in the sex discrimination scenario.

There are too few ethnic minority respondents asked the sex and disability discrimination scenarios for a breakdown to be possible, but it is notable that all of the non-white respondents confronted with the race discrimination scenario said that they would take action.

Similarly, all the disabled people asked the question would take action in the disability discrimination scenario, whereas, by contrast a higher proportion of non-disabled than disabled people would take action in the race discrimination example.

Table 8.24: Propensity to take action in discrimination scenarios by individual characteristics

Individual characteristic	Scenario					
	Race discrimination - benefits		Sex discrimination – dress code		Disability discrimination - promotion	
	% would take action	Unweighted base	% would take action	Unweighted base	% would take action	Unweighted base
Gender (%)						
Male	95.8	62	64.8	54	86.4	46
Female	86.6	102	77.6	62	96.8	75
Ethnicity (%)						
White	90.2	154	69.1	111	91.0	115
Non-white	100	9	*	5	*	4
Disability? (%)						
Yes	78.6	10	*	10	100	13
No	92.7	153	81.3	106	89.3	108

Note: all percentages are row percentages.