



Higher National Unit specification: general information

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

Unit code: H2XE 34

Superclass: AJ

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Unit purpose

This Unit is designed for trade union equality representatives who are new to their role or may have not undertaken this level of training in the subject. In this Unit candidates will develop the knowledge and understanding of current equality rights at work and how these are applied.

This is a specialist mandatory Unit of the HNC in Trade Union Organising and Representation and is also one of the three Units that comprise the Professional Development Award in Trade Union Organising for Equality at SCQF level 7. It can also be delivered as a standalone Unit, perhaps for the purposes of continued professional development.

On completion of the Unit the candidate should be able to:

- 1 Explain current relevant equality legislation with reference to workplace practice.
- 2 Explain relevant workplace procedures in relation to discrimination.
- 3 Evaluate an employer's equality and diversity policies.

Recommended prior knowledge and skills

Although entry is at the discretion of the centre, it is recommended that candidates possess good communication and interpersonal skills. In addition, candidates should be able to demonstrate the support of their nominating union. It would be beneficial if the candidate had undertaken some previous trade union or equality training.

General information (cont)

Credit points and level

1 Higher National Unit credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the Support Notes of this Unit specification.

There is no automatic certification of Core Skills or Core Skill components in this Unit.

Context for delivery

If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

This Unit is designed to provide trade union representatives with knowledge and understanding of the application of equality rights in the workplace.

This is a mandatory Unit in the Professional Development Award in Trade Union Representation: Organising for Equality and is also contained within the HNC in Trade Union Organising and Representation.

This Unit may also be undertaken on its own, perhaps for the purposes of continued professional development.

It is recommended that it be delivered as part of a trade union's education programme

Higher National Unit specification: statement of standards

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

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The section of the Unit stating the Outcomes, Knowledge and/or Skills and Evidence Requirements are Mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain current relevant equality legislation with reference to workplace practice.

Knowledge and/or Skills

- ◆ Current relevant legislation and codes of practice.
- ◆ Role of legislation in combating inequality.
- ◆ Legal definitions of direct and indirect discrimination; victimisation; bullying and harassment and meaning of vicarious liability.
- ◆ Protected characteristics and common themes in current UK equality legislation.

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ identify current relevant legislation and codes of practice
- ◆ evaluate the effectiveness of one piece of legislation in combating inequality
- ◆ explain the current legal definitions of direct and indirect discrimination, victimisation, bullying and harassment and the meaning of vicarious liability
- ◆ explain protected characteristics and common themes in UK equality legislation
- ◆ outline legal arguments that could be used to build a trade union case to support members experiencing bullying and harassment at work

Outcome 2

Explain relevant workplace procedures in relation to discrimination.

Knowledge and/or Skills

- ◆ Discrimination in the workplace.
- ◆ Relevant workplace procedures.
- ◆ Key features of an equality audit.

Higher National Unit specification: statement of standards (cont)

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ outline three examples of workplace discrimination
- ◆ produce a plan to address instances of potential conflict at work in relation to discrimination, using appropriate workplace procedures
- ◆ explain key features of an equality audit

Outcome 3

Evaluate an employer's equality and diversity policies.

Knowledge and/or Skills

- ◆ Employer's Equality/ Diversity Policies.
- ◆ ACAS Guidelines.
- ◆ Trade Union Equality/ Diversity Guides.

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ evaluate an employer's equality/ diversity policies
- ◆ suggest improvements where necessary to an employer's equality/ diversity policies for inclusion in the trade union bargaining and organising agenda

Higher National Unit specification: support notes

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

This part of the Unit specification is offered as guidance. The Support Notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This is a mandatory unit in the Professional Development Award in Trade Union Organising for Equality and is also contained within the HNC in Trade Union Organising and Representation. This Unit can also be delivered as a standalone Unit, perhaps for the purposes of continued professional development. It is intended for Trade Union Representatives who aim to actively challenge inequality in the workplace.

Equality is a key trade union principle. The objects of Unite, for example include:

- ◆ to defend and improve its members' wages and working conditions including the pursuit of equal pay for equal value
- ◆ to defend and improve the social and economic well-being of members and their families, both directly and via commensurate policies in relation to society both domestically and abroad
- ◆ to promote equality and fairness for all, including actively opposing prejudice and discrimination on the grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation or identity, age or disability

In this Unit candidates will develop the knowledge and understanding of current equality rights at work and how these are applied.

Guidance on the delivery of this Unit

There are four specialist Professional Development Awards (PDAs) for Trade Union Representatives, each comprising three Units.

This is a mandatory Unit in the Professional Development Award in Trade Union Organising for Equality and is also contained within the HNC in Trade Union Organising and Representation.

It is envisaged that:

- ◆ it will be delivered alongside the two other Units of the PDA in Trade Union Organising for Equality
- ◆ candidates will also undertake the necessary mandatory and optional Units required to achieve the HNC in Trade Union Organising and Representation

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

Candidates will be practising trade union representatives, in full or part-time employment, working in groups drawn either from a single workplace or sector or from a variety of workplaces and sectors. Courses incorporating this Unit are therefore best delivered in short blocks or via day release, attended by cohorts of between 10 and 20 participants. The tutor should be an experienced trade union representative with knowledge and understanding of trade union structures, policy and practice.

Participative, co-operative group work is highly recommended. Candidates will bring a range of valuable existing knowledge and experience, whether from trade union involvement, work, previous study or life in general and it is important to promote exchange of knowledge, experience and views in a mutually respectful, mutually supportive environment. Guidelines for working together should be agreed from the outset.

Outcome 1

By the end of Outcome 1, candidates should be able to explain current relevant equality legislation with reference to workplace practice. This should include relevant sections of the Equalities Act 2010 and Equality and Human Rights Commission Codes of Practice. Consideration might also be given to how to build a case based on the Health and Safety at Work Act 1974 with regard to bullying and harassment.

Outcome 1 includes evaluating the effectiveness of a piece of legislation in combating inequality. The key point here is that discrimination is not tackled by legislation alone. The Equality and Human Rights Commission website contains useful documents, resources and tools. Participants could also be provided relevant statistical information and discuss examples that demonstrate the role of trade unions in achieving gains.

Participants should be made aware of legal definitions/ the meaning of the following:

- ◆ direct and indirect discrimination
- ◆ victimisation
- ◆ bullying and harassment
- ◆ vicarious liability

They might benefit from working in small groups to identify and summarise current relevant legislation, duties imposed, qualifying conditions and any permitted exemptions or justifications in respect of age, disability, gender identity and gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and provide reports to the wider group summarising the key points of their findings. Plenary sessions should aim to ensure that participants are able to explain protected characteristics and common themes in UK equality legislation.

Participants should be encouraged to formulate a trade union case to support a member, drawing their legal arguments from the definitions and the appropriate aspects of legislation.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

Outcome 2

Participants are likely to be in a position to outline examples of workplace discrimination from their own experiences, however centres may provide case studies in order to ensure that a full range of equality issues are explored.

Within their plan, the candidate should be encouraged to identify the aspects of workplace equality procedures that are being applied to the issue. The plan should also include an explanation of 'when and how' to apply relevant workplace procedures.

It would be helpful to provide trade union materials on the purpose and nature of equality audits along with examples and templates in order that candidates may explain key features.

Outcome 3

Delivery of Outcome 3 should include equipping participants to evaluate an employer's equality and diversity policies relative to ACAS and trade union guidelines and suggest improvements where necessary for inclusion in the trade union's bargaining and organising agenda. Participants should be encouraged to obtain copies of their employers' policies, compare them to ACAS and trade union guidance and note possible areas where the policy could be improved.

Guidance on the assessment of this Unit

This Unit could be assessed holistically with evidence to cover all three Outcomes stored in a portfolio or workbook.

Assessment could comprise several separate tasks and it would be possible for a candidate to combine and submit these as one complete assignment. Evidence for assessment can be in any appropriate format as long as the minimum Evidence Requirements are met. For example, assessment may include case studies, group discussion, presentations, written or oral reports and/ or diagrammes.

Assessment Guidelines

Outcome 1

Outcome 1 assessment could comprise responses to a series of questions in any appropriate format.

Outcome 2

Outcome 2 assessment could comprise responses to questions supplemented by a case or negotiating plan in any appropriate format.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Equality Legislation Relating to the Workplace

Outcome 3

Outcome 3 assessment could comprise an evaluation of an employer's equality and diversity policies in any appropriate format.

Online and Distance Learning

This Unit could be delivered by open learning; however it would require careful planning by the centre to ensure the sufficiency and authenticity of candidate evidence.

Opportunities for developing Core Skills

The Core Skill of *Communication at SCQF level 6* will be developed by candidates through a range of activities (both written and oral) as well as class and group discussions.

The Core Skill of *Problem Solving at SCQF level 6* will be developed as the candidate will be dealing with various complex workplace issues and will also learn about the trade union approach to problem solving.

The Core Skill of *Working with Others at SCQF level 6* will be developed as the candidate will be involved in group discussions and group tasks, participate in union team building activities, theory and practice.

The Core Skill of *Information and Communication Technology at SCQF level 5* will be developed as the candidate will likely utilise computer search engines when carrying out research.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

History of changes to Unit

Version	Description of change	Date

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General information for candidates

Unit title: Trade Union Organisation and Representation: Equality Legislation Relating to the Workplace

This Unit is for you if you are new to the role of trade union equality representative or wish to undertake further training in this subject. Equality is a key trade union principle and in this Unit you will develop the knowledge and understanding of current equality rights at work and how these are applied. In this Unit you will develop your knowledge, understanding and skills of the importance of equality in the workplace and how legislation and workplace procedures can be applied to challenge inequality. This will enable you to better represent members in the workplace.

You must be able to demonstrate the support of your nominating union to undertake the Unit. This is a mandatory Unit in the Professional Development Award in Trade Union Representation: Organising for Equality and is also contained within the HNC in Trade Union Representation.

Upon completion of this Unit you will be able to:

- ◆ explain current relevant equality legislation with reference to workplace practice
- ◆ explain relevant workplace procedures in relation to discrimination
- ◆ evaluate an employer's equality and diversity policies

Assessment for the Unit may include evidence generated from role play, case studies, group discussion, presentations, observation, written or oral reports and/ or diagrammes.

There may be opportunities during the Unit for you to also develop your Core Skills in *Communication, Problem Solving, Information and Communication Technology and Working with Others*.