

## Types of race discrimination

Race discrimination includes:

- direct discrimination
- indirect discrimination
- harassment
- victimisation

It's important to understand the different types of race discrimination. This is so you know what your rights and responsibilities are under discrimination law (Equality Act 2010).

For full definitions of each type of discrimination, read our advice on [discrimination and the Equality Act 2010](#).

### Direct discrimination

Direct race discrimination is when someone is put at a disadvantage or treated less favourably because of:

- their race
- the race of someone they have a connection with – this is called 'discrimination by association'
- their 'perceived' race, which means thinking someone is a certain race when they are not – this is called 'discrimination by perception'

[Read the full definition of direct discrimination](#)

### Example of direct discrimination

Ade is black. After an argument with someone at work who is white, Ade is given a final written warning. The other person gets a first written warning. Both were equally to blame but the person who investigated the incident was biased and assumed that Ade had caused the problem. This is direct discrimination.

### Example of discrimination by association

Robin, who's white British, is not given an opportunity to work with a new client. It could have meant a large commission and a bonus. Robin's partner is from India. The management team said that might jeopardise a deal with the client, because they heard the client's chief executive will only work with people who represent 'white British culture'. This is discrimination by association.

### Example of discrimination by perception

Janina applies for a job and is rejected. The employer thinks the name sounds Lithuanian and is prejudiced against people from Eastern Europe. Janina is actually of Anglo-French national origin. This is discrimination by perception. If Janina was Lithuanian it would be direct discrimination.

## Indirect discrimination

Indirect race discrimination is when a working practice, policy or rule applies to everyone but puts a person or group at a disadvantage because of their race.

[Read the full definition of indirect discrimination](#)

### Example 1 – indirect discrimination

A cleaning company needs to reduce their number of cleaners. The company uses English language skills as one of their redundancy selection criteria.

Two cleaners are from Bulgaria. They speak English well but do not have good written skills. The other cleaners are from the UK and English is their first language. The employer selects the two cleaners from Bulgaria for redundancy based on their lower level of written English.

This could be indirect discrimination. This is because it's likely to put people whose first language is not English at a disadvantage. The employer could only justify their action if they assess people against a standard of English that's essential for the job.

### Example 2 – indirect discrimination

An employer says all employees must start working some Saturdays, because they're changing their opening times. This affects everyone who works for the organisation.

One employee is Jewish and observes the Sabbath, so they cannot work on a Saturday. They are put at a disadvantage because of their ethnic group. If the employer cannot legally justify the change and the need for all employees to work on Saturdays, this could be indirect discrimination.

## When a decision on race might not be discrimination

In certain circumstances under the law an employer might be able to make or justify a decision based on race. Ways they can do this include:

- [positive action](#)
- [objective justification](#)
- [an occupational requirement in recruitment](#)

## Harassment

Racial harassment is when someone experiences unwanted behaviour related to race. A common example is racist language.

To be harassment, the unwanted behaviour must have either:

- violated someone's dignity
- created an intimidating, hostile, degrading, humiliating or offensive environment

[Read the full definition of harassment](#)

### Example of harassment directed at a specific person

Dominique, who's French, moves to a new team at work. Two people in the team regularly make fun of Dominique's accent and make comments and jokes about being French. Dominique is very offended by this and feels humiliated.

When Dominique complains, their manager does not take it seriously and says people are only joking. Dominique feels this is not acceptable and decides to make a formal complaint.

### **Example of harassment not directed at a specific person**

Danny's colleagues regularly use racialised opinions and racist terms towards Turkish people. Danny is intimidated by this and feels it's created a hostile environment for them at work.

Danny is not Turkish and the language was not directed towards them. However, they could still make a complaint of harassment related to race because of the hostile environment they feel it's created for them at work.

### **When harassment can be a crime**

Racial harassment can sometimes be a crime. For example if someone has experienced a race hate incident like:

- physical or verbal abuse
- threats of physical violence
- online abuse
- damage to their property

[Find out more about hate crime at work](#)

## **Victimisation**

Victimisation is when someone is treated less favourably as a result of being involved with a discrimination or harassment complaint.

It does not matter if the complaint was made by them or someone else. The law also protects someone from victimisation if someone else thinks they're involved with a complaint.

Ways someone can be victimised include being labelled a troublemaker, being left out, or not being allowed to do something.

[Read the full definition of victimisation](#)

### **Example of victimisation**

Jordan raised a grievance with their employer because of ongoing racist comments and behaviour towards them that managers have ignored. Jordan's colleague Charlie made a statement to support Jordan's complaint after witnessing some incidents.

Since then, Charlie has received aggressive emails from a manager about the witness statement. And both Jordan and Charlie have not been invited to some important meetings they would usually be invited to. It's likely they are both being victimised.

## **When race discrimination might not be obvious**

Discrimination is not always obvious and might not be noticed by other people. This can include:

- stereotyping people – having a fixed view of what someone's like or what they can do based on their race
- microaggressions – small comments, questions or behaviours that are inappropriate or can cause offence, sometimes without the person who's doing it realising

## Examples of stereotyping and microaggressions

Examples could include:

- telling someone how good their English is – this suggests thinking the person would not speak good English based on how they look or where they're from
- telling someone their name is too hard to say – this implies it's not worth taking the time to learn their name and suggests they do not fit in

## Contact the Acas helpline

If you have any questions about race discrimination, you can [contact the Acas helpline](#).