





















**FORMS OF DISCRIMINATION**

**Direct discrimination** = A person, on the grounds of personal characteristics, is treated less favourably than another person in a comparable situation. For example, an entrepreneur refuses to allow a Roma person to enter their business premises.

**Indirect discrimination** = An apparently neutral rule, criterion or practice puts a person at a disadvantage compared with others on the grounds of personal characteristics. For example, an employer requires a jobseeker to have perfect Finnish language skills, even though this is not actually necessary for the job.

**Multiple discrimination** = An individual is discriminated against because of two or more different characteristics. Gender is often a factor in multiple discrimination. For example, multiple discrimination may occur in situations where persons encounter discrimination in job seeking due to their gender and age.

In addition, harassment, denial of reasonable accommodation as well as an instruction or order to discriminate constitute discrimination.

Sexual and gender-based harassment is also prohibited under the the Equality Act.

The Equality Act also prohibits discrimination by virtue of a provision, criterion or practice that appears to be neutral in terms of gender, gender identity or gender expression, but where the effect of the action is such that the persons may actually find themselves in a less favourable position on the basis of gender.

## **Non-Discrimination Act and planning obligations**

The purpose of the Non-Discrimination Act is to promote equality, prevent discrimination and enhance the legal protection of those who have been discriminated against. The Act defines the obligations to promote equality as well as non-discrimination measures and legal protection.

The provisions on gender equality, gender identity and gender expression are outlined in the Equality Act. However, the gender equality plan laid down in the Equality Act can be combined with the equality plan outlined in the Non-Discrimination Act.

### **Compliance with the Non-Discrimination Act is supervised by**

- Non-Discrimination Ombudsman
- Occupational safety and health authorities
- National Non-Discrimination and Equality Tribunal

Compliance with the Equality Act is supervised by the Ombudsman for Equality and the National Discrimination and Equality Tribunal.

### **DISCUSSION**

#### **You can facilitate discussion on questions such as:**

1. *What concrete measures have been taken at your workplace to promote an equal organisational culture?*
2. *Is equality taken into account in recruitment at your workplace? How?*
3. *What are your organisation's greatest achievements in promoting equality?*
4. *How does equality relate to your organisation's strategy?*



## From theory to practice

Equality planning gains a strong foundation when the objectives are in line with the organisation's values and strategy. It is important to clearly highlight the objectives of promoting equality and to discuss them with the entire organisation. It is the responsibility of the management to create the conditions for this.

Based on experiences gathered from effective planning, it is a good idea to set up a working

group, define a timetable as well as establish and assign responsibilities. To draw up an effective equality plan, you should invite persons from different backgrounds to participate. This can mean diversity based on age, gender and background, for example. In addition, the working group should include representatives from the organisation's key operating units.

## Assessing the starting point

Promoting equality requires assessing the organisation's current state regarding equality, engaging both employees and management in the assessment process. The assessment must cover all grounds for discrimination. The assessment of equality must also be carried out when there is no obligation for equality planning.

The most common way to investigate issues related to equality is to conduct a survey on equality for personnel or service users. A survey targeted at personnel is used to assess factors such as, whether employees feel that their workplace is equal, whether employees have experienced discrimination,

whether they have observed discrimination against others, and how effective they consider the measures currently used to promote equality in the workplace. If a decision is made to conduct the survey, you should already consider at the planning stage how to ensure the protection of personal data and the privacy of employees.

Stakeholder surveys can be used to target a wide range of groups, such as service users and partners. The purpose of such surveys is to compile an external assessment of the equality of the activities or, for example, the targeting of the measures used to promote equality.

### **TIP**

**It is important that the assessment is based on correct, up-to-date and unbiased information. When we talk about representatives of different groups, it is important that we become aware of our own unconscious thinking patterns.**

## Equality survey and data protection

**From the perspective of data protection, the equality survey can be carried out in two ways:**

- Ensuring that no one can be identified from the responses or their combinations or
- Ensuring that the survey is conducted in accordance with data protection legislation.

For example, the use of open text fields in the survey can easily lead to collecting identifiable data related to individuals. In this case, you should contact your organisation's data protection officer at the planning stage of the survey and ask for advice on how to make sure the survey meets the data protection requirements.

It should be noted that when you inform the respondents comprehensively about the confidential processing of the data collected, you generate trust and are more likely to receive reliable responses. If people are afraid that they may be identified from the data, they may hesitate to openly disclose their experiences.

### **WHEN PERFORMING AN EQUALITY ASSESSMENT, REMEMBER THAT:**

- If possible, you should carry out equality surveys anonymously so that the responses cannot be linked to specific individuals.
- If the data collected using different methods enable the identification of individuals, this is considered as the processing of personal data and data protection legislation will be applied.
  - *If you end up collecting identifiable data, ensure that the data are rendered down to a general level before processing the results of the survey for example in the planning team.*

**Examples of assessment methods:**

- Personnel and stakeholder surveys
- Interviews
- Assessment workshops
- Accessibility surveys
- Analysis of core functions
- Collection of customer feedback
- External assessments

**What is being assessed?**

The assessment aims to find answers to questions such as:

- What information on the current state of equality is available within the organisation?
- Which measures have been implemented to promote equality? Have there been cases of discrimination (e.g. direct, indirect or multiple discrimination) within the organisation or its services?
- How has this discrimination been detected? Which groups are affected by this discrimination?
- Which procedures are in place to address discrimination? How effective are they?
- Do persons with disabilities receive the reasonable accommodation they need?
- Is diversity taken into account in job advertisements?

*Source: [yhdenvertaisuus.finlex.fi](https://yhdenvertaisuus.finlex.fi)*

**CONTACTS TO THE NON-DISCRIMINATION OMBUDSMAN  
RELATED TO DISCRIMINATION AT WORK IN 2023**

In 2023, the Non-Discrimination Ombudsman received a total of **1,730** contacts related to discrimination, of which approximately 22% (372 cases) were related to discrimination at work.

In 2023, the most common grounds for discrimination in the contacts concerning working life were **age** (64), **nationality** (45) and **other personal characteristics** (45). Of the contacts, 36% were concerned with recruitment and 25% with work supervision and working conditions.

*Source: Office of the Non-Discrimination Ombudsman*

## Group-specific assessment

The idea of group-specific assessment is to consider whether persons from different backgrounds have equal opportunities to work and make progress in their careers in the organisation or use the services it provides.

The precondition for carrying out the assessment is that the organisation has sufficient knowledge and competence

on issues related to population groups. Awareness can be raised, for example, by training employees and involving equality experts in the assessment.

It can be easier to get started with the help of the example questions presented in the table. Also, pay attention to multiple discrimination.

Subject of assessment	Equality of personnel	Equality of operations
<b>Age</b>	Are employees of different ages treated equally in the workplace?	Are the needs of people of different ages identified in the services?
<b>Origin and nationality</b>	Do jobseekers belonging to ethnic minorities have equal opportunities to be selected for a vacancy?	Have issues such as those related to the equality of Roma people been considered when planning and implementing the measures of the plan?
<b>Language</b>	What measures are taken to support the Finnish or Swedish language skills of multilingual employees?	Is the organisation's external communication accessible to different language groups?
<b>Religion and belief</b>	Have the holidays of those representing different religious communities been taken into consideration in the holiday planning of employees?	Are the needs of members of different religious communities taken into account in the services?
<b>Opinion, political activity and trade union activity</b>	Can a person's opinion, political activity or acting as an elected official affect their equal opportunities to make progress in their career?	Are services equal regardless of opinion or political activity?
<b>Family relationships</b>	Does the workplace recognise the diversity of family relationships (e.g. LGBTIQ+ families)?	Does the service recognise the diversity of family relationships (e.g. LGBTIQ+ families)?
<b>Health</b>	Can the necessary adjustments be made at the workplace so that employees' health does not become an obstacle to equal opportunities for making progress in the workplace and career?	Which measures are taken to address special issues related to clients' health?
<b>Disability</b>	Are the shared spaces accessible?	Has the accessibility of services been examined from the perspective of different groups of persons with disabilities?
<b>Sexual orientation</b>	Can a person belonging to a sexual minority be themselves openly in the workplace?	Has the service design paid attention to the equality of members of sexual minorities?

### **EXERCISE**

**You can facilitate discussion on questions such as:**

- *What are the operating conditions for promoting equality?*
- *How can the assessment of equality be implemented in practice in your organisation?*
- *What assessment methods can the organisation use?*
- *Who can you engage in the assessment? How? How are responsibilities and their implementation defined?*
- *Who is part of the planning team? Is the management represented? What about personnel groups?*

## **Defining objectives and measures**

The assessment guides you in determining the areas where the objectives and measures are targeted. When identifying the objectives, there should be discussions within the work community on topics such as how the objectives are related to the other strategic goals of the organisation. Are the objectives achievable? And can you assess the development of the objectives?

The objectives can be achieved through changes in principles, actions and structures. You should select concrete and goal-driven measures for the equality plan to respond to the issues that were detected during the assessment. It is a good idea to define the areas that the measures aim to target

and how, when and by whom the measures will be taken. Additionally, it is important to identify influential channels and how the implementation of measures will be monitored.

### **Example of an objective:**

- Efficient intervention in discrimination at the workplace

### **Examples of measures:**

- Training on non-discrimination
- Appointment of an equality and harassment contact person
- Drawing up the principles of a safer space





### **CHECKLIST FOR REVIEWING THE MEASURES**

- *Which aspects of the activities (e.g. recruitment, orientation and management) do the measures cover?*
- *Which groups at risk of discrimination are covered by the measures?*
- *What forms of discrimination do the measures address (e.g. direct and indirect discrimination, harassment)?*
- *Which obstacles to equality are tackled with the measures?*
- *Do the measures include elements or structures that promote the participation or interactions of employees?*
- *Can the implementation and effectiveness of the measures be assessed? How?*

In the process of equality planning, it is essential to identify different obstacles to equality. These obstacles often intersect. At every stage of strategic equality endeavors, it's important to engage with groups vulnerable to discrimination:

- **Identify** how and whose experiences and views are represented within the organisation. Whose are not?
- **Recognise** how these experiences are addressed. Do individuals and communities feel heard and fairly treated?
- **Take action:** what measures are being taken to rectify the situation?

### **EXERCISE**

**You can facilitate discussion on questions such as:**

- *How will you proceed from the assessment results to identifying objectives?*
- *How are the objectives more extensively linked to the organisation's activities or strategy?*
- *Which objectives do you identify?*
- *Are the objectives related to principles (values), new approaches (more equal operations) or structural factors (diversity in the organisation or channels to promote inclusion)?*
- *How are the objectives selected and will they be discussed more extensively in the organisation?*

**Planning and selection of measures**

- *Plan a few potential measures linked to the objectives.*
  - *How are the responsibilities for implementing and monitoring measures defined?*
  - *What kind of a schedule could there be for taking the measures?*
  - *How could the measures be communicated internally or externally?*

## Good to know

- The plan should be as concrete as possible so that it can be used to genuinely promote equality in the workplace.
- There is no specific form that a workplace's equality plan should follow or a predetermined maximum or minimum length, for example. The main thing is that the plan reflects the organisation's views and development targets.
- The planning obligations laid down in the Non-Discrimination Act do not include a time or annual limit on the frequency at which the workplace's equality plan should be updated.
  - *Under the Equality Act, the employer must prepare a gender equality plan at least once every two years.*
- The planning obligations under the Non-Discrimination Act do not include pay surveys unlike in gender equality planning.

### **EQUALITY PLAN CHECKLIST**

- The workplace has an equality plan, as required by law.
- The plan takes into account different grounds for discrimination.
- The plan takes into account equality in different areas of operations (such as recruitment).
- The plan has been discussed with the personnel or their representatives.
- The plan contains an equality assessment and its conclusions.
- The plan sets out the concrete measures to promote equality.
- Information on the plan is disseminated to all employees and it is easily accessible to the personnel and included in, for example, job orientation and integrated into the organisation's established processes.
- Groups at risk of discrimination are involved at all stages of the planning process.
  - *Anonymous opportunities for participation are available.*

### **TIP**

You don't have to fit measures concerning all grounds for discrimination in a single equality plan. While all grounds for discrimination should be examined at the assessment stage, the objectives of the plan may focus on the most critical grounds for discrimination that emerged in the evaluation. The key is that you give reasons for the choices made and communicate about them clearly.

## Example of a frame for objectives and measures

Objective	Measures	Timetable	Responsible parties	Monitoring

## Communications

Communications make the organisation's equality work visible and impactful. Indeed, you should pay attention to the role of communications at the different stages of equality planning. It's important to recognise the significance of communication throughout the different stages of equality planning. The role of communications is particularly emphasised when the equality plan is introduced as a tool used to actively promote an equal and non-discriminatory organisational culture. In this context, the organisation is also articulating and reinforcing its values through communications.

### **EXERCISE**

**You can facilitate discussion on questions such as:**

- *How is communication taken into consideration in the equality plan?  
Does the plan contain measures related to communications?*
- *What concrete ways to communicate about equality planning are available?*
- *How is equality visible in the organisation's internal communications?  
What about external communications?*
- *How could the organisation's communications related to equality be developed?*

## Impact assessment

Impact assessment involves a comparison between the objectives set in the equality plan and the results achieved. This evaluation specifically targets the objectives and their realisation.

In the assessment stage of the planning process, the organisation's initial baseline situation is assessed from the perspective of equality. An impact assessment is then employed to measure changes in equality within the organization relative to the established objectives. Impact assessment is utilised when updating the plan.

## Keys to successful impact assessment

1. Well-performed assessment (*creating indicators*)
2. High-quality reporting of the process (*during different stages of the process*)
3. Careful planning of objectives and measures (*determining what should change in order to achieve the goal*)
4. Utilisation of impact assessment methods (*experiences, indicators, information on the implementation of measures, surveys, internal and external consultations*)

## Levels of evaluation

### Process evaluation

A successful planning process is the key to an effective outcome. The assessment is focused on how the process has contributed to achieving the objectives.

- The examination may be focused on the assessment of the process stages, communications about the process, the implementation of measures and experiences of inclusion in the planning process.
- Sources of information may include reports, interviews of key persons, monitoring data on the plan and surveys.

### Content assessment

Achieving the objectives of the equality plan goes beyond simply implementing the specified measures – it also involves bringing about tangible changes in the experiences of equality within the community.

- It is a good idea to examine whether the set objectives have been achieved and if so, whether this is due to the measures taken or some other factors.  
– *Have employees or stakeholders from diverse backgrounds found the plan to be effective?*
- The assessment data may include plan reporting and monitoring data, surveys, interviews, workshops and the utilisation of indicators set at the assessment stage. External assessment can also be utilised.

### **EXERCISE**

**You can facilitate discussion on questions such as:**

- *What is the desired outcome of the objective? How can you measure it?*
- *How can the indicators set in the assessment be used in impact assessment?*
- *What means can be used to assess impact (e.g. surveys, interviews, indicators and external evaluation)?*

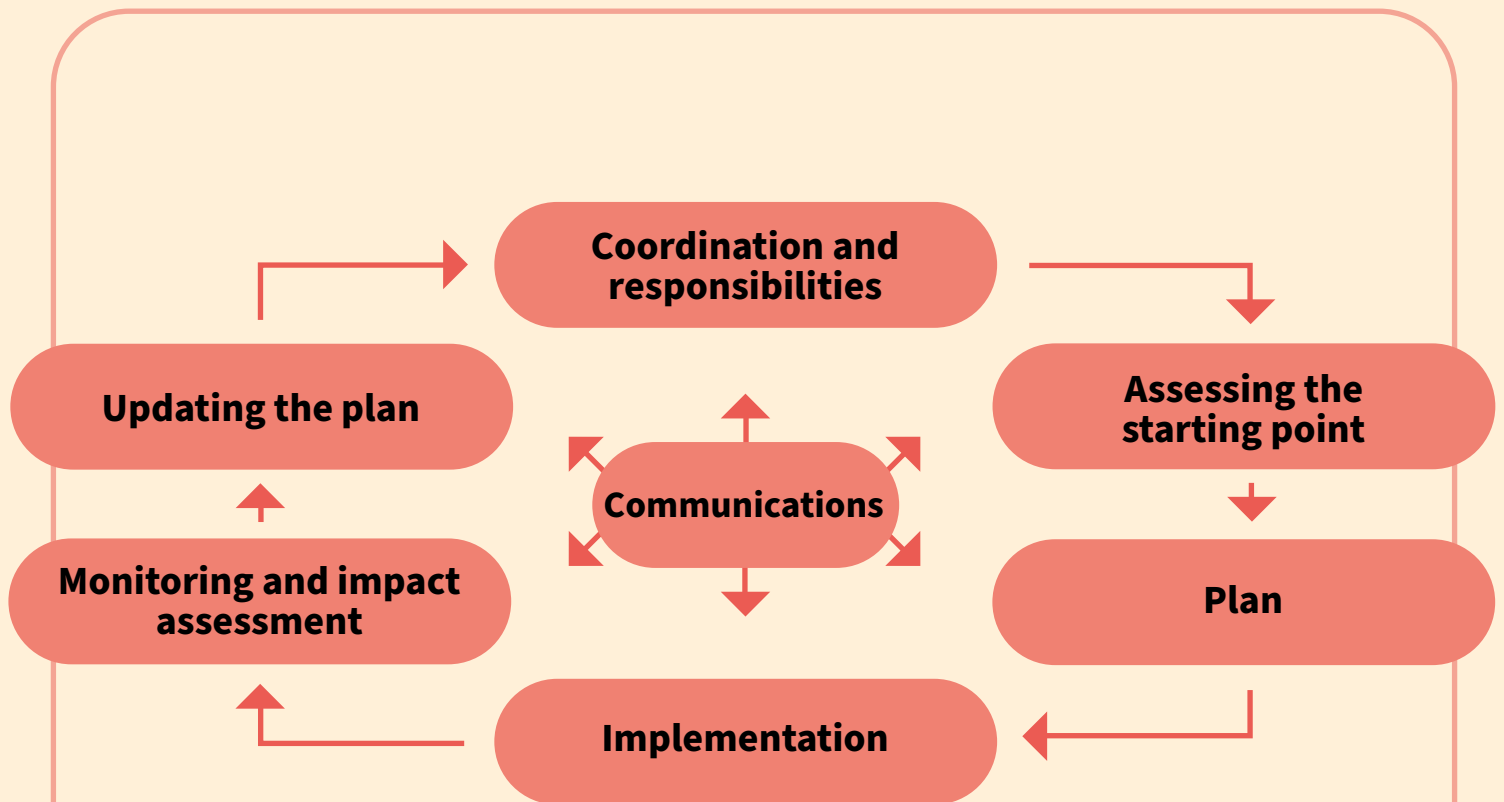
## **Updating the equality plan**

When updating the equality plan, it is good to pause and view equality work as an ongoing continuum, one phase of which has been completed. The assessment results indicate on whether to maintain focus on current themes or shift towards new ones.

It is also valuable to revisit the phase of the previous round where measures were selected for the plan. For example, were any important measures overlooked or were certain objectives identified as long-term goals that should be continuously promoted?

### **The planning process from the perspective of updating**

- How have you linked updating to impact assessment?
- Seeking synergies: Is the update related to the organisation's other strategies?
- How could the working group operate in the future?
- What benefits could there be in changing the members of the working group?
- How could you communicate about the updated plan?
- Are there any other organisations with which you could exchange ideas about equality and non-discrimination planning together? You will not have to keep reinventing the wheel when it comes to equality planning!



*Equality planning is a continuous process*

### **Questions to reflect on**

- *Has the plan changed the culture within the organisation – is equality visible in the day-to-day practice of the organisation?*
- *Has the plan increased diversity at different levels of the organisation?*
- *Has the work community observed the benefits of equality?*
- *Has the planning helped uncover previously hidden discriminatory attitudes within the workplace community?*
- *Do stakeholders from minority backgrounds perceive that operations have become more equitable?*
- *Has the plan reduced structural barriers (such as inaccessible space)?*

**MORE INFORMATION ON EQUALITY PLANNING:**

***[www.equality.fi](http://www.equality.fi)***

We hope that this guide has provided support, information, tools and practical examples to support the training of equality planning at the workplace.

***Everyone has the right to a working life free from discrimination. Thank you for your contribution to the promotion of equality!***



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