



Research Report

Measurement of Discrimination among Public Service

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Executive Summary

This report is the second study on discrimination commissioned by the National Commission for Equality (NCPE) as part of the project *Think Equal*. The first report conducted focused on discrimination among youths. This study focuses on discrimination within the public service and other government entities. It reports the results of a quantitative study carried out among public employees. This study is a survey that measures the perception, level of awareness and acceptance of equality and diversity principles, together with the occurrence of discrimination in the public administration.

A survey (questionnaire) was developed such that the aims of the study can be reached. The questionnaire consisted of four sections: one on the respondents' personal details; respondents' level of understanding of equality and discrimination; public employees' experience of discrimination at work; and the type of training that they would like to have.

The method for collecting data was online through the use of the tool: survey monkey or else through a questionnaire sent in Word version. An email inviting recipients to participate in the survey was sent by the DOI (Department of information) to all public service employees. A total of 150 questionnaires were collected and there were twice as many women as men who responded and filled in the questionnaire.

The overall response obtained was positive with many public employees expressing and displaying a good degree of sensitivity to issues relating to equality and discrimination on all the six grounds, even if there are areas where further work needs to be done. More specifically, the research findings can be summarised to be:

- public employees declared having a degree of knowledge and awareness of NCPE and its role and work;
- they declared a good degree of knowledge on equality and discrimination overall and particularly with respect to five of the six grounds;

- they also declared a limited degree of knowledge on Maltese laws related to equality and discrimination;
- females tended to express higher levels of knowledge on NCPE, equality and discrimination; respondents in managerial positions expressed higher levels of knowledge on NCPE, equality and discrimination than professionals and administrative staff;
- good contributions for defining equality and discriminations were obtained even if understanding of these concepts did not tend to be as wide as they should be;
- respondents overall expressed strong positive values and attitudes in promoting equality, accepting diversity, taking positive action for diversity as well as in combating discrimination;
- female public employees tended to express stronger positive attitudes than male respondents; managers expressed stronger positive attitudes than professionals and administrative staff;
- respondents experienced very few instances of discrimination and the most common were on the basis of age and gender;
- they were witness to a number of instances of discrimination, mainly on age and gender; an encouraging degree of practices promoting equality and combating discrimination were identified within public entities; and
- respondents expressed a wish to learn more about equality and discrimination, NCPE's role and services as well as what to do to report cases of discrimination.

Recommendations put forward include: the need to invest more in education; training to be aimed at administrative staff; to educate about the wider meaning of equality and discrimination; provide managerial staff with practical tools and practices which they can implement to ensure equality and can combat discrimination; tailor training more at practical tools which employees can implement and use; and promote mutual learning among different public entities.

This research exercise has provided insight into a number of aspects related to equality and discrimination among public employees as well as within public entities. While the overall results are encouraging as positive attitudes towards equality and against discrimination were obtained, it has also highlighted that much more needs to be done to ensure that public services cater for diversity within Maltese society such that real equality is achieved.

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1.0 Introduction

Discrimination is an affront to a democratic society¹. A democratic society promotes respect to all individuals, whatever their background, ethnicity, age, gender, sexual orientation, political belief or other personal characteristic. Any form of behaviour, attitude, or belief which puts an individual at a disadvantage is unacceptable and all efforts must be made to promote equality and create adjustments tailored to the needs of the different groups in society.

One of the responsibilities of government is to provide services to its citizens through its services: (e.g. health, social services, education, and many others) through its employees: (civil servants; or employees within government authorities). Discrimination within the public service can relate to the treatment of public employees at the work place and how they are treated as a result of their gender, age, sexual orientation, religion or belief, racial or ethnic origin, and/or disability. There could also be discrimination in the services provided by government entities towards people based on their gender, age, sex, sexual orientation, religion or belief, racial or ethnic origin, or disability. This discrimination may be voluntary or involuntary, be the result of prejudice by some of the government staff, or the result of organisational practices which are not sensitive to the different needs of different groups in society.

Combating discrimination

The need to combat discrimination has been recognised widely across the world. At an international level, the European Commission is committed to eradicate any discrimination which exists across the European Union. Directive 2000/43/EC of 29 June 2000 and Directive 2000/78/EC of 27 November 2000 resulted from Article 13 of the Amsterdam Treaty establishing the European Community and which reads: "the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination for equal treatment in employment and occupation based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation". This article identifies the six grounds for discrimination (sex, racial/ethnic origin, religion or belief,

¹ Tinsley Yarbrough, Protecting Minority Rights, website accessed on 25/10/11
<http://www.ait.org.tw/infousa/zhtw/DOCS/Demopaper/dmpaper11.html>

disability, age and sexual orientation) which need to be overcome in order to achieve equality across Europe. One also finds directive 2002/73/EC relating to the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions and directive 2004/113/EC which targets the equal treatment between men and women in the access to and supply of goods and services. These legal tools apply to all goods and services provided, and consequently also bind governments to ensure that they do not implement discriminatory practices within the civil service.

Malta is also committed against discrimination, this being reflected in Malta's Constitution of 1964 which is based on the principles of equal treatment and non-discrimination. Prior to Malta's accession to the European Union (EU), national legislation regulated gender and disability discrimination in employment as well as in the provision of goods and services. Following Malta's accession, the EU Equality legislative framework was further transposed into national law. The national laws that deal with equality include:

- Chapter 456 Equality for Men and Women Act;
- Chapter 452 Employment and Industrial Relations Act;
- Legal Notice 461 of 2004 Equal Treatment in Employment Regulations;
- Legal Notice 85 of 2007 Equal Treatment of Persons Order;
- Legal Notice 86 of 2007 Equal Treatment in Self-Employment and Occupation Order; and
- Legal Notice 181 of 2008 Access to Goods and Service.

One also finds the Equal Opportunities (Persons with Disability) Act (EOA) which introduces new measures which seek to end the discrimination that disabled people have to confront in everyday life and grants a legal status to the National Commission Persons with Disability, making it responsible for the implementation of the EOA. The EOA safeguards the civil rights of disabled people in employment, education, goods and services, accommodation, access, and in insurance.

The main government entities involved in combating discrimination include the National Commission for the Promotion of Equality (NCPE), the Department of Industrial and Employment Relations (DIER), and the National Commission Persons with Disability (KNDP).

The Government of Malta set up the National Commission for the Promotion of Equality (NCPE), the government organisation with the responsibility related to gender aspects as well as discrimination on ground of race in the provision of goods and services. NCPE is an independent organisation, government funded body set up as a result of Chapter 456 of the Laws of Malta in January 2004.

The main responsibilities of NCPE include the monitoring and implementation of:

- Cap 456 - Equality for Men and Women Act,
- Legal Notice 85 of 2007 - Equal Treatment of Persons Order, and
- Legal Notice 181 of 2008 - Access to Goods and Services and their Supply (Equal Treatment) Regulations.

NCPE works to ensure that Maltese society is free from discrimination, whether it is based on sex / gender and family responsibilities in employment, racial / ethnic origin or gender in the provision of goods and services and their supply. As is stated in its Vision and Mission Statement NCPE promotes a society which is equal and free from discrimination. It champions inclusiveness whereby everyone, irrespective of their gender and family responsibilities, race or ethnicity are able to achieve their full potential. It is committed to work towards the elimination of discrimination on the grounds of gender, family responsibilities and race/ethnic origin. It strives to achieve this in different ways, but mainly through: raising awareness; monitoring national laws and EU Directives; implementing policies; networking with different stakeholders; and investigating complaints and providing assistance to the general public.

The responsibilities of the National Commission Persons with Disability are specified in the Equal Opportunities (Persons with Disability) Act of 2000. These consist mainly of the following:

- identifying the needs of persons with disability and their families, and to suggest how these needs can best be addressed by Maltese Society;

- drawing up policies with regard to the disability sector which all serve as guidelines for Government and Maltese Society;
- ensuring coordination between government departments and agencies, and also liaising between government entities and non-governmental organisations working in this sector;
- ensuring, within the provisions of Equal Opportunities (Persons with Disabilities) Act within the bounds of reasonableness, that no discrimination is tolerated, if and when it happens;
- collecting information and statistics regarding about the disability sector, whilst ensuring strict confidentiality in respect of personal information;
- creating greater awareness in Maltese Society about disability issues; and
- keeping abreast with the latest developments in the field of disability, both locally and internationally.

The Department of Industrial and Employment Relations (DIER) strives to protect the rights emanating from employment contracts while, in a spirit of social partnership, it actively promotes a healthy relationship and contributes towards stable and harmonious industrial relations. DIER is also committed to enhance the awareness and compliance of labour legislation aimed at progressively improving employment conditions.

The principal responsibilities of the Department of Industrial and Employment Relations (DIER) are related to employment issues and ensuring that all workers are treated according to the law. They have the responsibility to ensure that there is no form of discrimination on ground such as racial or ethnic origin in employment. Overall, the responsibilities of DIER include:

- providing effective machinery for the establishment of standard conditions of employment, in consultation with the social partners, and their eventual promulgation as legal instruments;
- providing the necessary monitoring and enforcement of employment conditions as established by law;
- regulating employment contracts in an equitable manner so as to ensure that rights and obligations pertaining to each party in the contracts are observed;
- protecting workers whose employment relationship has been terminated by an employer;
- eliminating discriminatory practices at workplaces;

- providing support services to the Industrial Tribunal, Guarantee Fund Administration Board and Employment Relations Board;
- providing effective mediation and conciliation in order to reduce industrial actions and trade disputes; and
- promoting good relationships between employers' and workers' representatives.

These three entities work to ensure that the fight against discrimination is continuous and that anybody in Malta is protected against the different forms of discrimination which individuals may experience. These entities, entrusted with ensuring equality and combating discrimination, also regulate the behaviour and practices within civil service and other government entities. This thus ensures that the civil service and government entities are not themselves guilty of discrimination.

This study focuses on equality and the degree to which the civil service and other public entities are sensitive to the needs of different groups in society, and how this lack of sensitivity to the different needs may result in discrimination. The research probes both the treatment of workers, as well as the services provided by these entities.

1.1 The Project Think Equal

NCPE embarks on specific projects targeting different aspects of discrimination and which promote equality. *VS 2010/0569 Think Equal*² is one such project and is co-funded by EU PROGRESS funds and implemented by the National Commission for the Promotion of Equality (NCPE) Malta.

The objectives of this project are to:

² Project Website: https://secure2.gov.mt/socialpolicy/SocProt/equal_opp/equality/projects/think_equal.aspx

- Stimulate debate on equality, diversity and multiple discrimination within sections of society that offer a multiplier effect; Enhance and promote a shared understanding of equality, non-discrimination, diversity and multiple discrimination;
- Disseminate good practices;
- Sensitise, train and empower youths to welcome and live diversity;
- Compile data through the use of qualitative surveys assessing the perception of and readiness towards diversity of youths and of public employees;
- Compile data through the use of qualitative surveys identifying the extent, nature and areas within which discrimination is experienced by LGBT persons and racial groups; and to
- Provide – through studies and surveys – data upon which legislation, policy and action plans may be designed.

To reach these objectives, the proposed actions of the project targets youths, professionals and academics having a role of influence for their potential multiplier effect.

This research report forms part of this Project. It reports the results of a quantitative study carried out among public employees. This study is a survey that measures the perception, level of awareness and acceptance of equality and diversity principles, together with the occurrence of discrimination in the public administration.

2.0 Aims of the Study

This quantitative research, as specified by NCPE, focused on the current perception, level of awareness and acceptance of equality and diversity principles, together with the occurrence of discrimination in public administration.

The main aim of this study is to indicate whether there is institutionalized discrimination, as well as to provide data on the level of knowledge on equality issues, acceptance of equality principles and openness to diversity by public employees.

The specific aims of the study were:

- to measure the perception, level of awareness and acceptance of equality and diversity by public employees;
- to measure the degree of occurrence of discrimination by public employees (both towards themselves as workers well as witnesses to discrimination towards others in the services provided by their entity);
- To identify what actions with respect to equality and adjustment for diversity, as well as for combating discrimination are taken by public entities; and
- What aspect related to equality, diversity and discrimination public employees would like to learn more about and in what ways.

The study makes it possible to map out the level of sensitivity to equality and diversity by public entities and public employees as well as the frequency of discrimination which different groups may experience in the services provided by public entities. It makes it possible to identify what is required to design measures essential for the process of policy drafting and implementation in order for government entities to serve all citizens in the best possible way.

3.0 Theoretical background to the study

A person is discriminated against if s/he is treated less favourably than another person based on a characteristic s/he has in being part of a protected group. *Anti-discrimination laws at EU level forbid discriminatory conduct on a number of grounds (e.g. sex, racial or ethnic origin, age, sexual orientation, religion or belief and disability) in a number of areas (e.g. employment, education and the provision of services).*

The Employment and Industrial Relations Acts of 2002 defines discriminatory treatment as any distinction, exclusion or restriction which is not justifiable in a democratic society including discrimination made on the basis of marital status, pregnancy or potential pregnancy, sex, colour, disability, religious conviction, political opinion or membership in a trade union or in an employers' association. The Equality between men and women Act also refers to direct and indirect discrimination with "direct discrimination" occurring where one person is treated less favourably, in this case on the grounds of sex, than another would be treated in a comparable situation, and "indirect discrimination" occurring where an apparently neutral provision, criterion or practice would put persons, again in this case of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim. In this study, the meaning of direct and indirect discrimination as described above are used, but applied to the six grounds of discrimination: gender, age, sexual orientation, religious belief, ethnicity and disability.

One definition of discrimination is given by McIntyre³, who concluded that '*discrimination, whether intentional or unintentional or not, but based on grounds relating to personal characteristics of the individual or group, which has the effect of imposing burdens, obligations, or disadvantages on such individual or group not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society. Distinctions based on personal characteristics attributed to an individual solely on the basis of*

³ Quoted by Green I, (1987), **The Charter of Rights**, Canada:James Lorimer and Company

association with a group will rarely escape the charge of discrimination, while those based on an individual's merits and capacities will rarely be classified so'.

Amnesty International, in fighting for human rights across the globe declare that discrimination is an assault on the very notion of human rights. The most pernicious form of discrimination takes place when there is the systematic denial of certain peoples' or groups' full human rights because of who they are or what they believe in. However, individual and one-time incidents are still considered to be discrimination. Whatever the type and frequency of discrimination, as Amnesty International argue that it is all too easy to deny a person's human rights if you consider them as "less than human"⁴.

Discrimination can be *objective* or *subjective*⁵. Objective discrimination refers to unjustifiable differences in outcomes of actions, procedures, legislation etc. Subjective discrimination is, on the other hand, a person's perception of being discriminated against. The existence of objective discrimination cannot be established on the basis of experienced discrimination, even though subjective and objective discrimination often will be present at the same time. Since subjective discrimination refers to perceived discrimination among different groups in a society, the experience and awareness of discrimination in the same situation may vary with individuals. Objective discrimination is considered to be less biased and is that which legislation refers to.

Discrimination can be *direct* or *indirect*. Direct discrimination occurs when a person is treated less favourably on the grounds of a personal characteristic, for example one's gender, race, age or disability e.g. when a call for employment specifies that applicants must be male is direct discrimination against women. Indirect discrimination occurs when a policy or procedure which appears to treat everyone equally, places certain groups at a disadvantage. Indirect discrimination occurs when a neutral, or seemingly harmless, policy, rule or practice has a discriminatory effect against a certain group of people. There are, however, exceptions, where

⁴ <http://www.amnesty.org/en/discrimination> accessed 28/10/11

⁵ Lindhart Olsen, A. & Wismer K.,(2006), **Measuring Discrimination in a Register-based Statistical System**, Session on the future of Social Statistics, IAOS 2006 Conference.

measures in favour of particular groups, e.g. as in positive actions, are allowed and not considered unlawful.

Discrimination can be *individual*, or *institutional*. Individual discrimination takes place when individual or individuals of a particular group behave in a way which is intended to have a differential and/or harmful effect on other individuals belonging to other groups. Institutional discrimination refers to the policies drawn up by the dominant groups running institutions, and which are not intentionally designed to have different impacts on different groups in society.

People often experience complex forms of discrimination, at individual or institutional level. Three such forms of discrimination which individuals can experience exist⁶: multiple, compound and intersectional discrimination.

Multiple discrimination as a concept reflects the reality where an individual experiences discrimination due to one's multiplicity of identity. Each individual has an age, a gender, a sexual orientation and an ethnicity, and some have or acquire a religion or a disability. Discrimination may be experienced on multiple grounds that are due to falling within two or more characteristics on which discrimination takes place. For example, an individual belonging to an ethnic minority may be a woman, a woman may be a lesbian, or a lesbian may be an individual with a disability. The more factors determining discrimination, the more a person suffers. It also makes the problem of discrimination more complex and more difficult to overcome.

Compound discrimination, on the other hand, refers to discrimination occurring on the basis of two or more grounds at the same time and where one ground multiplies or intensifies the discrimination experienced on another ground. One example is a segregated labour market where all migrants are disadvantaged and women migrants suffer from a further gender pay-gap due to their gender.

⁶ European Network against Racial Discrimination, (2007), Fact Sheet 33, Multiple Discrimination, July 2007.

Intersectional discrimination occurs when there is discrimination on several grounds simultaneously and interacting in an inseparable manner. An example given by the European Network against racism refers to minority women, e.g. Romani women have been coercively sterilized, an experience of discrimination that does not affect women in general or Romani men.

The effect of discrimination leads to limited opportunities of particular groups of people from their entitlement to an acceptable quality of life. Discrimination can take place anywhere and in all areas of life. In addition, when one is discriminated against in one area of life, it often also has repercussions in the person's other areas of life, over time and possibly also carried across generations. For example, if ethnic minorities systematically attend low-quality primary schools or are given less attention to their educational needs, their chances of completing higher education are significantly reduced. This will affect both their opportunities within the labour market as well as employment progression. When they become parents, their poor socio-economic and educational situation can lead to their own children being treated in the same way and the discrimination experienced by one generation rubbing off on the next. It is for this reason that the European Commission gives so much attention to fighting all forms of discrimination that individuals may experience in their different spheres of life.

Equality involves breaking down barriers, eliminating discrimination and ensuring equal opportunity, access and outcomes for all groups of people within their employment, and in the provision of goods and services. Discrimination is usually prohibited by legislation. It places a legal obligation to comply with anti-discrimination legislation. In working towards achieving equality people are protected from being discriminated against on the grounds of group membership/their characteristics i.e. gender, race, disability, sexual orientation, religion, belief, or age.

3.1 Discrimination in Malta

The Euro barometer survey⁷ on discrimination in the EU carried out in 2009 provides a picture of the opinions that the Maltese people hold on the topic. This survey shows that for Maltese people a minority included people of different religion, beliefs, ethnic origin, people with disabilities and homosexuals among their close circle of friends and acquaintances.

The most widespread reported type of discrimination was that based on ethnic origin, this being higher than that for the EU average. Discrimination based on sexual orientation was the second highest type of discrimination considered to exist, followed by age, religion, gender and at the end disability

Discriminatory behaviour in the recruitment of personnel in Malta was similar to the trend registered across Europe. Dress sense and presence were rated as the most important criteria, but sexual orientation was mentioned by 31% of respondents against the 18% average for the EU27. Representation of diversity in the media was considered overall adequate by the Maltese respondents. Maltese people were found to express positive opinions supporting women, disabled persons, persons under the age of 30, or homosexuals taking up a major political position. This could represent the impact of many media campaigns and pressure groups highlighting the contribution of these minority groups to society. On the other hand, Maltese people were reluctant to have someone of a different religious belief, ethnic background or over the age of 75 in a political position.

One out of every two people in Malta declared that they are aware of discrimination and harassment, but they still lacked information about it. As in the trend obtained across Europe, women, people over 55 and people who stopped studying early are the most likely to be the subject of discrimination as well as the least aware of their own rights. In addition, a higher percentage of Maltese people than that obtained for the EU average reported that not enough is

⁷ European Commission, 2009, Discrimination in the EU in 2009, Special Eurobarometer 317, European Commission

being done to fight discrimination. In addition, this view appears to have deteriorated in Malta against the improvement which was registered across Europe. Finally, it was also found that the majority of people in Malta would refer to the police first for reporting cases of discrimination and/or harassment.

Another study providing some insights related to discrimination in Malta is the EU-MIDIS⁸ European Union Minorities and Discrimination Survey of the European Union Agency for Fundamental Rights (2009), which focuses on discrimination on ethnic minorities across Europe. This research study places Malta as among the top ten experiencing the highest levels of discrimination over a 12 month period, being in second place with 63% of Africans in Malta saying that they experienced discrimination. This is only second to discrimination against Roma by 64% in the Czech Republic. Africans in Malta also emerged as having the highest rate of unemployment at the time of the survey at 54% unemployment. In addition, Africans in Malta were also among the top ten with respect to experiencing discrimination at work with 27%. They were also the highest group experiencing discrimination at a Cafe', restaurant, bar or nightclub and by shops, with 35% experiencing discrimination in the 12 month period prior to the survey. 26% of Africans in Malta also had been the victims of serious harassment while 29% of Africans in Malta stated that they were victims of 'racially-motivated' in-person crime in the last 12 months.

Research carried out by NCPE on discrimination includes that carried out as part of the project Voice for All⁹. The research exercise sought to understand the local social conditions related to the various grounds of discrimination, and the manner in which each form of discrimination was being tackled at a political, legislative, and grass-roots level. This report concluded that with respect to racial discrimination, although there were various efforts to improve the living conditions, as well as the employability and educational standards of asylum seekers, Malta still lacked an overarching integration policy for streamlining the concept of integration and non-discrimination into all aspects of society. With respect to gender it was noted that although there

⁸ European Union Agency for Human Rights, 2009, EU-MIDIS European Union Minorities and Discrimination Survey Main Results Report, European Union Agency for Human Rights.

⁹ National Commission for the Promotion of Equality, 2007, Voice for All, NCPE: Progress Project

were various legislative measures to ensure that gender equality is in place, there was still a degree of gender inequality within Maltese society, particularly in employment, where Malta has a very high female inactivity rate and a gender pay gap. There is also a clear degree of gender segregation in the subjects chosen, with females often opting for more traditionally female-oriented subjects such as education and the caring professions, rather than the stereotypically male areas of science, finance and IT.

In the case of discrimination with respect to sexual orientation, it was recognized that it had not yet obtained enough visibility despite numerous awareness raising initiatives. This lack of initiative was considered the result of local traditional values strongly influenced by the Catholic faith. It was felt that there is the need for a more widespread effort to promote information about, and acceptance of LGBT issues into different spheres of social life.

Maltese society was found to have a paternalistic attitude towards people with disabilities which is reflected in the significantly low activity rate of persons with disabilities. There was need for initiatives that empower persons with disabilities, by providing them with skills required for employment. There was also the need to educate the public on the contributions that persons with disabilities make to the community.

Although instances of religious discrimination were not directly evident, it might be that differential treatment according to a person's faith could be institutionalised. For example, in State education there is only provision of religious education on the Roman Catholic faith. The study also revealed instances of direct religious discrimination in employment where Muslim women, particularly those wearing Islamic attire, were victims of multiple discrimination, since they find numerous obstacles to employment due to their gender and their religion.

Age discrimination reflected paternalistic attitudes often adopted towards older people. The clear drop in employment rate over the age of 50 indicated that although a number of persons participated in formal adult education, this was not translated into an increased employment rate for older workers. This reflected a dismissive perception towards older workers. On the other hand, the high rate of youth employment, and the relative ease of the transition between formal

education and employment indicated that employers preferred young employees at the expense of older workers.

A more recent study on discrimination¹⁰, focused on under-reporting of discrimination, and the reasons that inhibit people from reporting cases of discrimination to responsible bodies. The research also sought to establish whether persons were aware of their rights and whether persons who suffered discrimination were aware that the treatment they received was, in fact, discriminatory. The research results showed that most people do not tend to report cases of discrimination. The most common reasons for not reporting included a lack of knowledge about reporting, embarrassment or fear of further persecution, lack of faith in authorities and feelings of powerlessness. The most effective means to encourage people to report was that of providing better education, media attention and retraining of staff in several entities.

3.2 Discrimination in and by the public service

Public service workers have the function of delivering services to citizens are part of a nation's governance. It is thus important for structures within the civil service to ensure that there is no discrimination in the services which they provide to citizens, as well as in treating requests from citizens from different groups. The public service also has to ensure that it does not have in place any form of institutionalised discrimination against groups of the people which it serves as well as those employed within its entities.

There is a need to obtain knowledge of the attitudes and perceptions on equality and discrimination of those working within the civil service. It is important to measure their knowledge and understanding of equality and to what degree they are ready to make adjustments in order to provide better access to those discriminated against. There is also need to know what they believe constitutes discrimination, whether they are aware that they are expressing

¹⁰ This research was carried out as part of the project: **VS/2009/0405 Strengthening Equality beyond Legislation Project.**

discriminatory attitudes and opinions, and/or whether they are aware that they are being discriminated against by the institution which employs them.

Since government entities constituting the civil service offer many services to citizens, it is doubly important that those who are disadvantaged are given the help that they need and are not further discriminated by those structures which actually should be providing them with further support.

It is a challenge to public services to respond effectively to the needs of an increasingly diverse society. This implies that there is need for public service organisations to become more inclusive through innovative technologies and diversity management services¹¹. Rice¹² argues that valuing differences within public administration may be: qualitative with emphasis on the appreciation of differences between the diversity of groups in society and creation of an environment in which everyone feels valued and accepted; ethically driven to promote culture change; idealistic where everyone benefits, feels valued and accepted in an inclusive environment; promote a diversity model which assumes that groups will retain their own characteristics and shape the organization as well as be shaped by it; and opens attitudes, minds, and the culture of employees. He continues to argue that managing diversity can be :

- **Behavioural:** with emphasis on building specific skills and creating policies that get the best from every employee and efforts are monitored by progress toward achieving goals and objectives;
- **Strategically driven** where behaviours and policies are seen as contributing to organizational goals and objectives, and are tied to rewards and results;
- **Pragmatic** where the organization benefits, and morale, profits, and productivity increase;
- **Synergy model** which assumes that diverse groups will create new ways of working together effectively in a pluralistic environment; and

¹¹ Rice, M. (2010), *Diversity and Public Administration: Theory, issues and Perspectives* (2nd Edition), New York: M.E.Sharp Inc.

¹² Rice M., (n.d), *The Need for Teaching Diversity and Representativeness in University Public Administration Education and Professional Public Service Training Programmes in Sub-Saharan Africa*, accessed on 22/11/11 <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan002319.pdf>

- **Opening the system** through efforts of managerial practices and policies;

Rice¹³ also puts forward the concept of social equity as a “value commitment” on the part of public administrators. This may involve implementing targeted programs as a way of bringing about “equality of results” (outcomes) as opposed to “input equality”—treating every resident, consumer or client the same. Organisations and individuals need to become ‘equality competent’. Equality competence involves a planned and systematic approach to equality in an organisation. It is built on equality policies, equality and diversity training for staff, equality plans, collecting equality data, involving groups in decision making and impact assessment. Institutional or organizational equality competence needs to be accompanied by individual equality competence. Equality competent individuals are vital to advocate for and develop equality competence for the organisation.

¹³ Rice M, (2003), Organisational Culture, social equity and diversity: teaching public administration education in the post modern era, Bush School Working Paper # 314

4.0 Methodology of the Study

This section of the report describes the tool used and the method of data collection adopted. These were designed and implemented based on the specific aims of the study. The methodology adopted needed to capture: public employees' level of sensitivity to equality and discrimination; the type of discrimination which public employees experience and come across at work; what actions and practices there are to ensure equality and prevent discrimination; and what they would like to learn about discrimination and in what way.

4.1 The Research Tool

The use of a survey (questionnaire) was pre-determined by the National Commission for the promotion of Equality (NCPE). The structure of the questionnaire was developed such that the aims of the study can be reached.

The questionnaire consisted of four sections. The first section focused on the respondents' personal details while the other three sections focused on different aspects related to discrimination. The first Section thus asked information such as the gender, age bracket, the public entity they came from, their highest educational level, and their type of work (managerial, technical, administrative, professional etc.). These details were considered important to obtain as it provided characteristics of the respondents taking part in the study. It thus made it possible to obtain a picture of who responded to the survey and as well as draw conclusions on the patterns of responses across the different groups within this sample.

The second section of the questionnaire focused on the respondents' level of understanding of equality and discrimination. Items included in this section asked the respondents to state how much they knew about the National Commission for the Promotion of Equality (NCPE), as well as how much they knew about equality and discrimination and related legislation overall and specifically on each of the six grounds of discrimination: gender, age, race/ethnic origin,

religious belief, sexual orientation, and disability. Respondents were also asked to write down a sentence to explain what they understood by the concepts 'equality' and 'discrimination'.

The last item within this section wanted to probe the respondents' attitudes and values towards equality and discrimination. This was done by presenting respondents with 20 statements and for each they had to state how much they agreed/disagreed on a 5-point likert scale. The 20 statements were related to work and particularly to public service provision, and distributed focus on the six different types of discrimination. They also included different types of statements: (1) some referring to attitudes to different forms of discrimination; (2) some to attitudes towards accepting diversity; and (3) some relating to attitudes to taking positive action to advance equality. Below there is one example for each type of statement.

- (1) A civil servant is allowed to work beyond 65 years.
- (2) The police need to develop positive relationships with immigrant communities.
- (3) Positive action is needed in civil service employment to have more women at senior management level.

The third section focused on the public employees' experience of discrimination. One item specifically asked respondents to identify whether they have ever been themselves victims of discrimination on any of the six grounds as well, if the case, how often have they experienced this. Those respondents who indicated that they were at some point discriminated against were asked if they had ever reported it or not, and the reasons for reacting that way. They were then asked if they have ever witnessed discrimination where members of particular groups were discriminated against either due to the behaviour of public employees or due to way that their entity is structured and/or provides services. Again, they were asked if they were had reported it or not, and why. They were then asked to give one example where action was taken: to prevent discrimination; to make adjustments for diversity; and to advance equality for people.

This third section then also probed more specifically in how much they thought their public entity may be discriminatory in the services which it provides, access to services, access to information, treating complaints, treatment of workers within the entity as well as for promotion

purposes. They were also asked to indicate if their entity had a policy on equality, discrimination and harassment, an action plan for equality, procedures which are sensitive to difference and diversity, and whether there is anyone within the entity responsible for equality and diversity. The last item in this section focused on how often their entity reviews its practices to assess for discrimination and for advancing equality, and reviews the new services offered prior to implementation to ensure equality; takes action to rectify situations of inequality which may arise; includes the issue of equality and discrimination in discussions related to the running of the organisation; as well as organises training for staff on equality and diversity.

The last section of the questionnaire focused on the information about equality and discrimination. Respondents were asked first to indicate whether they would like to learn more about different aspects of equality and discrimination. They were then asked to indicate which forms of training or support they would prefer

The questionnaire consisted of 21 items in total which the respondents had to fill in. The questionnaire can be found as an Annex to this document.

4.2 Method of Data Collection

The main method for collecting data was online through the use of the tool survey monkey. Since the target of the survey was among public employees, an email inviting recipients to participate in the survey was sent to a large number of persons working within the public service. An arrangement was also made for government to send out the email to all its workers. Respondents could do the survey online using the programme survey monkey, or else fill in the word format of the survey and send it filled in by email. Due to the sensitive nature of the survey, the email inviting public employees to fill in the questionnaire were also sent an official letter by the Chief Executive of the National Commission for the Promotion of Equality ensuring anonymity and that the research report will not be made public and in no way will their contribution to the research be made public.

The data collection period was open for a period of four weeks, during which public employees could participate and respond to the questionnaire. It is to be said that it was not easy to collect the required number of filled in questionnaires. Eventually, a total of 150 questionnaires were collected. It is to be noted that the participation in the survey was voluntary, and one could easily have the situations where those who responded and filled in the questionnaire were those who are most sensitive to the issue and consider it as important. This means that one needs to be careful in generalising the survey results to all the public sector employees as the sample may be biased in its attitude towards the issue being researched.

5.0 Research Results

This chapter provides an analysis of the responses obtained from the survey. The main results obtained will be collated in order to identify trends in opinions and experiences of public employees with respect to equality and discrimination within the public entity where they work. It is to be highlighted that even though the number of public employees is high and an email request was sent to all those with a gov.mt email account, which amounts to a large percentage of public employees, it was not easy to reach the target audience, and a number of reminder emails needed to be sent before the total of 150 respondents was reached.

5.1 Characterising the sample

Gender distribution

There were twice as many females than males responding to the questionnaire. Out of the total of 150 questionnaires filled in, there were 49 males respondents while there were 101 females. It could be that female employees may be more conscientious, and so when they received the request to participate in the survey, they followed instructions. Another possible reason may be that the topic in itself is one which tends to appeal more to females than to males and so females were more willing to participate than males. This is, however, at this point just speculation, and it is not possible to identify the reason why.

The implication is that one needs to be careful to interpret the whole population, but in both cases, there are enough males and females to obtain trends obtained across gender.

Age Distribution

When one looks at the age distribution of the respondents, it can be noted that there is a good distribution among the age ranges of 20-50 range. The response was a little lower in the age range of 50-59 years. This may reflect reluctance to express opinions about such issues. It could also just be the case that persons within this age bracket would be at higher levels of responsibilities and so with limited time to participate in surveys.

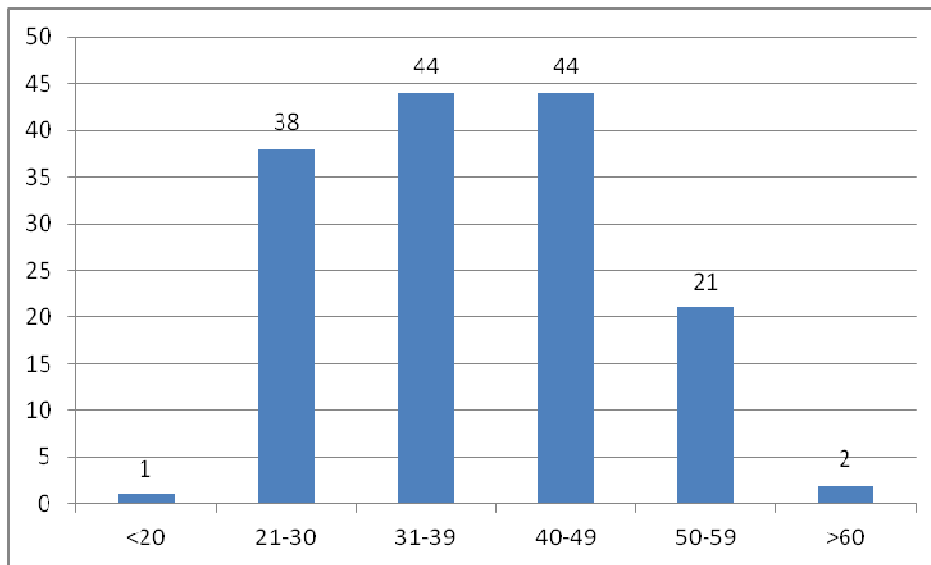


Figure 1: Distribution of Respondents across Age

As one can see from the graph above, there were significantly lower respondents under the age of 20 or higher than 60. This is due to there being few young employees and most of the employees retiring at the age of 60.

Distribution of entity of respondents

It is interesting to note the distribution of entities of the respondents. This would allow the possibility of knowing how wide the research conclusions can be drawn. Due to the sensitive nature of the research, respondents were asked to name the entity where they work, and given the liberty to be as specific and as generic as possible. The type of responses provided also gives an indication of how sensitive the survey was rated by public service employees.

The responses obtained reflect a distribution across the different government Ministries. At this stage, respondents from public authorities and other entities have been categorised according to the Ministry under which they fall. It can be said that more or less the different Ministries, according to their size, are represented. A proportionally small percentage was obtained from MRRA and MGOZ where more responses could have been obtained in view of the number of

employees within these Ministries. There were 10 respondents who did not specify their organisation but just listed ‘government of Malta’.

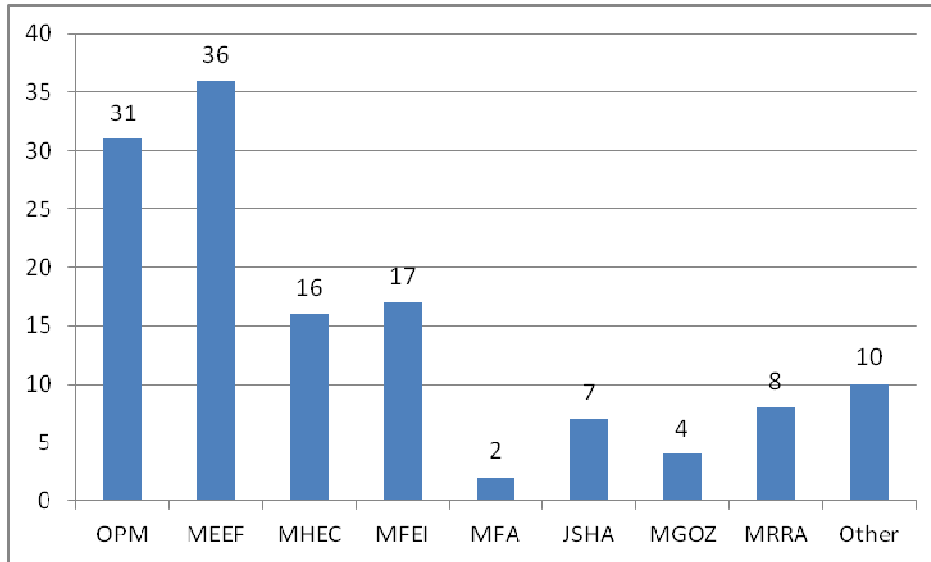


Figure 2: Distribution of Responses across Ministries

OPM – Office of the Prime Minister

MEEF – Ministry of Education, employment and the Family

MHEC – Ministry of Health, the Elderly and Care

MFEI – Ministry of Finance, Economy and Investment

MFA – Ministry of Foreign Affairs

JSHA – Ministry of Justice and Home Affairs

MGOZ – Ministry of Gozo

MRRA – Ministry of Resources and Rural Affairs

Other – those who gave a general answer government of Malta

There was also a variety of entities from which responses were obtained. In order to provide an overview of the wide range of organisations, these are listed below:

- National Statistics Office;
- Directorate for Lifelong Learning;
- Tax Compliance Unit;
- MEPA – Malta Environment and Planning Authority

- Broadcasting Authority
- Channel 22
- Sedqa
- Directorate for Educational Services;
- Passport Office;
- Customs;
- Transport Malta;
- Mater Dei Hospital;
- Directorate for Quality and Standards in Education;
- Mount Carmel Hospital;
- Land and Public Registry;
- Department of Industrial and Employment Relations;
- Planning and Priorities Coordination Department, OPM;
- Directorate for Information – OPM;
- Environment Health Directorate;
- Primary Care Department;
- Department of Social Welfare Standards;
- National Commission for Higher Education;
- Malta Qualifications Council;
- Employment and Training Corporation;
- Malta College for Arts, Science & Technology – MCAST;
- Heritage Malta;
- National Commission for the Promotion of Equality;
- Inland Revenue Department;
- VAT Department;
- Economic Policy Department;
- Department of Contracts;
- Malta Communications Authority;
- Department of Local Councils;
- Malta-EU Steering and Action Committee – MEUSAC;

- EU Affairs;
- National Archives;
- Law Courts;
- Malta Resources Authority; and
- Wasteserv Ltd.

It can be concluded that the respondents spanned a wide range of public entities and can be considered to cover a large selection of public entities. This allows conclusions to be considered as more or less a representation of the situation overall within government entities.

Respondents across Employment Positions

There was a good distribution across different types of employment among the respondents who are public employees. The lowest frequent were those having a technical job. This may be due to these persons having more hands-on jobs and thus limited time and access to the computer. On the other hand, it is commendable that one third of the respondents are in managerial positions. This allows insights to be obtained from a holistic view as these people will be responsible to different degrees for the implementation of equality policies and practices.

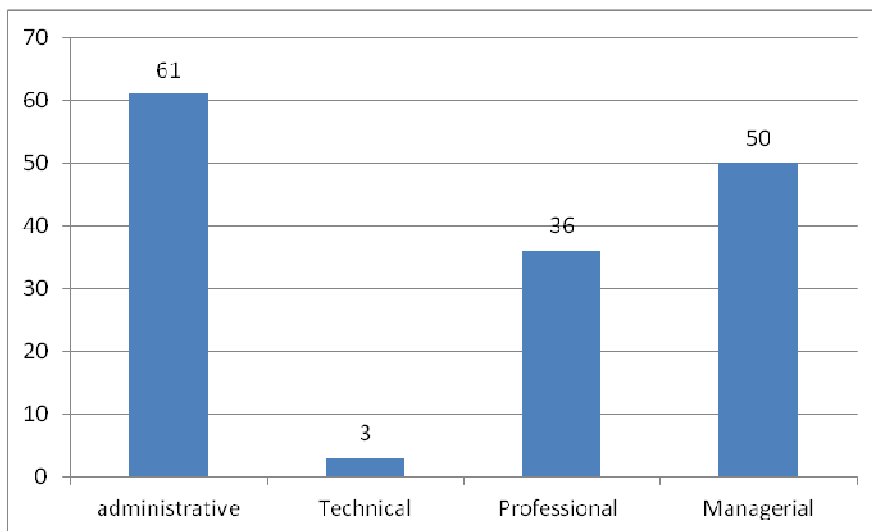


Figure 3: Distribution of respondents' type of employment position

Respondents' Highest qualification

All the respondents were asked to indicate their highest level of qualification. If one looks at the distribution obtained, there is a great majority at post-graduate level. This may reflect a greater sensitivity to issues related to equality and discrimination in this group. It could also be that the nature of the topic is considered abstract and that those who are knowledgeable are those with higher level of qualification. It is none the less interesting to note such distribution in the distribution of level of education of respondents to the survey.

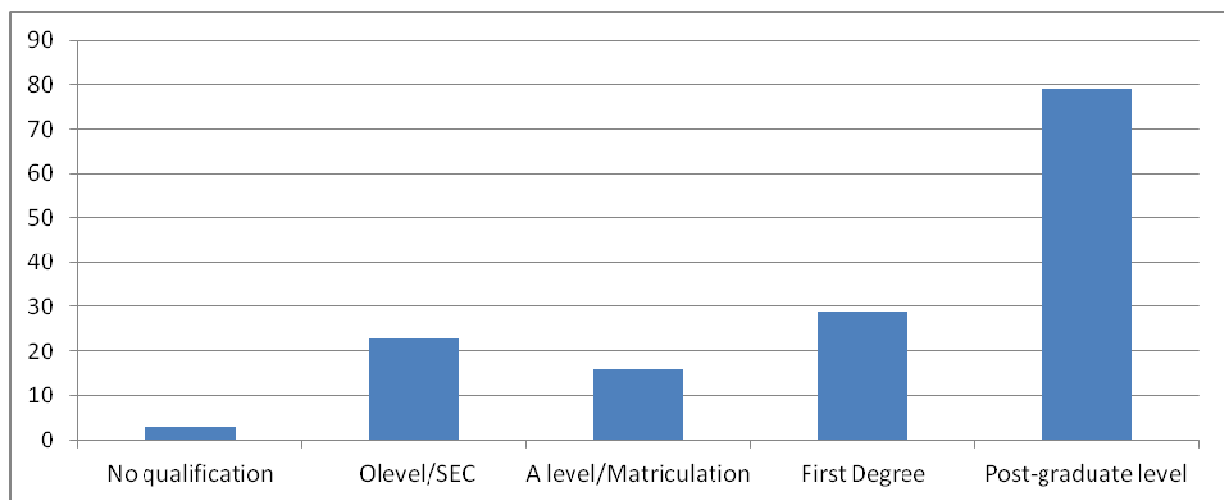


Figure 4: Distribution of Highest qualification across respondents

Thus, the sample of this study has been described. The survey trends obtained will be analysed and conclusions drawn with respect to the sample participating in the survey.

5.2 Knowledge of Equality and Discrimination

This section provides an analysis of the respondents' understanding of equality and discrimination and how this varies across the different groups of public employees. It also looks at the level of knowledge of Maltese legislation with respect to equality and discrimination. The overall trends as well as those across gender, and at the different levels of work (administrative, professional or managerial) will be analysed.

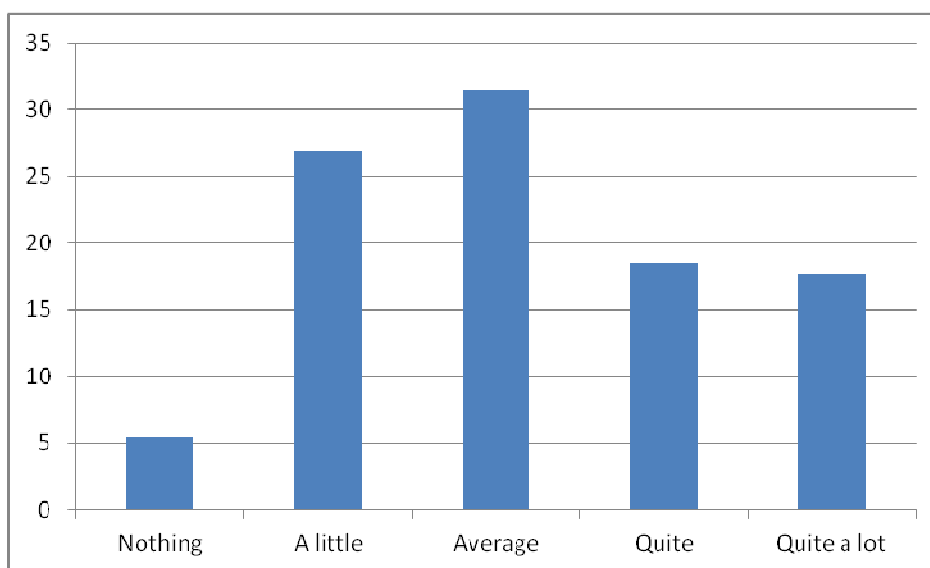


Figure 5: Percentage Range of Knowledge of NCPE by Public employees

When one looks at the level of knowledge about NCPE, it can be observed that many know about NCPE, even if to different degrees. In fact, one can note that around 30% declared that they had a good degree of knowledge. One third stated that they had average knowledge of NCPE while a quarter stated that they only knew a little about NCPE. Only around 5% of the public employees stated that they knew nothing about NCPE. This shows that NCPE has a good degree of visibility with public service employees and that nearly two thirds of the respondents had an acceptable level of knowledge of its role and work.

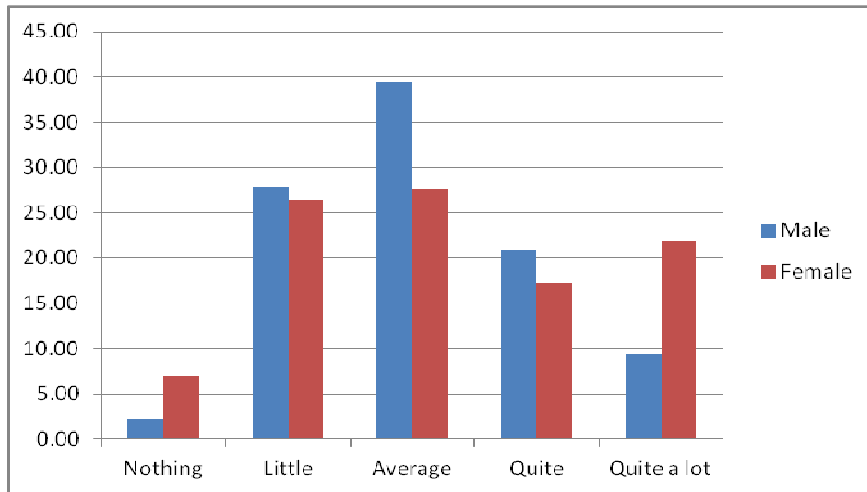


Figure 6: Percentage distribution of Knowledge on NCPE across Gender

There are some differences across gender in the level of knowledge of NCPE. More females stated that they know quite a lot about NCPE. On the other hand, more males stated that they knew quite, average and little knowledge. This shows that there are a number of women who have a greater awareness of NCPE and its work. This reflects a degree of sensitivity to issues related to equality and discrimination, an aspect which tends to be more positive for women to engage in.

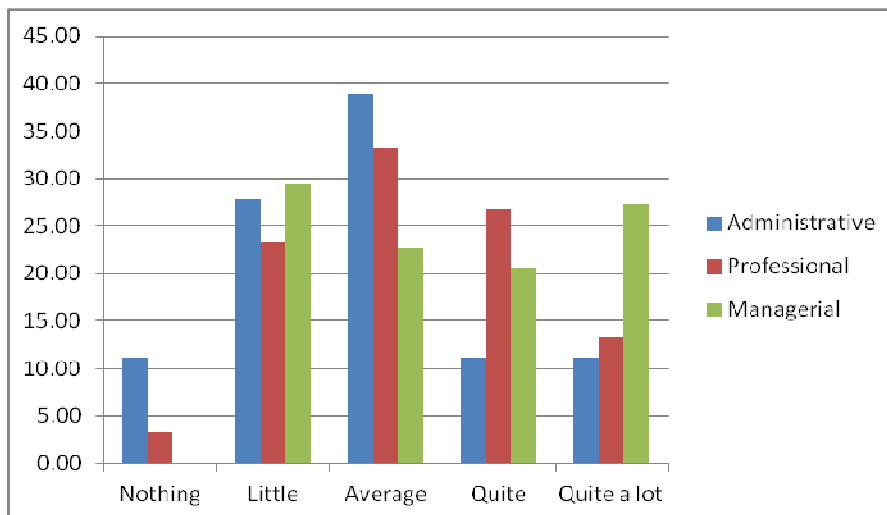


Figure 7: Percentage Distribution of knowledge of NCPE level of employment

There are also differences in the distribution of knowledge of NCPE across level of employment. As is to be expected, managerial staff within public entities declared that they are more knowledgeable about NCPE. On the other hand, administrative staff tend to be less knowledgeable. This trend is understandable, even though to a degree problematic as administrative staff are more likely to experience discrimination and consequently need to know how and where to seek recourse. Managerial staff are responsible for their workers and thus they have the responsibility of ensuring equality. They have also in recent years, been a target group towards which awareness on equality and discrimination as well as the role and responsibilities of NCPE have been promoted.

The response trends obtained for this item in the survey shows that NCPE’s efforts to gain visibility within the civil service is paying off as more and more people are exposed to NCPE’s activities and initiatives. This has also been achieved particularly with those public service employees who are in positions of responsibility.

Equality

This section analyses the responses obtained for the items where the respondents were asked to indicate their level of knowledge with respect to equality overall and then to the six grounds separately.

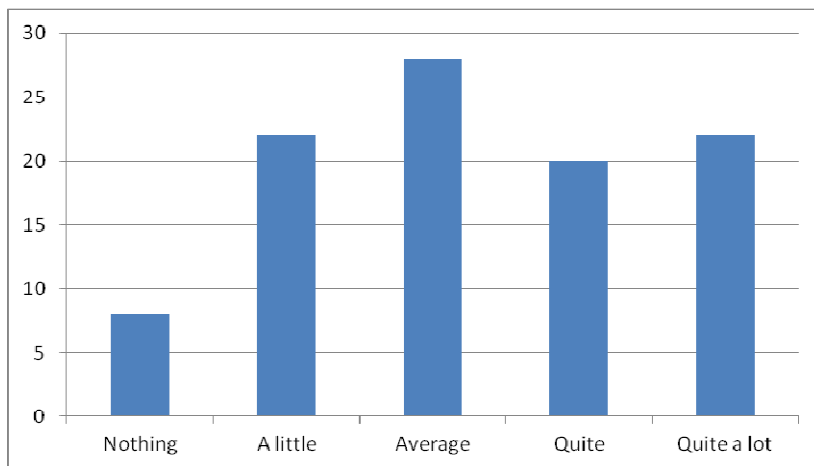
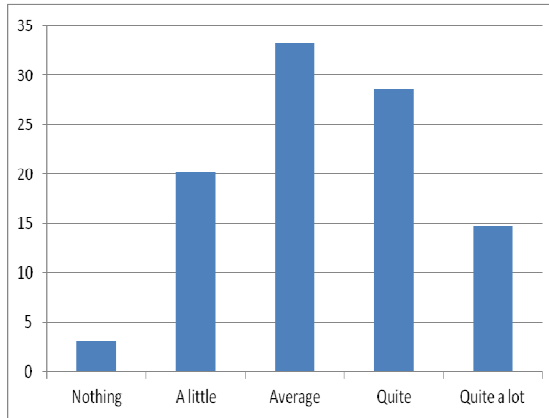
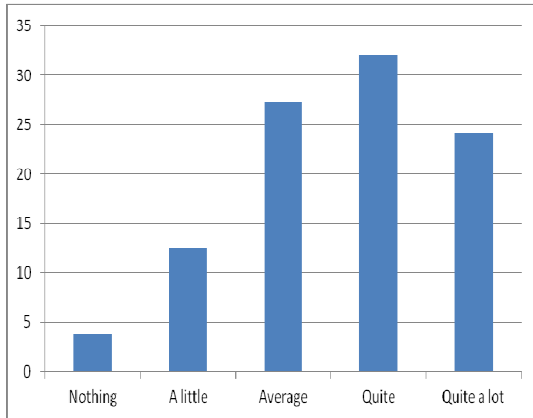


Figure 8: Percentage distribution of knowledge on equality overall

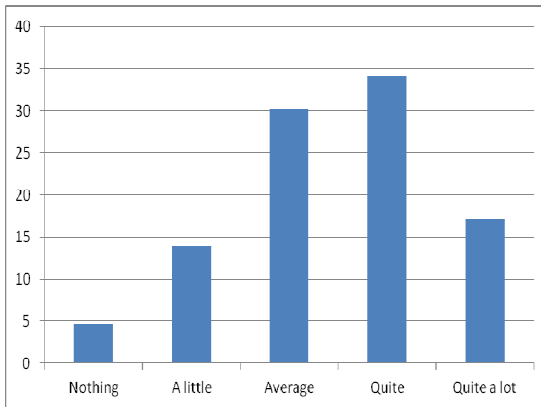
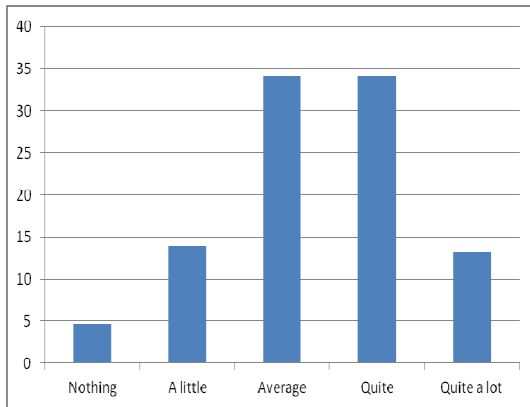
There is wide distribution of knowledge of equality among the public employees responding to the survey. However, overall, there are over two third who know average or more about equality.

However, there still remain a percentage of about one third who know little or one third about the issue.



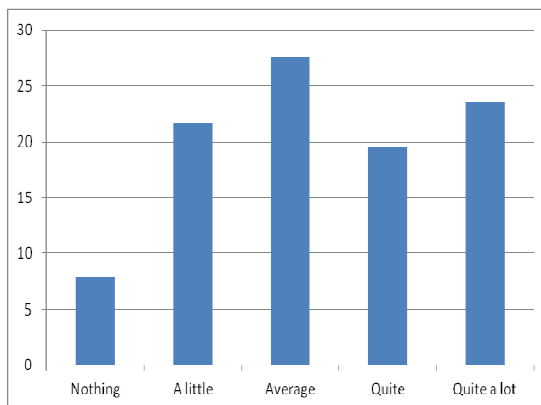
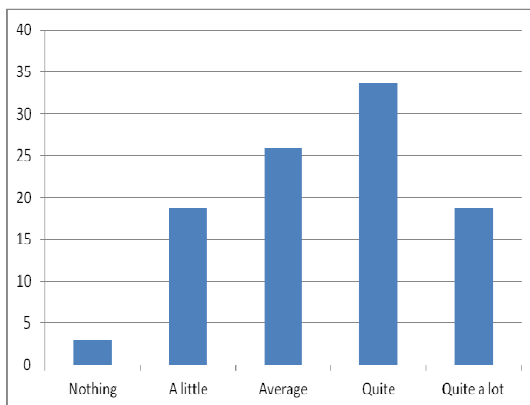
Gender

Age



Religious Belief

Sexual Orientation



Ethnicity

Disability

Figure 9: Percentage distribution of Knowledge on Equality overall across Gender

In all cases the majority of the respondents declared that they have average to higher level of understanding of issues related to equality with respect to each of the six grounds. The respondents, however, seemed to be less knowledgeable mainly with respect to age, ethnicity and disability compared to the other grounds. In these three cases, about one third of the respondents had little or no knowledge of equality with respect to age, ethnicity and disability.

Responses across Gender

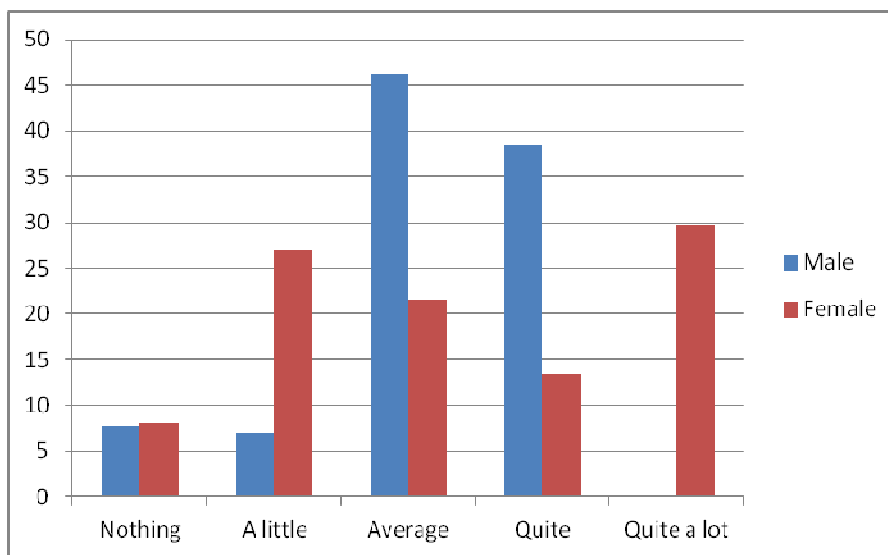
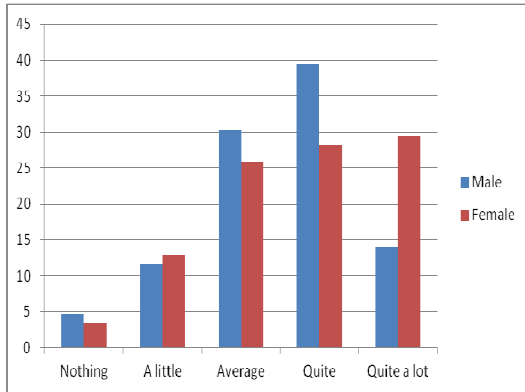
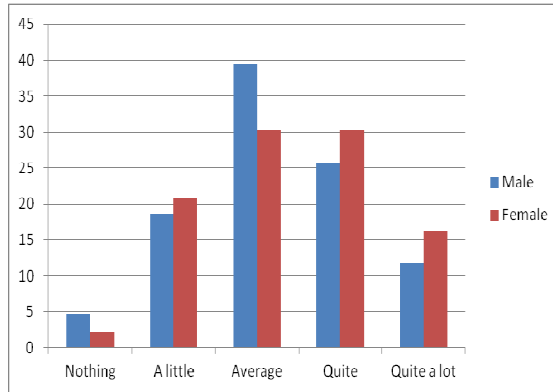


Figure 10: Percentage distribution of knowledge on Equality Overall across Gender

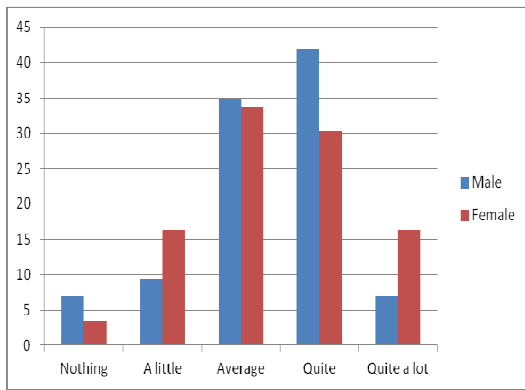
There is a significant difference in the level of declared knowledge on equality between the male and female public employees. It can be seen very clearly that there were a little less than one third of the respondents who declared that they know quite a lot with respect to equality overall, while none of the male respondents stated that they know a lot. On the other hand, males were more conservative and more declared that they have average to quite an amount of knowledge about equality. It is also to be noted that there was also a significantly larger percentage of females who declared that they have little or no knowledge, this amounting to about one third of the respondents. Thus, in the case of the female respondents, it was either the case that they know a lot, or else a little, with few having average level of knowledge.



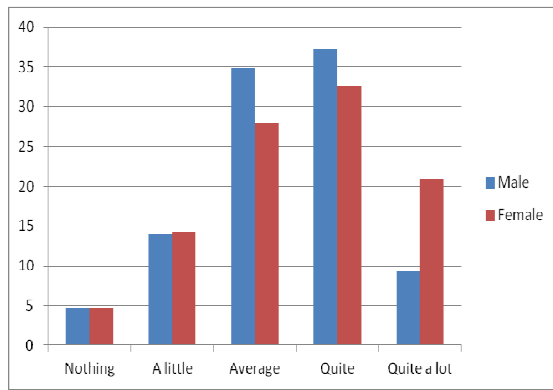
Gender



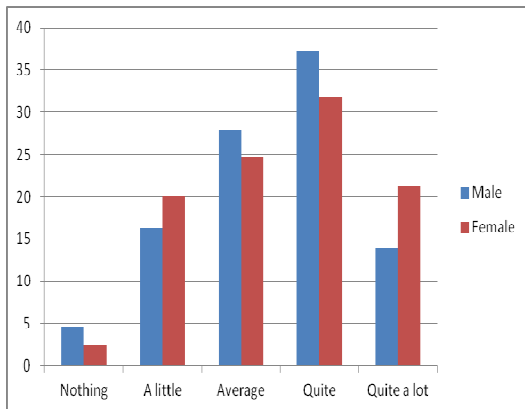
Age



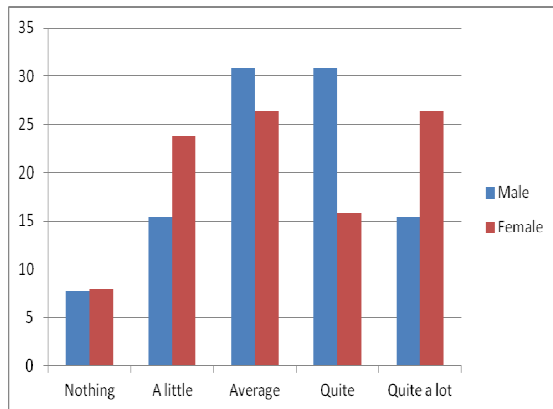
Religious Belief



Sexual Orientation



Ethnicity



Disability

Figure 11: Percentage distribution of knowledge on equality related to the six grounds

More or less similar trends for the six grounds were obtained with respect to gender. The only differences which can be noted refer to the degree of the trend. So, as in the case of the overall level of knowledge, more females declared that they have higher level of knowledge on the six grounds than males. This difference in trend was greater in the case of age where more women chose both the ‘quite’ and ‘quite a lot’ categories. One can also note that there is a significantly greater percentage of females choosing the category of ‘quite a lot’ in the case of gender, sexual orientation and disability.

Understanding of Equality across level of employment

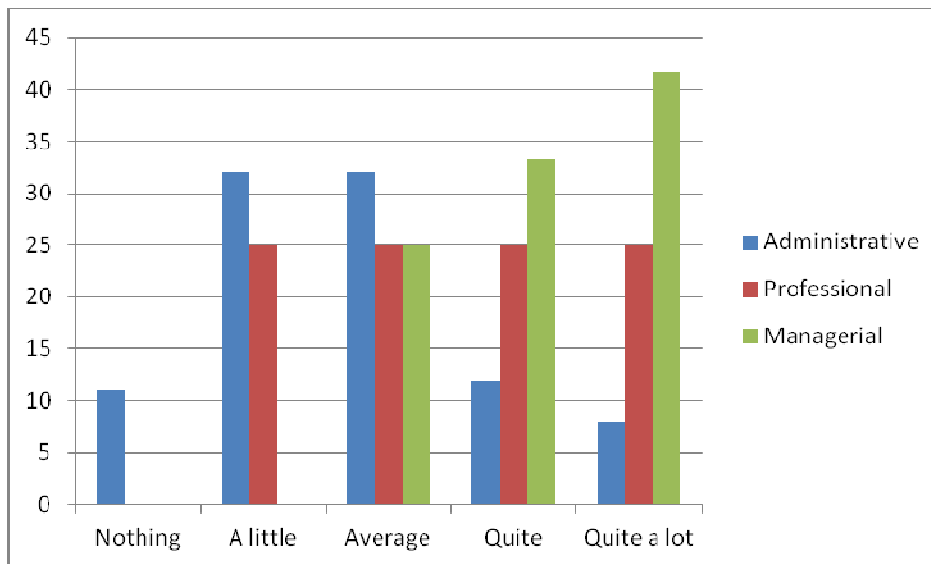
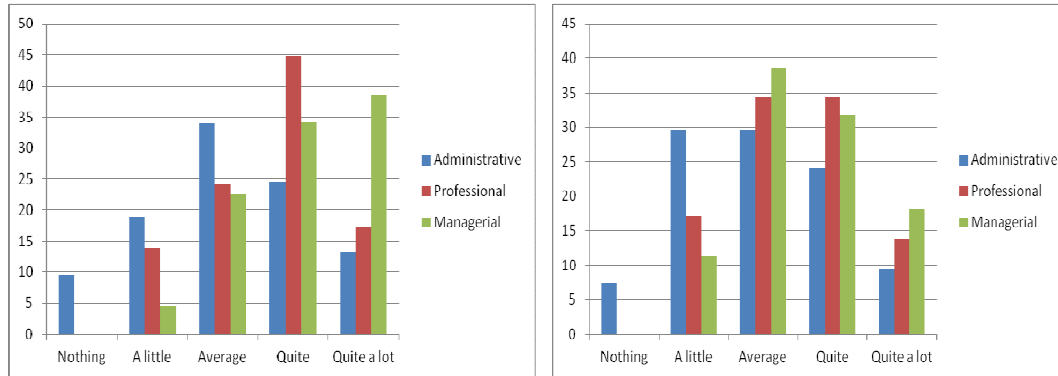


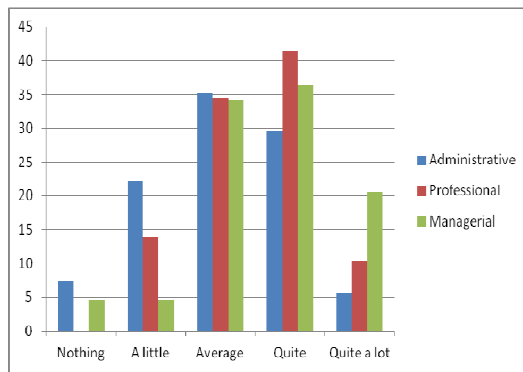
Figure 12: Percentage distribution of level of equality overall across level of employment

When one analyses the trends in responses across the public employees’ level of responsibility in employment, it can be noted that those who are in managerial positions declared a higher level of knowledge of equality than those who are professionals, and with those in the lower levels of responsibility and within administration having the least level of knowledge on equality. While it is understandable that those who are in positions of responsibility need to be more sensitive to equality, it is also important the all employees are sensitised as at times it could be their own

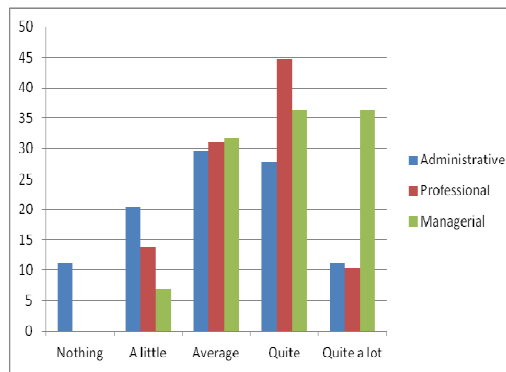
behaviour in implementing their responsibilities which impacts equality. They also need to know when they are experiencing lack of equality.



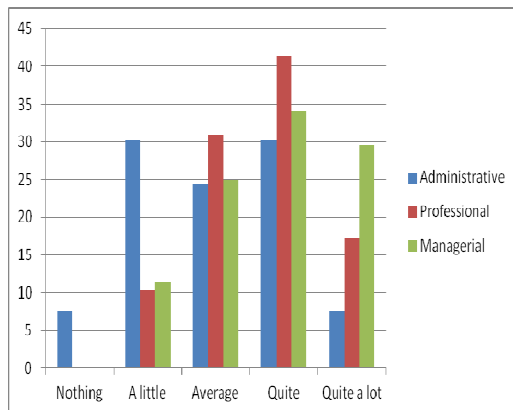
Gender



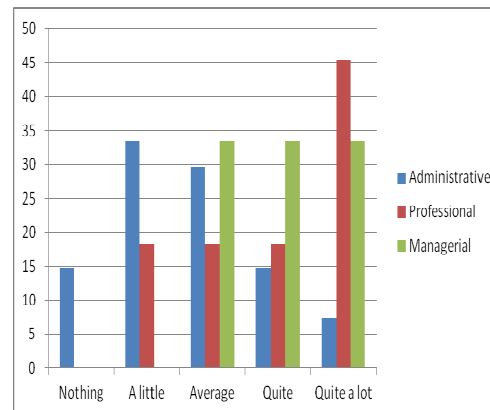
Age



Religious Belief



Sexual Orientation



Ethnicity

Disability

Figure 13: Percentage distribution of level of understanding of equality for six ground across level of employment

When one looks at the trends obtained for each of the individual six grounds, the patterns are more or less similar with managerial staff declaring greater knowledge on equality than professional and administrative staff. In addition, it is also to be noted that a significantly greater percentage of managerial staff than the rest declared that they know quite a lot in the case of gender and sexual orientation. On the other hand, disability was the only ground where professionals declared greater knowledge than those in managerial positions.

Discrimination

Respondents were also asked to declare their level of knowledge on discrimination overall and with respect to each of the six grounds of discrimination. The graph below shows that none of the respondents declared that they had no knowledge. However, as many as a little less than one quarter declared that they knew a little. On the other hand, nearly one half of the respondents declared that they had ‘quite’ or ‘quite a lot’ of knowledge on discrimination. One third of the respondents declared that they had average knowledge. This shows that public employees overall have a certain amount of knowledge about discrimination.

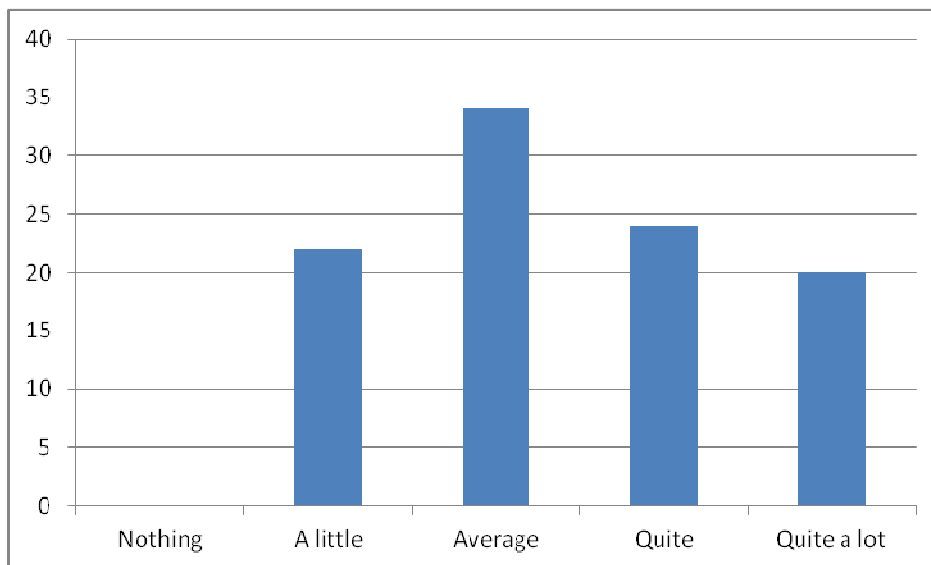
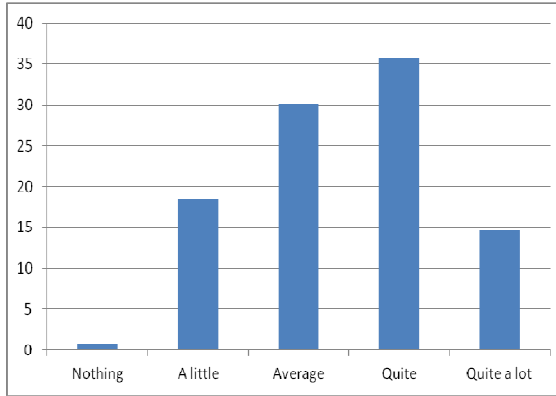
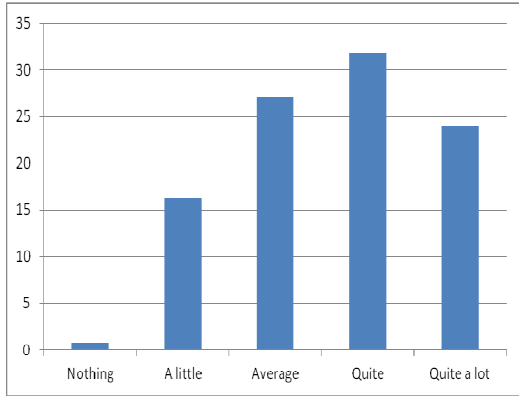
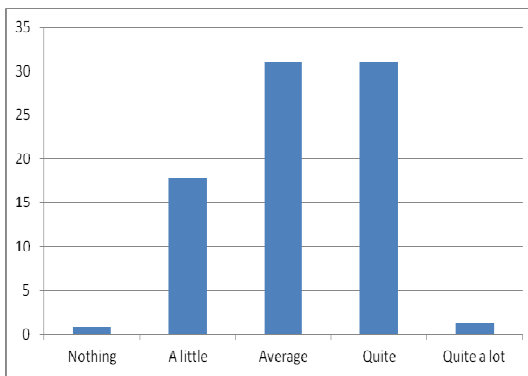
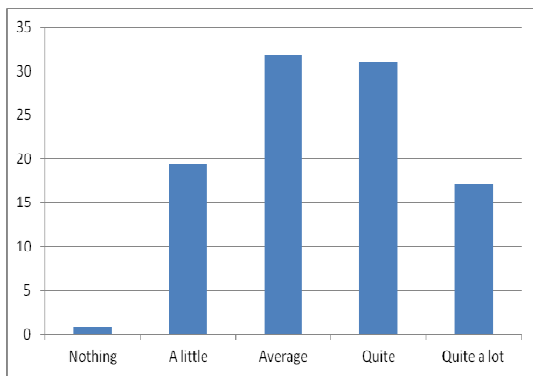


Figure 14: Percentage distribution on level of knowledge of Discrimination overall



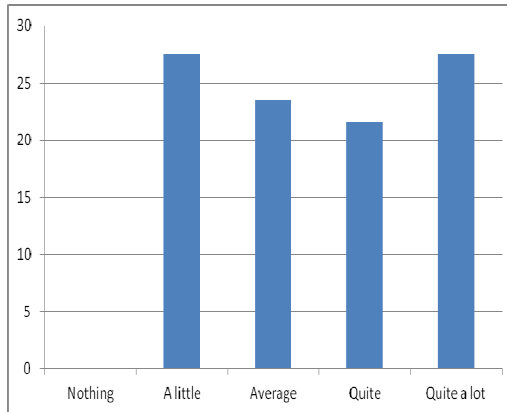
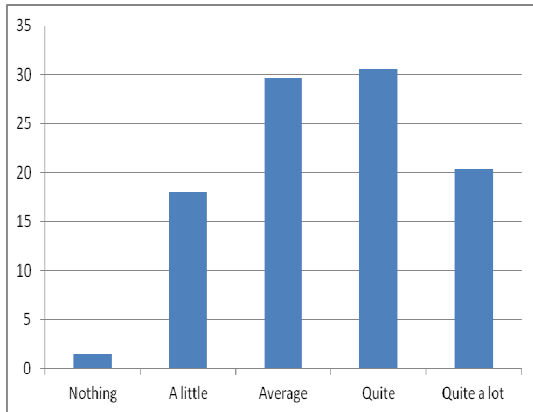
Gender

Age



Religious Belief

Sexual Orientation



Ethnicity

Disability

Figure 15: Percentage distribution of knowledge of discrimination for the six grounds

When one looks at the trends obtained for the six grounds it can be concluded that in all, most of the respondents declared that they have a degree of knowledge on discrimination. Differences were noted in the level of knowledge within these trends. It is to be noted that the ground on which very few declared that they had ‘quite a lot’ of knowledge was discrimination on the basis of age. On the other hand, a large percentage declared that they were very knowledgeable in the case of disability and gender.

Distribution across gender

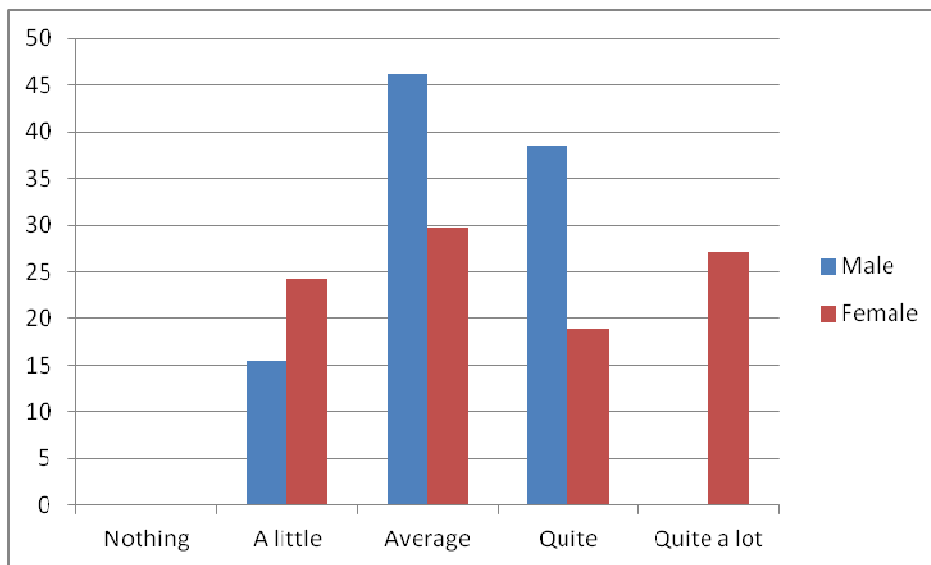
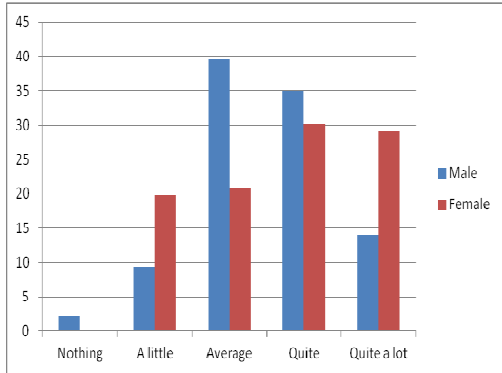
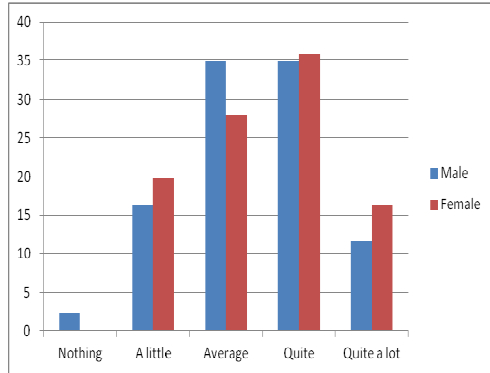


Figure 16:Percentage distibution of knowledge on Discrimination overall across gender

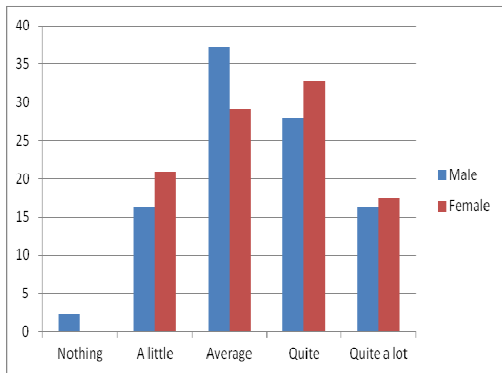
Trends across gender with respect to knowledge on discrimination overall reflect the same patterns obtained for equality. One again finds that only females declared that they know ‘quite a lot’ about discrimination with males preferring to declare between ‘average’ and ‘quite’. On the other hand there were more females who declared that they have little knowledge of discrimination than males. It appears that responses related to discrimination were very similar to those related to equality.



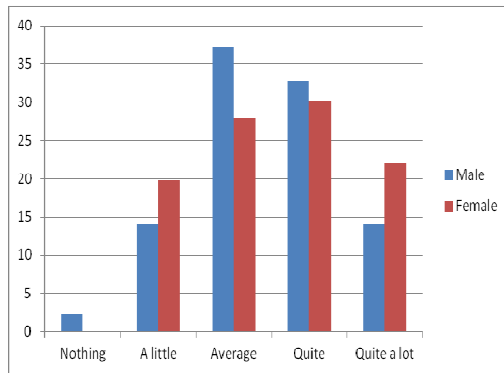
Gender



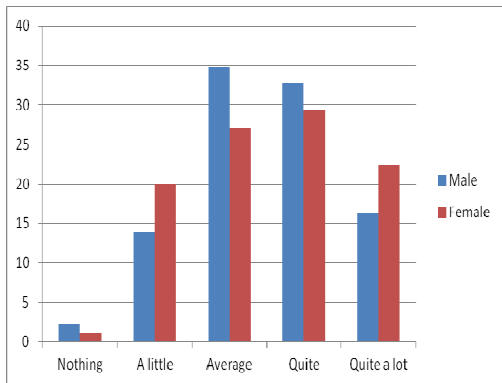
Age



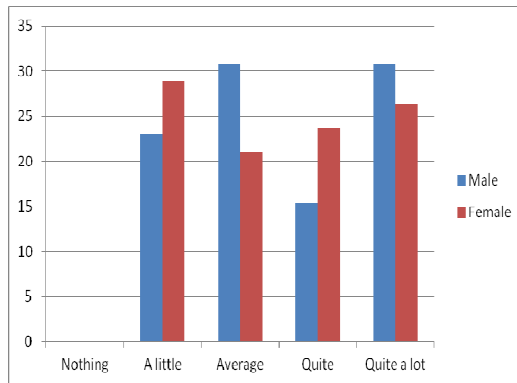
Religious belief



Sexual Orientation



Ethnicity



Disability

Figure 17: Percentage distribution of knowledge on the six grounds across gender

In the case of all the grounds except disability, more females than males declared that they have more knowledge on discrimination than males. Similarly, it can be noted that across all the six grounds, more females than males declared that they have little knowledge. It appears that more or less knowledge on discrimination is similar across all the six grounds and that it is not the case that there is the tendency to be much more knowledge with respect to one aspect compared to others.

Distribution across Level of Employment

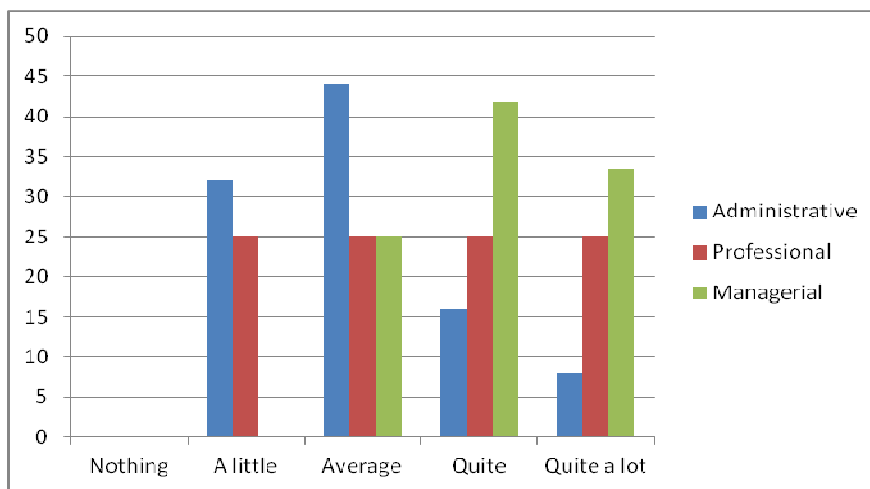
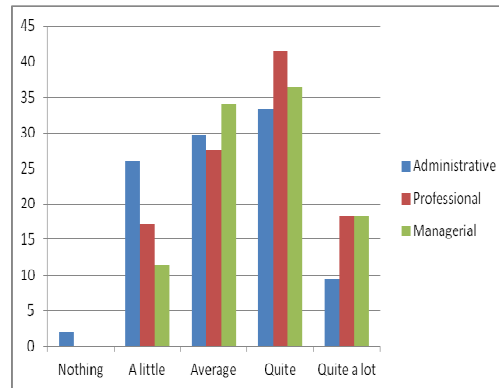
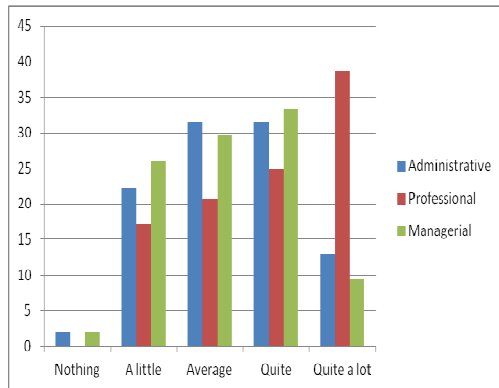


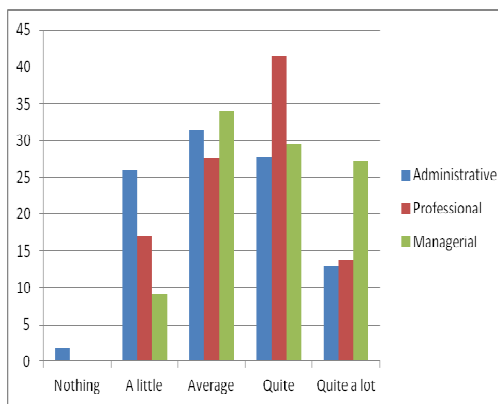
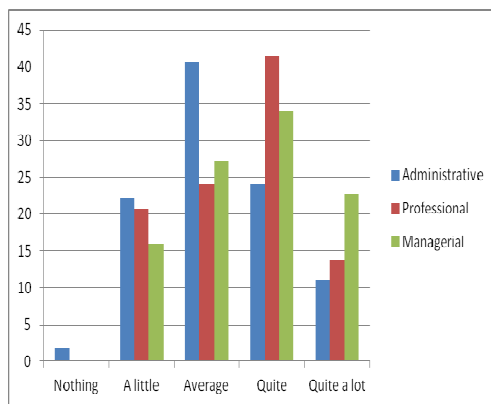
Figure 18: Percentage distribution of understanding of discrimination overall across level of employment

Degree of knowledge on discrimination overall is similar in trend to that found with respect to equality where managerial staff declared to be more knowledgeable than professional or administrative staff. There is also much less knowledge on discrimination among administrative staff, a third of which declared that they have little knowledge on the issue.



Gender

Age



Religious Belief

Sexual

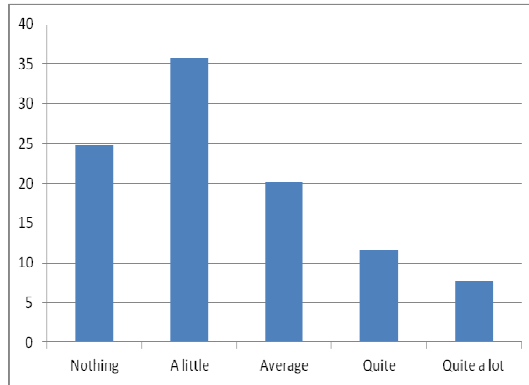
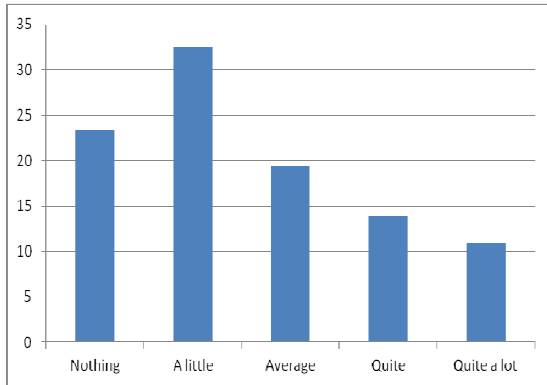
Orientati

At the different levels of employment responsibility, it is in all cases except gender that the managerial staff were those who declared that they have ‘quite a lot’ of knowledge. Professional staff declared to be much more knowledgeable than the others in the case of gender discrimination. On the other hand, administrative staff were less knowledgeable across all the six grounds, which shows that they possess similar knowledge across all the different forms of discrimination.

Knowledge of Maltese Laws

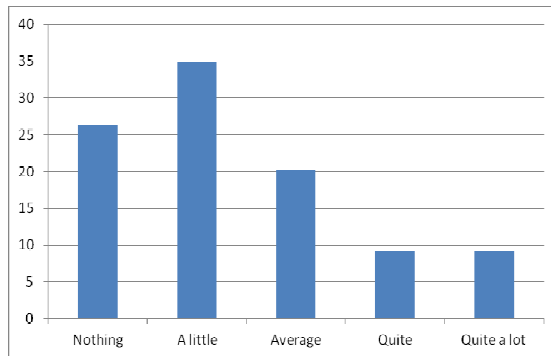
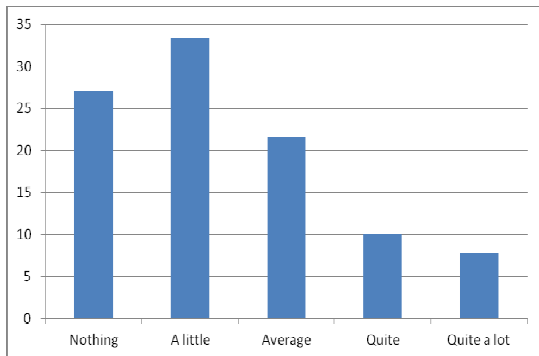
Respondents were also asked to indicate their level of knowledge of Maltese legislation related to the different aspects of discrimination. It is to be noted that there was about one fourth of the respondents across all the six grounds who declared that they had no knowledge of legislation. There was also an additional third of respondents who stated that they have little knowledge of legislation related to the different forms of discrimination. The highest percentage of respondents

who knew 'quite a lot' about legislation related to disability, and this was also less than 20% of the public employees participating in the survey.



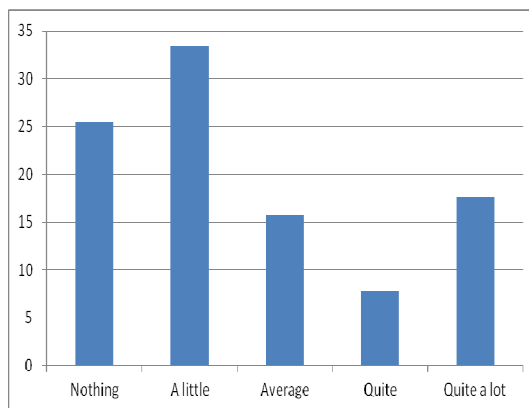
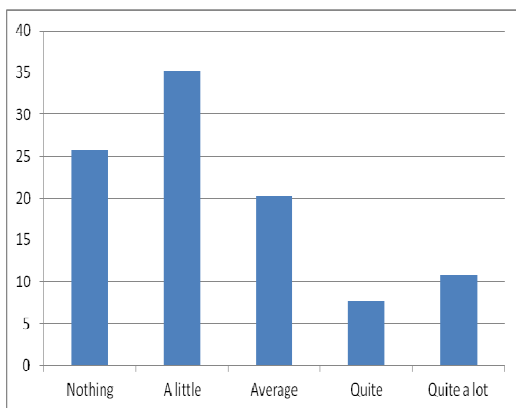
Gender

Age



Religious Belief

Sexual Orientation



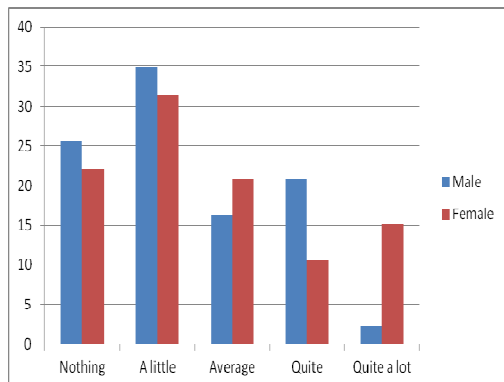
Ethnicity

Disability

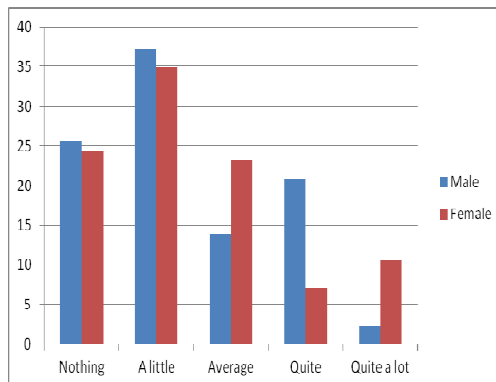
Figure 20: Percentage distribution on knowledge of Maltese Laws related to the six grounds of discrimination

Distribution across Gender

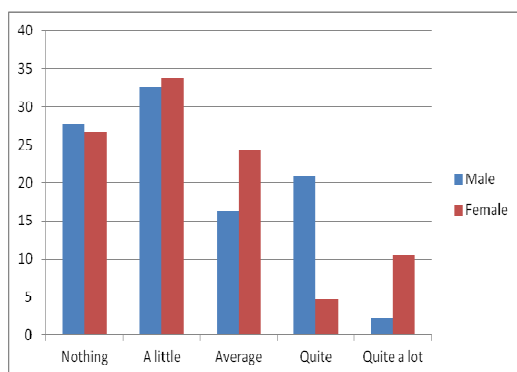
On analysing the respondents’ level of knowledge of legislation related to discrimination on the different grounds, one finds once again that overall females declared a higher level of knowledge than males. This resulted in a greater percentage of respondents declaring that they know ‘quite a lot’ across all the grounds with the exception of disability, where as in the case of knowledge on disability, more males declared themselves very knowledgeable. With the exception of disability, one also finds that more males than females declared that they had no knowledge, even if this difference was small.



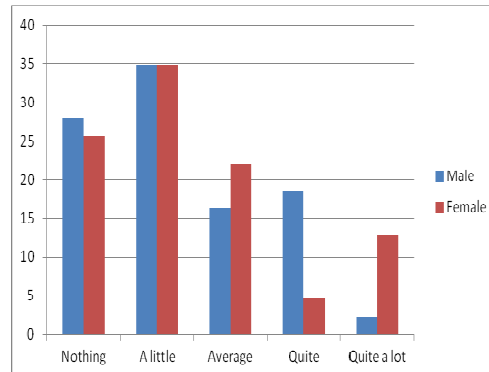
Gender



Age



Religious Belief



Sexual Orientation

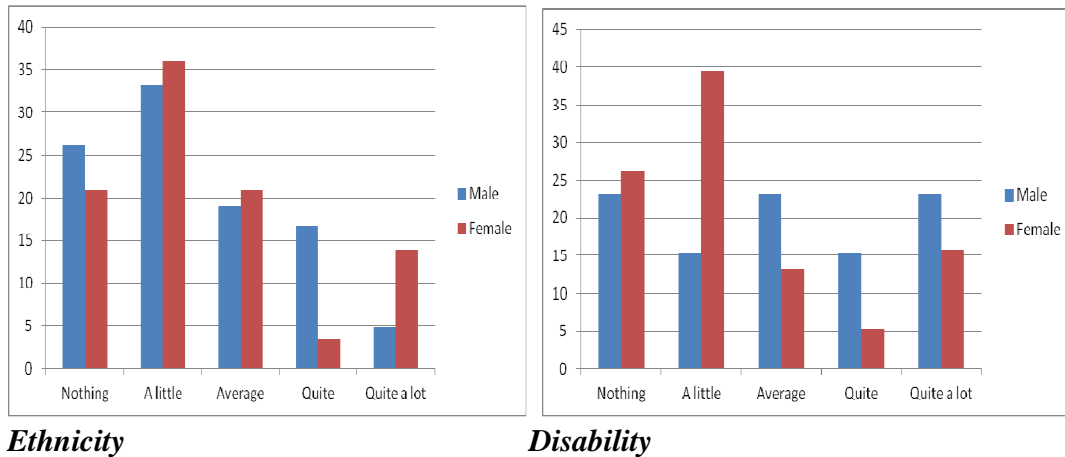
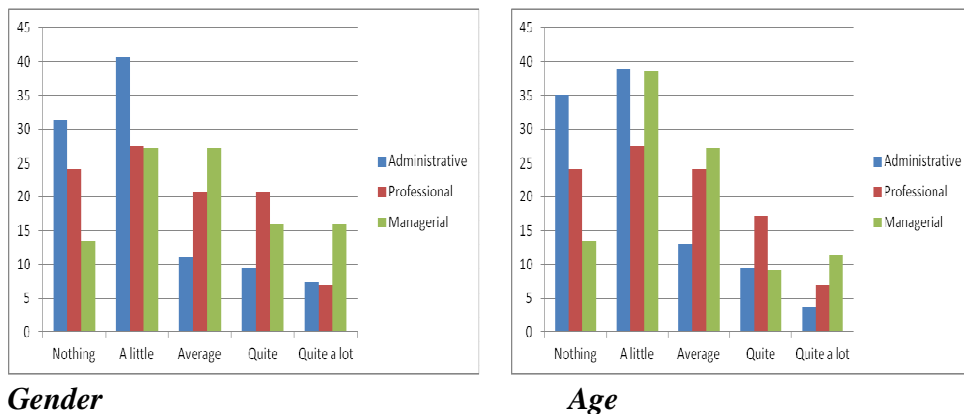
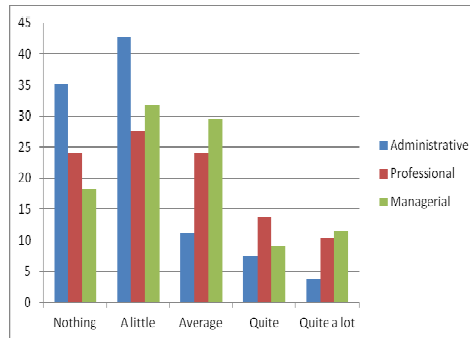
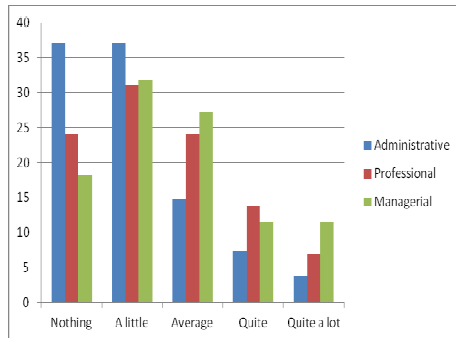


Figure 21: Percentage distribution on knowledge of Maltese Laws related to the six grounds across gender

Level of knowledge of Maltese Laws across level of employment

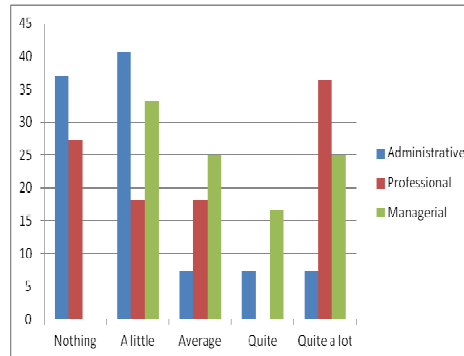
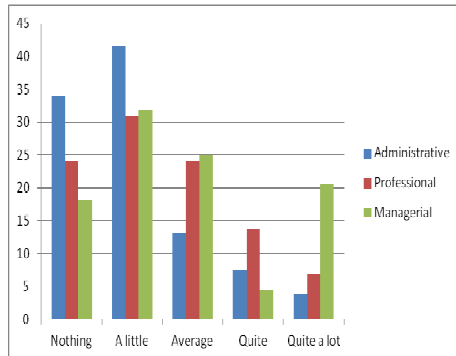
The level of knowledge on legislation related to discrimination on the different grounds was also analysed according to level of responsibility of employment within public service. While it can be noted that there is a trend for managerial staff to be more knowledgeable with respect to legislation, this difference is not much greater than that of professionals, who, in the case of disability, declared to be more knowledgeable. Otherwise, across all the different grounds, those who are least knowledgeable are those in administrative positions.





Religious Belief

Sexual Orientation



Ethnicity

Disability

Figure 22: Percentage distribution of knowledge of Maltese laws on six grounds across level of employment

Meanings of equality and discrimination

This section tackles the different meanings given to the concepts of equality and discrimination by the respondents when they wrote one sentence to describe what they mean. In this case, the responses given were read and the different types of descriptions given were noted. Due to the subjective nature of the interpretation and categorisation of the responses, the different types of definitions obtained were identified and an indication of their frequency will be given rather than the exact numerical frequency obtained.

Equality

There were many sentences (107) written by the respondents to describe . What can be noted is that the majority of those who completed this item and who amounted to a little more than two thirds of those participating in the study, referred to quality in different ways. The main differences noted reflected different emphasis given or else to the amount of details provided. The different types of definitions provided are categorised here overleaf:

- **equality considered as everybody being treated the same:** This type of definition was among the most simplistic in approach and a little less than half of the respondents fell within this category. In these statements equality was considered as treating everybody the same, without giving any details about which characteristics should not be used to decide and act differently to. There is little realisation that in treating everybody in the same way may itself lead to inequality. So, although the statement is considered to be on the right track, it is to a degree naive as it is not sensitive that the same treatment in some cases still puts particular groups at a disadvantage and that rather there is a need to cater for the different groups in order to promote equality of access. Below are some examples of sentences written to illustrate this simplistic view of equality.

- *everyone should be treated in the same manner be it with respect to rights as well as duties;*
- *That everyone, no matter who she or he is, are the same (equal)*

- **mention of some characteristics despite which people should still be treated in the same way:** This second type of sentence written is similar to the first and amounted to a little less than 20% of the respondents. The difference in this case is that more detail is provided and there is a mention of at least some of the characteristics despite which individuals should be treated differently. The statements below illustrate such type of examples given. This shows a wider level of understanding of equality than the previous statement. However, the statements are still based on using the terms equality and the same interchangeably:

- *People get the same treatment everywhere independently from their gender, sexual orientation or religious belief;*
- *by equality I understand that no matter the gender, religion, disability or other reasons that may occur, people are to be treated equally;*

A little less than two thirds of the statements written fell within these two first categories.

- **Reference to rights:** There were a some respondents (around 15%) who focused on the rights that particular groups should have and be entitled to, implying that due to some particular reason or personal characteristic that this right may be removed unfairly. This type

of statement refers to what the individual is entitled to and should get. It does not focus on the behaviour of others towards him or her.

- *having equal rights;*
 - *I suppose it means that people have equal rights even if they have different capabilities and circumstances;*
 - *all humans have the same basic rights regardless of their gender, age, physical ability, sex orientation, religious belief and skin colour.*
-
- **There is reference to opportunities:** This type of statement given by some respondents (about 15%) focuses on opportunities and that these must be the same irrespective of one's gender, age, religious belief etc. In some cases the statement was made in general and without details. In other statements there was reference to the specific characteristics or belonging to a particular group in society. The responses also recognise that differences should not be used to reduce one's opportunities. Many statements were related to employment, and still do not reflect sensitivity to the needs of different groups. Some examples are included below;
 - *The provision of equal opportunities for all whilst at the same time protecting persons from being discriminated against on the grounds of group membership (i.e. sex, race, disability, sexual orientation, religion, belief, or age)*
 - *Treating people on an equal footing without making a distinction based on particular characteristics (gender, age, disability, etc)*

 - **There is reference to respect:** A few of the statements (5%) made reference to respect in that it is not enough that people are treated in the same way. There reference that persons who are different should be respected on their account. Here below are some examples of such statements;
 - *Fair and equal respect and opportunities irrespective of gender, age ,skin colour, religion;*
 - *treatment of persons with equal respect and dignity;*
 - *Every person should be respected the same*

- ***There is reference to being sensitive to different needs by different groups of people:***
This type of statement reflected specifically by around 5% of the respondents acknowledges that it is not enough to treat everybody equally as this is in itself discriminatory, but that action needs to be taken in order to ensure that those at a disadvantage are given extra support to succeed and participate in society;
 - ***Equality means equal access to civil rights coupled with a philosophy where those who need most get the most, those who need the least get the least, not the other way round.***
 - ***Everything related to a person at his workplace that should satisfy/accommodate the person to complete the tasks he is bound to do in relation to his work, health and safety, colleagues and his employer/boss***

It is to be noted that there was no use of the word diversity in talking about equality, even if there are some statements which reflect acceptance. There is still lack of understanding and realisation that in order to overcome discrimination there is need to make adjustments to the needs and characteristics of the different groups, and so treating the different groups the same is not enough. This shows that while the respondents had more or less a degree of understanding of equality, they did not have as wide a view of equality as is usually understood.

Discrimination

There were 105 contributions for definitions of discrimination given, many of which were also in the right direction. Many of the comments implied a negative effect as a result of discrimination. There were also a number who specified reasons for which negative attitudes and behaviours occur. The variations obtained included the following:

- **Discrimination resulting in being treated differently:** A number of statements (around 50%) referred to discrimination as being treated differently based on some physical feature but with little specific mention of the reason for such different treatment.
 - ***Discrimination is when people are treated differently because they are different***
 - ***Any form of justification to consider people with anything different differently;***

- *Being treated differently (negatively) because one does not fall within the 'norm';*

- **Different treatment based on specific characteristics:** In these statements (an additional 37%), the reasons for different treatment were given and many times included one or more of the six grounds of discrimination. These statements tended to be more elaborate than those in the previous category:
 - *the different treatment of persons on grounds of sex, religious beliefs, sexual orientations, nationality;*
 - *Treating people differently (positively or negatively) on the basis of particular characteristics (gender, age, disability, etc)*

- **Reference to being considered less:** Some comments (around 10%) used the word 'less' specifically and implied that discrimination in some way resulted in individuals having less of something:
 - *The condition or state where human beings (and animals) are treated less than justly, equitably and fairly.*
 - *the treatment of a person in a less favourable manner in various kinds of grounds*
 - *To treat one particular person or groups of people less favourably than others because of their race, colour, nationality, or ethnic or national origin etc.*
 - *when someone is treated less than others simply because of his colour, sex, ethnic origin, disability, age, or religion. For example one is discriminated against being female in an interview because she has family responsibilities and interviews assume she would not be adequate for the job because she is married.*

- **Mention of decreased rights:** Some statements referred to people having less rights or access to services and products as a result of being part of a particular group or due to having particular characteristics. The implication made is that people are denied something to which they are entitled.
 - *Negating rights or privileges to some;*

- *When rights of a person is effected due to differences such as sex, sexual orientation, disability etc;*
- **Reference made to work situations:** There were a few examples which referred specifically to discrimination related to employment issues. In such cases the implication was that people have fewer opportunities for work based on some form of discrimination:
 - *unfair treatment (legally limited to instances occurring when accessing goods/services or seeking employment) on the 6 grounds mentioned throughout this survey;*
 - *That some people are given better opportunities than others e.g. work conditions;*
 - *persons can be discriminated from work and other rights on the basis of their skin colour, sexual orientation etc*

It can be noted that most of the respondents writing a definition for discrimination reflected correct understanding and associated discrimination with negative approaches and effects. These negative effects were often implied impact on access to services or objects, or being treated differently from the mainstream group, often less than others or placed at a disadvantage compared to others. Some of the statements were more detailed and insightful than others, reflecting a greater understanding of the issues while others were more vague and generic. But overall, most of the respondents were consistent with their declaration that overall they were knowledgeable about issues related to equality and discrimination. However, it is to be noted that there was still little mention and reference to institutional discrimination. Thus while respondents were more aware of discrimination as the result of actions by individuals, they are less aware of how the set up of organisations can themselves be discriminatory.

Attitudes towards aspects of equality and discrimination

This section of the report analyses the responses given to the statements relating to situations of equality and discrimination and to which public employees had to indicate if they agreed or disagreed and to what degree on a 5-point likert scale. The use of the likert scale makes it

possible to work out the average rating over all the respondents, across gender, as well as across status. The table of the average ratings by the whole sample of participants is given overleaf.

It can be noted that in many of the cases public employees expressed very strong and positive attitudes to aspects related to equality and discrimination related to public service provision. They expressed very positive attitudes toward gender aspects, strongly recognising that a women should get a job if she is the best candidate, or to have family friendly measures promoted among male workers. They were also in favour of positive discrimination with respect to promoting women in higher level jobs. There were also strong positive attitudes towards people with disabilities, agreeing strongly that all buildings should be made accessible and that there should be provision of information in Braille for blind people as well as encouraging disabled people to apply for promotions. Positive attitudes were also expressed with respect to translation services for immigrants, schools catering for different religions, sensitivity to different religions in the provision of healthcare services, promoting good and promising young workers, encouraging those over 40 to continue studying, and sensitivity to same sex partners in healthcare services.

Those statement where there were less positive attitudes towards and tended to be more neutral overall related to respecting Muslim workers’ religious feasts were respondents were still overall in agreement but less strongly. They were also less strong in relatio to government being more proactive in meeting the needs of immigrants, but again still positive. They also believed to a less degree that the police should establish better relationships with migrants, and that trans people should be allowed to use services according to the gender they identify with. They were also less positive of having people over the age of 65 keeping on working. The only statement where the overall rating was neutral related to giving preference in employment to a Maltese person over that of other foreign nationals.

Table 1: Average rating (from 1 -5) given by respondents to statements relating to equality and discrimination

<i>Statement</i>	Average
a. A civil servant is allowed to work beyond 65 years.	3.17
b. A female who is promoted to Director even though there were 5 male applicants.	4.40

c. There should be access to all government buildings for disabled persons.	4.86
d. Family friendly measures should be promoted among male workers.	4.67
e. There should be language translation provision for immigrants asking for services.	4.23
f. Schools need to take steps to respect a wide range of different religions.	4.56
g. A person who is good at his/her work should be promoted even if still quite young.	4.60
h. Transgender persons should be allowed to wear clothes of their preferred gender for work.	3.79
i. Men are better heads than females.	1.59
j. Government organisations should respect and implement practices which respect other religious feasts e.g. Ramadan for Muslims	3.06
k. Disabled persons should be encouraged to apply for promotion	4.54
l. Government's healthcare services should respect the requirements of different religions	4.02
m. Welfare services need to be more proactive in meeting the needs of migrants	3.29
n. Public services should be made available to Trans people on the basis of the gender with which they identify.	3.67
o. Government should invest in offering in Braille for blind people.	4.64
p. The police need to develop positive relationships with immigrant communities.	3.73
q. A job should first be offered to a Maltese person, and not to somebody who is not Maltese	2.66
r. Workers should continue with their studies even if they are over 40 years old;	4.62
s. Health services need to take steps to be sensitive to the needs of same sex partners.	4.00
t. Positive action is needed in civil service employment to have more women at senior management level.	4.07

Another perspective to how to analyse the responses given to the statements presented is to consider how much individuals are open to accept diversity as well as to what extent do they accept the need to take positive action in order to cater for the different needs of diverse groups.

When looking at those statements relating to accepting diversity, one finds that there is a tendency to have strong attitudes in accepting diversity. Respondents were very positive across all statements and any differences noted refer mainly to the degree to which they hold such attitudes. Less strong attitudes towards acceptance of diversity was identified in the cases of allowing people to work beyond the age of 65, allowing transgender people to wear their preferred gender of clothes, and in preferring Maltese workers over foreign nationals. The latter is. However a positive issue as it reflects the belief that Maltese people should not be preferred over foreign national simply on the basis of their nationality. These statements reflect aspects in society which challenge traditional society. While more time is needed for people to adjust and accept diversity in these areas, there need to be efforts made to provide strong messages among public employees that they are there to provide a service to all, and that this requires being sensitive to the different needs and groups within society.

A similar trend was obtained with respect to statements which reflect positive actions taken to accept and cater for diversity. All the responses reflected a positive attitude and the difference which was noted was mainly in the degree of this positive attitude. There was a strong attitude in favour of encouraging disabled people to apply for promotions, as well as in having more females at managerial level with public service. These responses reflect a similar situation to that of accepting diversity where there still needs to be more change in attitude with respect to issues which have traditionally been different within Maltese society and that Maltese people still need to accept more and start catering better for these groups of people who up to some time ago were not really accepted in Maltese society.

Gender Differences in attitudes towards discrimination

The table overleaf gives the average ratings for the different genders. Those statements where the difference in averages between the male and female respondents were greater than 0.4, were identified.

Table 2: Average rating for the individuals statements across gender

<i>Statement</i>	Males	Females
b. A civil servant is allowed to work beyond 65 years.	3.10	3.21
b. A female who is promoted to Director even though there were 5 male applicants.	4.17	4.51
c. There should be access to all government buildings for disabled persons.	4.78	4.89
d. Family friendly measures should be promoted among male workers.	4.47	4.77
e. There should be language translation provision for immigrants asking for services.	4.10	4.30
f. Schools need to take steps to respect a wide range of different religions.	4.60	4.53
g. A person who is good at his/her work should be promoted even if still quite young.	4.39	4.70
h. Transgender persons should be allowed to wear clothes of their preferred gender for work.	3.44	3.97
i. Men are better heads than females.	2.15	1.33
j. Government organisations should respect and implement practices which respect other religious feasts e.g. Ramadan for Muslims	3.12	3.04
k. Disabled persons should be encouraged to apply for promotion	4.34	4.63
l. Government's healthcare services should respect the requirements of different religions	3.93	4.07
m. Welfare services need to be more proactive in meeting the needs of migrants	3.28	3.35
n. Public services should be made available to Trans people on the basis if the gender with which they identify.	2.68	3.51
o. Government should invest in offering in Braille for blind people.	4.55	4.68
p. The police need to develop positive relationships with immigrant communities.	2.08	2.38
q. A job should first be offered to a Maltese person, and not to somebody who is not Maltese	2.95	2.51
r. Workers should continue with their studies even if they are over 40 years old;	4.34	4.74
s. Health services need to take steps to be sensitive to the needs of same sex partners.	3.95	4.22
t. Positive action is needed in civil service employment to have more women at senior management level.	3.85	4.14

When looking at the trends obtained for the different genders, it can immediately be concluded that females expressed more positive attitudes than males overall, even if many times this was to a small degree. This is consistent with the females' declaration that they are more knowledgeable with respect to issues related to equality and diversity. It is also consistent with the pattern of having twice as many females than males responding to the survey when in the public service the percentage females is lower than that of males.

There were only three statements where the difference in the average attitude was more than 0.4. While in all cases, despite the difference, the attitude for both males and females, it is to be noted that these were the cases where the female respondents had much stronger views. Two of these statements related to gender issues where women held stronger views in that a woman should get a job if she is better qualified, even if there are a number of men applying for that job. They were also strongly against the statement saying that men are better than women. This reflects how women in the public service tend to be more sensitive than men on issues related to gender, and possibly could reflect the need to for women to still assert their position within the public service. The third statement where women expressed stronger attitudes related to allowing transgender persons to wear their preferred clothes. It appears that women tend to be more tolerant and respect a person's choice for clothes than men, even if both were in favour of transgender persons to wear their preferred mode of clothes.

One other statement worth noting refers to the choice of Maltese nationals over foreign nationals with respect to employment. While females were neutral and non committal with respect to this statement, males were slightly in disagreement. This may reflect a situation where respondents are aware that it is discriminatory to choose a Maltese national over foreigners, but still tend to feel that a Maltese person should get the job. Thus, potentially, they consequently opt to be non-committal.

Differences in attitudes towards discrimination across respondent level of responsibility

The averages for the responses were also worked out for the respondents' different status. When one looks at the trends obtained, one can find that there is an increase in positive attitude across the level of responsibility. Across nearly all the different statements, there were stronger attitudes expressed by managerial staff. This implies that those who are in a position to ensuring equality and to reduce the presence of discriminatory practices within public entities and the services that they offer are more sensitive to such issues. It is also to be noted that the National Commission for the Promotion of Equality has in past recent years invested in provided training in equality and the trends obtained could very possibly be partly also the fruit of all the efforts made so far by NCPE.

A closer look at the trends in attitudes obtained show increased and stronger attitudes from administrative to professional to managerial staff. This trend was obtained in five of the statements which are highlighted in blue in the table overleaf. One finds that there was an increase in the positive attitude towards having older workers over the age of 65 years continuing to work. With respect to age, managerial staff was also more positive towards workers over 40 years to continue with their studies. There were also stronger attitudes with respect to religious diversity. Managerial staff was thus more positive towards schools catering for the different religions of students, or having health services which are sensitive to religious beliefs of patients. Managers also demonstrated stronger positive attitudes towards people of different sexual orientation, allowing transgender persons to choose the style of clothes to wear. Managers were also more positive, even if to a lesser extent than in the case of the other statements, that the religious feasts of workers of other religions than those of the Catholic faith are respected.

An opposite trend was obtained in two statements where statements became less positive with increased level of responsibility and these are interested to look at. It is to be noted that those at administrative level held stronger views with respect to having buildings which are more accessible. This may be explained in terms of their direct experience with people with disabilities as many times they are the ones using the services provided by public entities. They thus experience problems of discrimination more directly.

Table 3: Average Rating for the individuals statements across Level of employment

<i>Statement</i>	Administrative	Professional	Managerial
c. A civil servant is allowed to work beyond 65 years.	2.76	3.43	3.49
b. A female who is promoted to Director even though there were 5 male applicants.	4.38	4.43	4.40
c. There should be access to all government buildings for disabled persons.	4.90	4.77	4.86
d. Family friendly measures should be promoted among male workers.	4.63	4.70	4.67
e. There should be language translation provision for immigrants asking for services.	4.10	4.00	4.30
f. Schools need to take steps to respect a wide range of different religions.	4.34	4.58	4.75
g. A person who is good at his/her work should be promoted even if still quite young.	4.90	4.47	4.70
h. Transgender persons should be allowed to wear clothes of their preferred gender for work.	3.67	3.77	3.91
i. Men are better heads than females.	1.62	1.73	1.49
j. Government organisations should respect and implement practices which respect other religious feasts e.g. Ramadan for Muslims	2.88	3.10	3.24
k. Disabled persons should be encouraged to apply for promotion	4.54	4.37	4.63
l. Government's healthcare services should respect the requirements of different religions	3.61	4.07	4.42
m. Welfare services need to be more proactive in meeting the needs of migrants	3.15	3.35	3.29
n. Public services should be made available to Trans people on the basis if the gender with which they identify.	3.68	3.73	3.74
o. Government should invest in offering in Braille for blind people.	4.64	4.50	4.74
p. The police need to develop positive relationships with immigrant communities.	2.75	2.63	2.69
q. A job should first be offered to a Maltese person, and not to somebody who is not Maltese	3.20	2.96	1.93
r. Workers should continue with their studies even if they are over 40 years old;	4.49	4.50	4.81
s. Health services need to take steps to be sensitive to the needs of same sex partners.	3.08	4.07	4.06
t. Positive action is needed in civil service employment to have more women at senior management level.	4.67	4.53	4.71

Statement q, referring to the preference of Maltese nationals over foreign nationals in employment appears to be a particular issue which calls for extra attention. It may very much be the case that many Maltese nationals believe that it would be better to show solidarity with those of one's own country, but also recognise that this may not be socially acceptable. Also, those in managerial positions would tend to be more concerned with having more competent workers than promoting employment with country nationals. It is thus difficult to understand the reasons behind the trends obtained with respect to this statement, but it is understandable that persons in managerial positions to be more careful and sensitive to aspects related to discrimination.

5.3 Public Employees' experience of equality and discrimination

This section tackles a different aspect related to discrimination and probe's the respondents' experience of discrimination. This is of particular interest as it provides insight related to how much discrimination may be present in the services that they provide as well as if and what type of discrimination they may experience themselves. Respondents were thus asked to state first whether they have experienced instances of discrimination directed at themselves, and then on whether they have witnessed instances of discrimination towards others within their institution. In each case, the respondents were also asked to indicate whether they took any action if they came across discrimination, if not why, and if so to whom.

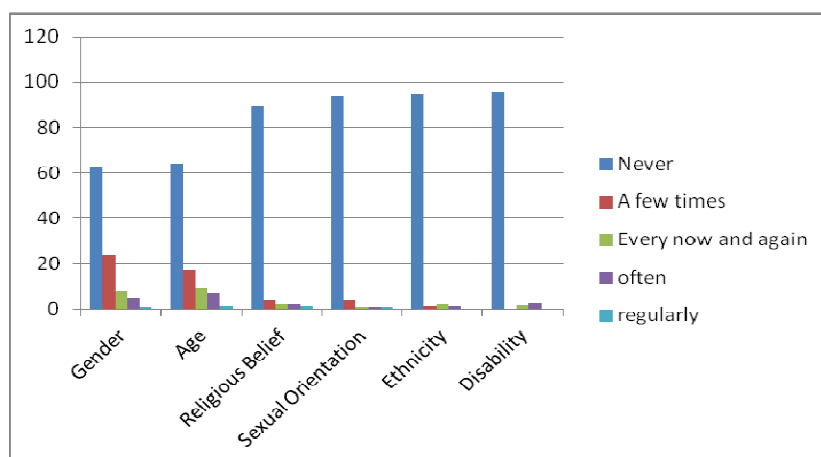


Figure 23: Percentage distribution of Personal experience of discrimination at work for the six grounds of discrimination

It can be seen that in all cases of the six grounds of discrimination, the majority of the respondents declared that they never experienced any form of discrimination. The two types of discrimination which a small percentage of respondents declared that they experienced were mainly in the case of gender and age. In the case of gender this amounted to a little less than one fourth of the respondents. It is not possible to identify what types of discrimination these respondents experienced and for what reason and in which circumstance. The case of age discrimination was less frequent with this amounting to less than 20%.

Action on discrimination experienced

It is interesting to note what the respondents stated that they did when they were victims of discrimination. Various reasons were put forward as to why some respondents did not report the discrimination which they experienced. Some thought that the situation was not that important and so either lived with the situation until it went away or else they changed job. In other cases, they thought that speaking up and reporting the discrimination would make the situation worse. In some cases, the victims thought that they did not have sufficient proof and evidence. A few stated that they were too young and inexperienced to tackle the problem. In all cases, there is an admission that the situation was a negative one and that they somehow did not know how or did not have the strength to fight it.

There were, however, a number who stated that they did report the instances when they experienced discrimination. The few cases where there were instances of discrimination, these were reported mainly to superiors and persons in charge of managing the workplace. In two instances, there was mention of support from the union.

Instances of discrimination were shared mainly with three groups of persons. These included: family; friends and colleagues. In all examples, the people with whom respondents shared their experience of discrimination were trusted people.

Experience of discrimination across gender

When one looks at how much males and females stated that they have experienced discrimination, it can be immediately noted that a greater percentage of females declared that

they have experienced gender discrimination. Females declared higher incidents of discrimination than males also with respect to age discrimination. On the other hand, there were lower rates of discrimination among women with respect to religious beliefs, sexual orientation, ethnicity and disability.

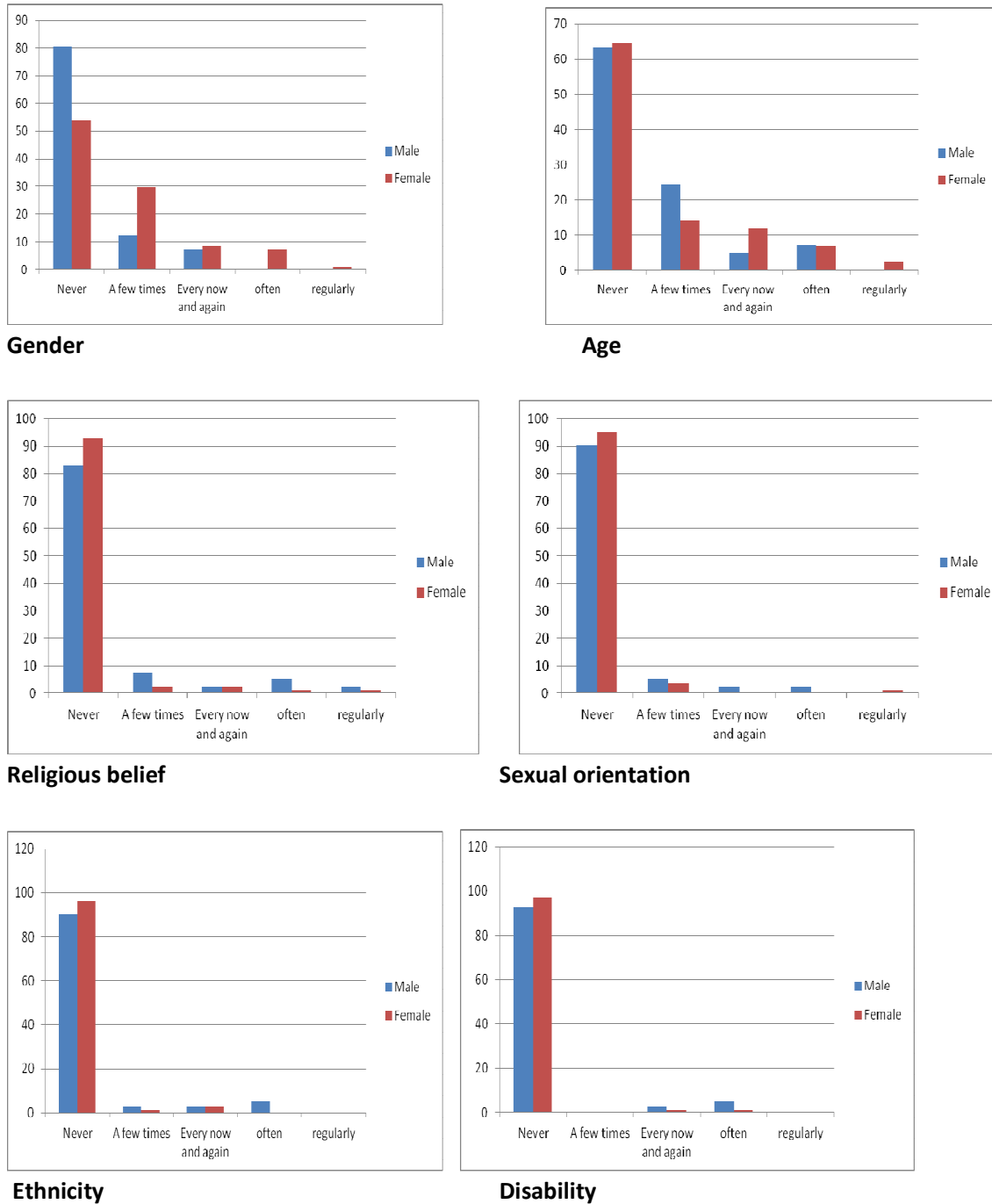
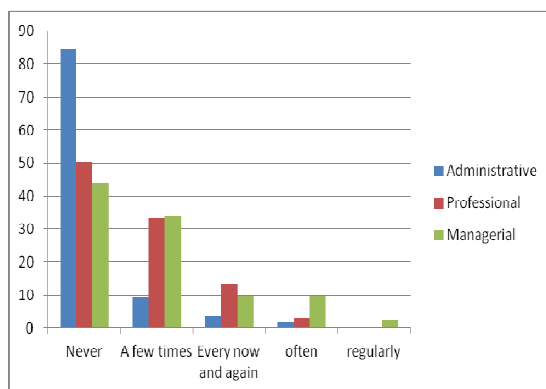
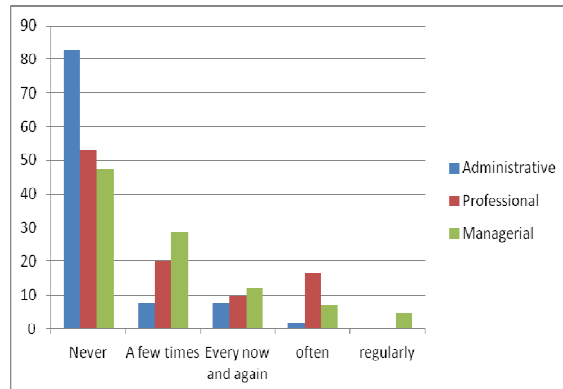


Figure 24: Percentage Distribution of experience of discrimination at work across gender

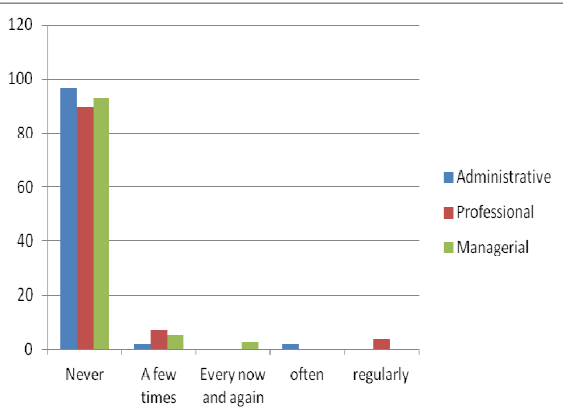
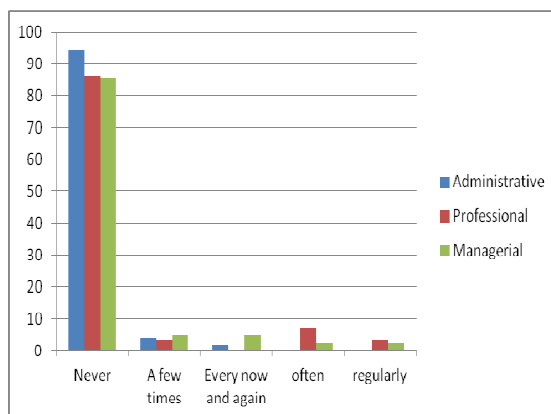
10% of the managerial staff declared that they experienced gender discrimination often. There were another 10% managerial staff who stated that they experienced gender discrimination every now and again. It is not clear from the data if the majority of these respondents are female. About 5% of the managerial staff stated that they also experienced age discrimination often and regularly. Again, it is not possible to identify if this occurred because they were too young or too old. Professionals also declared that they experienced age discrimination. On the other hand, there were few of the respondents who stated that they were discriminated against on the other grounds. It is to be pointed out that respondents were not asked if they belong to any groups which are usually discriminated against due to their religious belief, sexual orientation, disability etc. and so the results may be the result of not being member of these groups and not because they live in a more tolerant society. None the less it is to be noted that across each there appears to be a small percentage of professionals (around 5%) who have had experience of each type of discrimination. The groups which seems to have experienced least discrimination were administrative staff. This could either be the result of such staff not being that sensitive to the issue of discrimination and consequently are often not that aware of its existence and in what forms. These small percentages are not insignificant and should still be given their due importance as discrimination should never be tolerated.



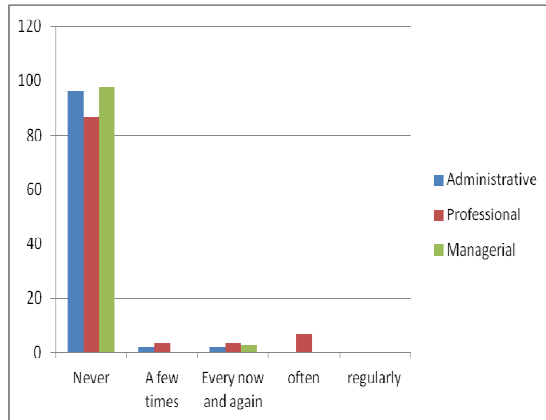
Gender



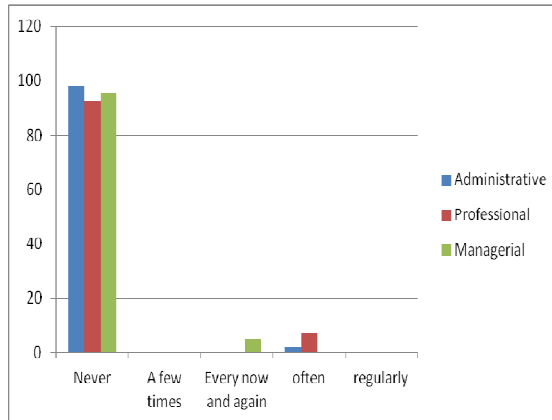
Age



Religious Belief



Sexual Orientation



Ethnicity/skin colour

Disability

Figure 25: Percentage Distribution of experience of discrimination across status

Respondents' Witness of discrimination against others at work

Respondents were also asked to indicate if and how often do they witness instances of discrimination when at work. It is to be kept in mind that respondents may have been answering in terms of employment based discrimination rather than discrimination in service provision, and thus results need to be interpreted with caution. It can be noted that now the percentages are higher, even if discrimination does not seem to occur often or regularly. However, there are still around 5%.

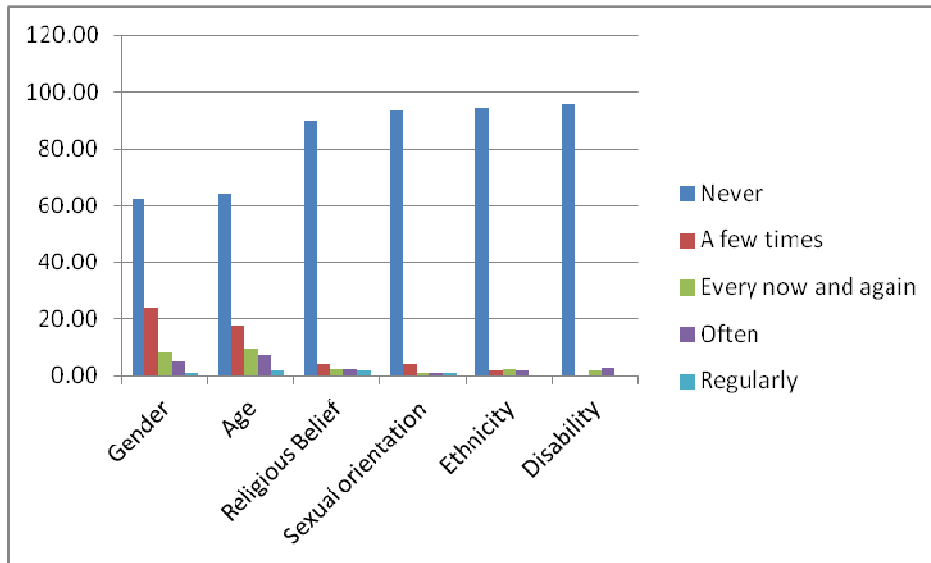


Figure 26: Degree of discrimination witnessed at work by respondents

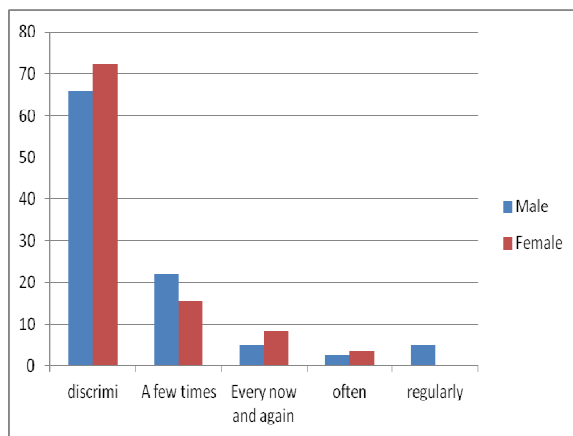
It can be noted that gender and age discrimination remain the two most common forms of discrimination. These are not little and amount to around 25% and 20% of gender and age discriminated respectively, and taking place every now and again. One may conclude that the public employees responding to the survey did not report great occurrences of discrimination. However, it could also be the case of either public servants replying to the questionnaire being diplomatic and not claiming real occurrences, or else they may not be aware of instances of the different forms of discrimination as they are not informed and knowledgeable enough to spot it when it takes place.

As in the case of experiencing discrimination, respondents were also asked what they did when witnessing discrimination, and if they reported it and to whom, and with whom did they talk about it.

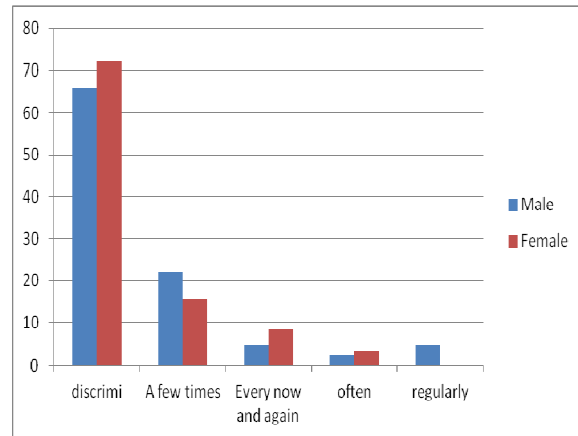
There were various reasons given for not reporting. These ranged from: considering the situation trivial and not worth reporting; to avoid worse consequences; feeling that they do not have tangible proof; being afraid of repercussions from superiors; as well as believing that reporting is futile. There is no particular reason given which was more common than others.

In nearly all the cases, respondents stated that they when they reported the cases of indiscrimination, they did this to their superiors and it was only in one case that there was reference to the competent institution. In stating with whom they shared information about discrimination, it appears that they shared with colleagues. The reason for this could be because this time the instances of discrimination were closely related to the work environment and people need to share with somebody who understands both the issue and the work practices.

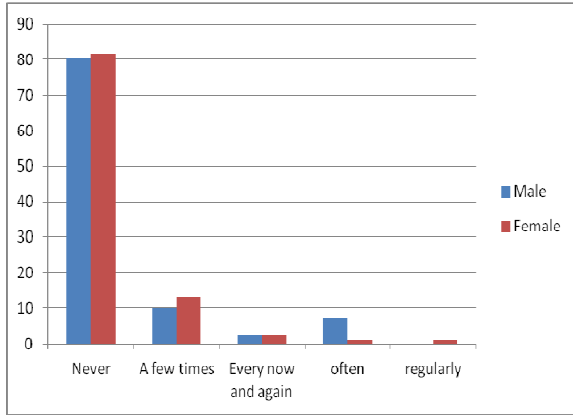
When one looks at the trends in being witness to discrimination by respondents of different gender, very few differences could be identified. More males indicated that they witness gender and age discrimination regularly. More males than females reported discrimination on the basis of age, gender and disability taking place on rare occasions. On the other hand, more females than males declared witnessing discrimination due to religious belief, ethnicity and sexual orientation on rare occasions.



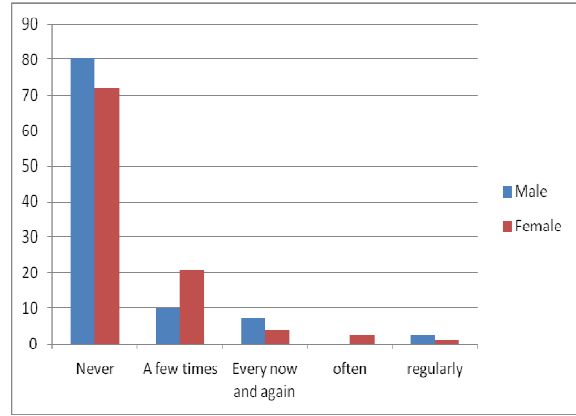
Gender



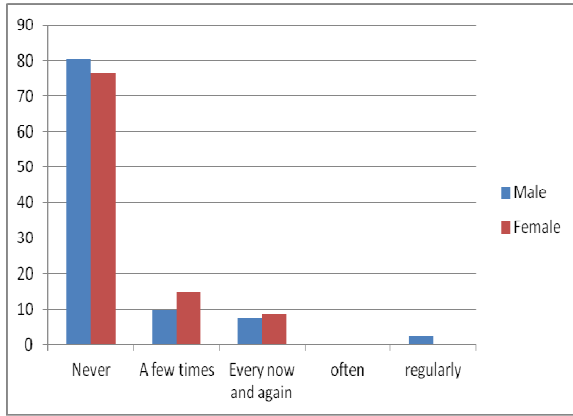
Age



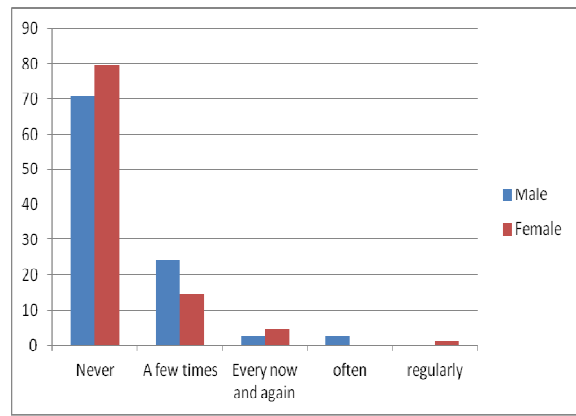
Religious Belief



Sexual Orientation



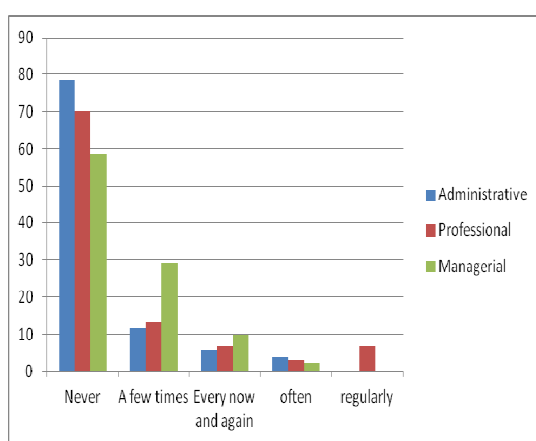
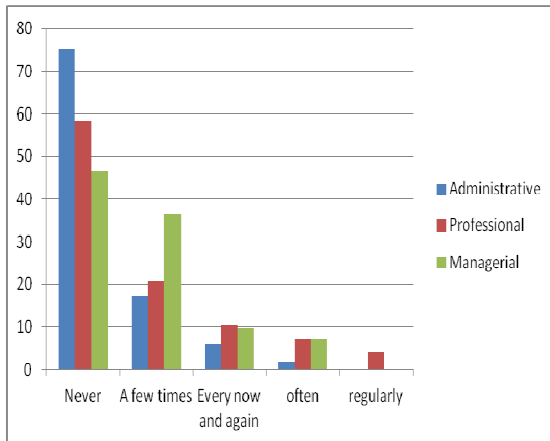
Ethnicity/Skin Colour



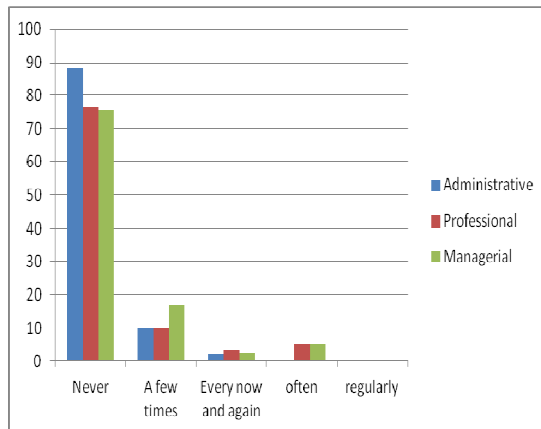
Disability

Figure 27 : Percentage distribution of frequency of discrimination witnessed by respondents at work across gender

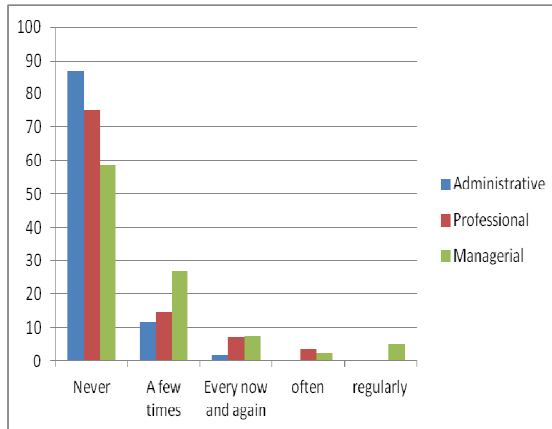
Trends across level of responsibility in employment



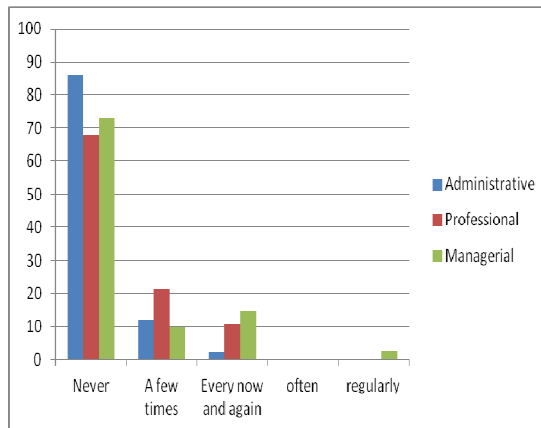
Gender



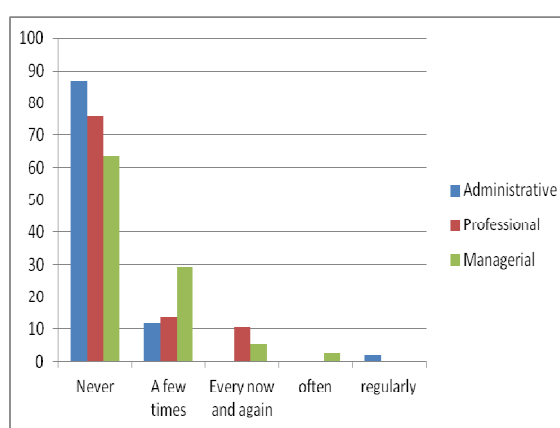
Age



Religious Belief



Sexual Orientation



Ethnicity

Disability

Figure 28 : Percentage distribution of frequency of discrimination witnessed by respondents across status

There are no particular differences in the degree of witnessing the different types of discrimination according to the respondents position in employment. The main small difference noted is that more managers than other groups tended to indicate that they witnessed discrimination a few times, with the exception of ethnicity where this pattern was so for discrimination taking place every now and again. The reason may be that any form of discrimination taking place tends to be reported to superiors and those in charge and so managers tend to be aware of discrimination more than others.

Good examples of practice in equality and discrimination

One item in the survey asked the respondents to give examples of good practice which they have come across in preventing discrimination, in making adjustments to diversity and to advance equality. Very few of the respondents provided examples of such actions, this amounting to about one fifth of the respondents only.

Prevent discrimination

The few examples given provided a range of possible actions which were taken to prevent discrimination. There were some contributions which reflected action taken at a high level and holistic manner, with the implementation of policies which were then disseminated among all the employees. In addition, the importance of such policies and that they had to 'be adhered to' was also emphasised with employees.

- *policies on discrimination disseminated to all employees and make it clear that they are important to adhere to;*
- *clear policy guidelines given to all employees.*

Some respondents referred to initiatives taken by the National Commission for the Promotion of Equality and how they have worked with people in managerial level to sensitise them to issues related to equality and discrimination, and to encourage them to ensure that these principles are respected within their entities. There was also reference to the information campaigns that NCPE runs that how the information which they disseminate and the messages that they send help to fight discrimination. This shows that the efforts by NCPE are bearing fruit.

- *NCPE created more awareness and may have encouraged managers and work colleagues to treat everyone equal.*
- *campaigns by NCPE.*

Other examples of good practice mentioned as being done to prevent discrimination related to having appointed staff with the responsibility of ensuring that there is sensitivity to diversity. There was also reference to the creation of independent boards where one can complain, such as the example of the Ombudsman, even if not specifically for cases of discrimination, except possibly in relation to work.

- *independent boards are created e.g. ombudsman*
- *have a diversity officer at the work place and train staff*

Some specific examples were also given. In one case, as indicated below, it was acknowledged that organisations with the responsibility of ensuring equality and that there is no discrimination, in this case with respect to disability and access to buildings, consultations are made before planning permits are issued and that this ensures that exclusionary practices are eliminated.

- *national commission for people with disability are consulted during MEPA applications at vetting stage.*

Making adjustments to diversity

Respondents were also asked to provide examples of good practice in making adjustments to diversity. There were various types of examples given and which included specific initiatives that provided access to particular groups. Some of the statements provided related to actual experiences while in other cases these sounded more like suggestions of what can be done. The contributions made mainly involved changes which either provided physical access or to services:

- *Initiatives to make structural alterations to existing buildings in order to allow easier access for persons with disability.*
- *pushed for adjustments particularly in terms of physical, mental access- not always successful*

Other adjustments made had implications to opportunities, whether this is for employment or for further education. In either case, the intention is to ensure that such opportunities are more inclusive and allow people from different groups the same level of access.

- *Revising job descriptions to make them more accessible and inclusive;*
- *Applications for courses are open to everyone e.g. over 16 years of age irrespective of their gender, religion or disability.*

To advance equality

Two types of examples of good practice provided were given with respect to advancing equality. Again it was not clear if the respondents were mentioning actual practices or just making suggestions. One group of examples targeted policy and codes of ethics within the workplace.

These were considered tools which aim to ensure that there is equality promoted and respected throughout.

- *changes in legislation such as the Equality in Goods and Services act and the Bill for Transgender persons, among others*
- *Introduced an equality policy*
- *Publication of a code of practise for broadcasters*

The second type of examples of good practice was more practical in approach and involved the inclusion of initiative within the daily work of employees within the government entities. So, there are more frequent meetings involving staff and reflecting on issues related to equality. Staff are encouraged to take up opportunities which are offered to both males and females. There are also changes in practices such as questions in job interviews which promote greater equality, in this case in the selection of candidates for jobs.

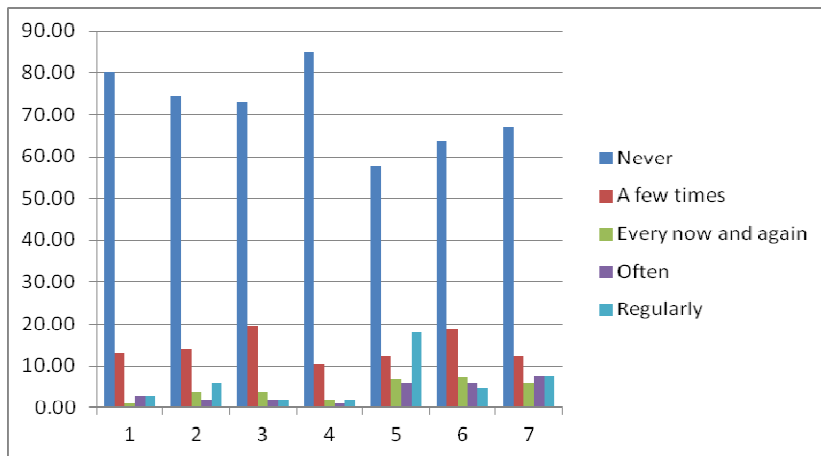
- *monthly or more frequent ward meeting involving all the staff*
- *Male workers were encouraged to make use of family-friendly measures.*
- *the removal of references to family arrangements during interviews*

Presence of discriminatory practices within public entities

Respondents were also asked to indicate if they were aware of any discriminatory practices (intentionally or unintentionally) within their work place. This item was added as respondents tend not refer to institutional forms of discrimination when talking about witnessing discrimination. Thus, in this item, they were asked to indicate their experience with respect to specific activities within their public institution.

When one looks at the distribution of responses obtained, there appears to be different patterns with respect to practices and activities directed to others compared to aspects of discrimination directed at themselves as workers, with the exception of providing access to their buildings. With respect to services provided to others such as services offered, access to services and information and in treating complaints, respondents declared that where there were forms of discrimination and these tended to be few instances and very rarely frequent. However, in the

case of providing access to their building, treatment of employees as well as in cases of promotion, there was a slight increase in respondents indicating that cases of discrimination occur more frequently, even if still in a limited way and reported by less than 10% of the respondents. The only type of discrimination which was indicated as occurring regularly in around 15% of the cases and related to providing physical access to the public entities. The trends obtained may not necessarily reflect more discriminatory practices against workers in the public entities, but could be more a case of respondents not being aware of or sensitive enough to know how their work practices related to the public are impacting different groups in different ways.

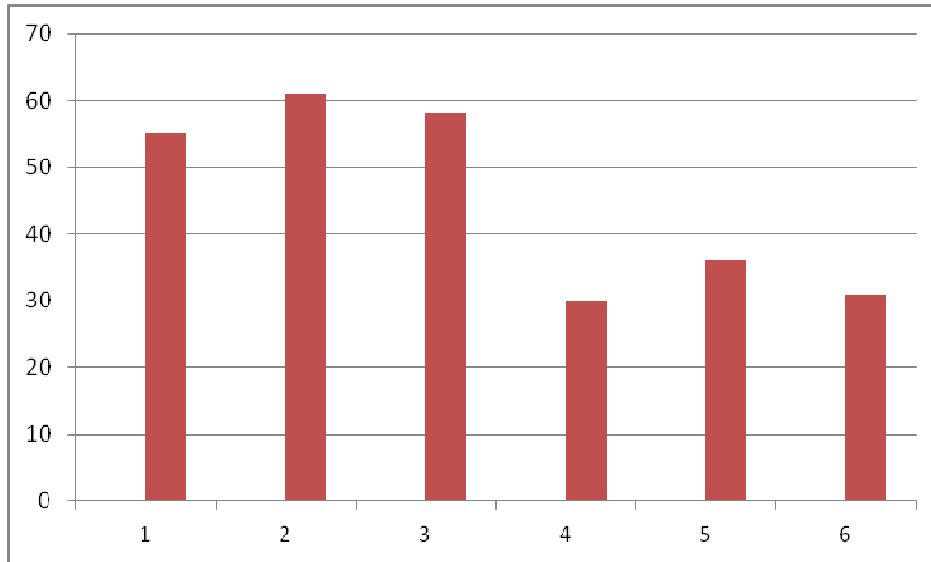


Answer Options
1. the type of services you offer?
2. providing access to the services you offer?
3. the way you provide information?
4. treating complaints related to your services?
5. providing access to your premises?
6. the treatment of employees within your institution?
7. opportunities for promotion?

Figure 29: Percentage frequency of different types of discrimination within government entities

Respondents were also asked to indicate if they had tools within their entity which targeted equality and discrimination. Over half of the respondents declared that they have a policy on discrimination, harassment and equality within their entity. There were around one fifth who indicated that they have an action plan on equality, procedures to deal with difference and diversity, and staff who are particularly responsible for equality and diversity. These responses

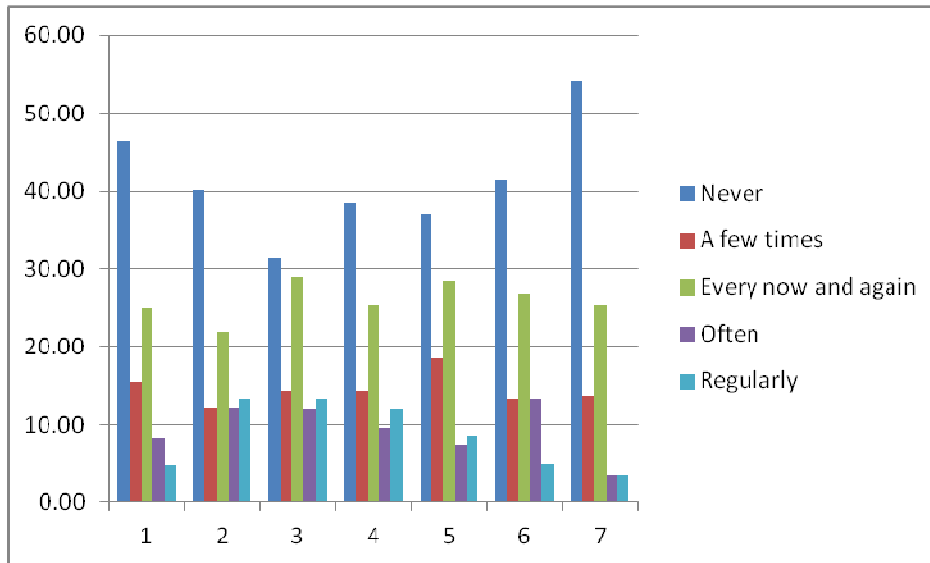
do not necessarily reflect the degree to which such actions are present within public entities, but more so the awareness of public employees of what is in place within their entity.



1. policy on discrimination
2. policy on harassment
3. policy on equality
4. an action plan for equality
5. procedures to take account of difference and diversity
6. any staff with particular responsibility for equality and diversity

Figure 30: Percentage frequency of presence of equality tools within public entities.

Respondents were also asked to indicate how often they review their practices to assess for discrimination and advance equality. A little less than half of the responds were not aware of such practices while a third indicated that this is not done regularly. Less than 10% indicated that this is done frequently or regularly. A similar trend in responses was obtained for reviewing services before they are offered rectifying situations of inequality which may arise and in including equality and diversity in discussions related to running of the organisation, its operation and treatment of employees. It is also to be noted that over half of the respondents declared that they had never received any training related to equality and diversity.



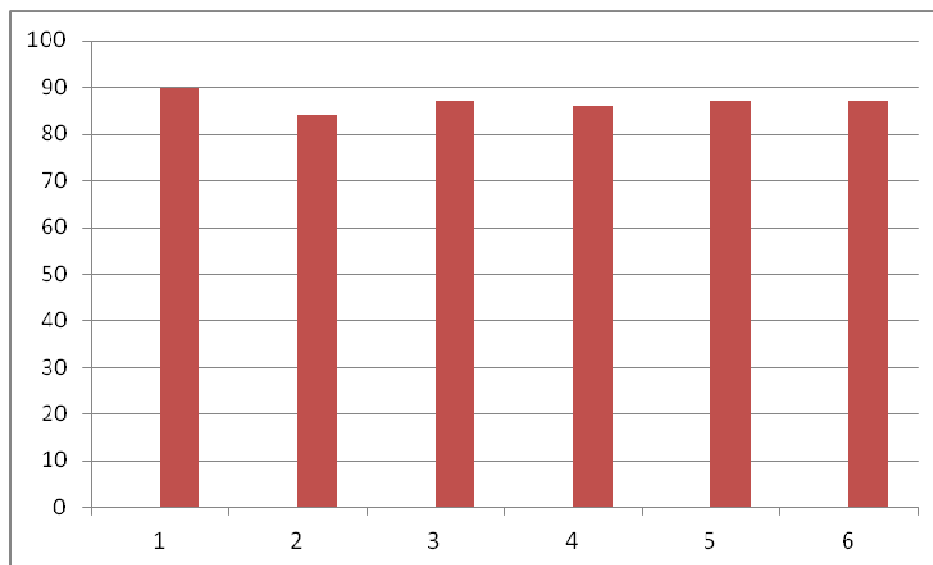
Answer Options
1. review its practices to assess for discrimination and for advancing equality?
2. Review new services offered prior to implementation to ensure equality?
3. take action to rectify situations of inequality which may arise?
4. Include the issue of equality and discrimination in discussions related to the running of the organisation?
5. Include the issue of equality and discrimination in discussions related to its operation?
6. Include the issue of equality and discrimination in discussions related to how employees are treated?
7. Organise training for staff on equality and diversity?

Figure 31: Percentage frequency of practices to ensure equality and reduce discrimination within public entities

At face value the trends obtained indicate that there the respondents reported few forms of discrimination present within their public entities. One needs, however, to be concerned about whether this is a case of employees who are not sensitive enough to diversity and so are not aware of subtle forms of discriminatory practices. On the other hand, although there are some forms of practices related to ensuring equality and reviews related to diversity, these do not seem to be done regularly and thus further work in promoting such practices is needed.

5.4 Public employees' views on learning about equality and diversity

The last section of the survey targeted training and included two main items. The first item in this section asked respondents whether they wanted to receive training in different aspects of equality and diversity. The second item probed the respondents' preferred mode of training.



Answer Options
1. Malta's Laws with respect to discrimination
2. The role of the National Commission for the Promotion of Equality (NCPE)
3. The various services related to discrimination offered by NCPE
4. skills to promote equality and diversity
5. skills to prevent and address discrimination
6. strategies to make your organisation better at dealing with equality and discrimination

Figure 32: Percentage Frequency of public employees' willingness to receive training

It is evident from the graph that respondents are interested in receiving training in all the different aspects of equality and diversity. This reflects a realisation that they need to be more knowledgeable as well as to develop the necessary skills to be able to prevent discrimination and to promote equality.

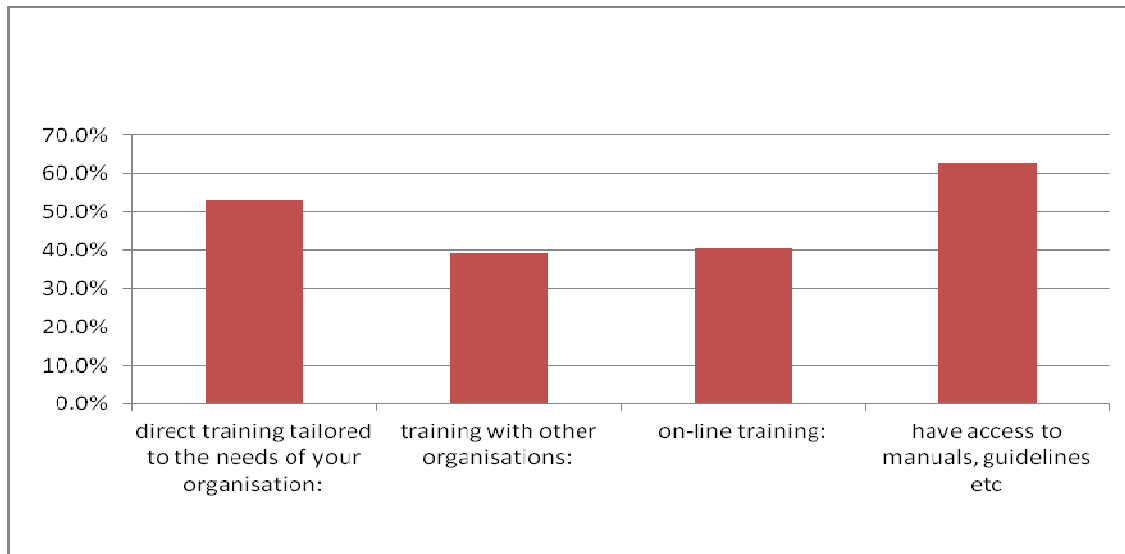


Figure 33: Respondents' preferred type of training and support on equality and diversity

The most preferred mode of training and support was access to manuals and guidelines. This reflects a need to have tools which can be used in practice and which allows public employees to move from theory and policies, to actual implementation. The next preferred mode involved training which is tailored to their particular entity. This also reflects the need to have more contextualised training and which is relevant to the particular needs of the public entity.

Training with other entities and online training were not popular with less than half of respondents considering not opting to use these two approaches.

6.0 Discussion of Results

The analysis of the survey has provided a number of insights about discrimination and how public employees view, experience and witness aspects of it in their employment and in the services which they provide to the public. The overall response obtained was positive with many public employees expressing and displaying a good degree of sensitivity to issues relating to equality and discrimination on all the six grounds, even if there are areas where further work needs to be done. Trends obtained were consistent across the whole survey which provide to a degree validity to the results obtained. However, due to the difficulty in obtaining the responses, the sample obtained can still be biased to contain those who value equality and are against discrimination, thus reflecting only part of public employees.

More specifically, the research findings can be summarised to be the following:

- ***Public employees declared having a degree of knowledge and awareness of NCPE*** and its role and work. This reflects NCPE's visibility within the public service;
- ***Respondents declared a good degree of knowledge on equality and discrimination*** overall and particularly with respect to five of the six grounds. It is to be noted that there is lower degree of understanding and awareness of age discrimination as well as ethnicity and disability to a lower degree;
- ***Respondents declared a limited degree of knowledge on Maltese laws related to equality and discrimination.*** It is to be noted that as many as one quarter of the public employees declared that they knew nothing about Maltese legislation on any of the six grounds. This identifies an area where there is need to investment in information needs so that public employees become more familiar with legislation;
- ***Females tended to express higher levels of knowledge on NCPE, equality and discrimination.*** This higher level of knowledge was present across nearly all the items. It is not clear why this is the case but could reflect a greater interest and/or sensitivity of females to issues related to discrimination;

- ***Respondents in managerial positions expressed higher levels of knowledge on NCPE, equality and discrimination than professionals and administrative staff.*** This trend was also obtained over a large set of items and reflects awareness by those with positions of responsibility in public entities. NCPE has these past years invested in training civil servants in top management and the greater sensitivity obtained could in part be the result of the impact of NCPE's initiatives;
- ***Good contributions for defining equality and discriminations were obtained even if understanding of these concepts did not tend to be as wide as they should be.*** Those participating in the survey wrote definitions reflecting awareness of the different grounds of discrimination. However, these two concepts were not described in the wider sense where adjustments and actions sensitive to diversity were not mentioned. One could not that there was not enough understanding of the implications of diversity, resulting in a lack focus on substantive equality and lack of reference to institutional discrimination;
- ***Respondents overall expressed strong positive values and attitudes*** – in promoting equality, accepting diversity, taking positive action for diversity as well as in combating discrimination. Many of the statements rated averages close to and over a value of 4 out of a maximum of 5, reflecting that in many cases they agreed or strongly agreed to the statements presented. The problematic areas related to the issue of hiring of Maltese nationals over foreigners in employment, providing support to transgender persons, as well as in being more pro-active with respect to migrants. These are areas where there is need for education and promotion of positive action;
- ***Female public employees tended to express stronger positive attitudes than male respondents.*** As in the case of degree of knowledge, female respondents were more in agreement with action sensitive to diversity and in combating discrimination than male respondents. This reflects consistency of the respondents' statements which builds a strong argument that females are more knowledgeable and sensitive to equality and discrimination than males;
- ***Managers expressed stronger positive attitudes than professionals and administrative staff.*** There was also consistency in the responses given by respondents in managerial positions as they also expressed stronger positive attitudes than professionals and administrative staff.

This also shows how people in posts of responsibility are being sensitised to the issues of equality and discrimination;

- ***Respondents experienced very few instances of discrimination*** and the most common were on the basis of age and gender. The respondents indicated that the public entities where they work do not tend to be places where there are many instances of discrimination taking place. This does not, however, necessarily mean that there is little discriminatory practice. It could also be the case that certain practices are considered acceptable and the norm, when they still reflect lack of equality. If respondents are not aware of such instances, they would not have indicated their presence. It was also noticed that in cases where discrimination was present, those who were reluctant to report it stated that the situation was not worth reporting or that nothing would change. Those respondents who did report, did so to the people in charge;
- ***Respondents were witness to a number of instances of discrimination, mainly on age and gender.*** The percentage frequency of discrimination witnessed was higher than that experienced directly. However, the frequency would not be considered as very high even though every case of discrimination is unacceptable. The most frequently occurring discrimination was due to either gender or age;
- ***An encouraging degree of practices promoting equality and combating discrimination were identified within public entities.*** This reflects changes starting to take place within public entities and should be considered as encouraging. However, more work needs to be done as these practices should cut across all public entities. There are still a lot of workplaces with no policies in place. This is almost a legal requirement due to the manner in which directives have been tested. It thus becomes a challenge in view of the target to have more workplaces develop equality action plans;
- ***Respondents expressed a wish to learn more about equality and discrimination, NCPE's role and services as well as what to do to report cases of discrimination.*** This reflects a recognition by the respondents that they do not know enough about issues relating to equality and discrimination and that they are willing to be educated in order to fulfil their work responsibilities better and to know what to do on encountering instances of discrimination; a
- ***Public employees expressed a preference for more practical and contextual training.*** Public employees prefer to have training which is practical and gives them skills and competences

to use at work. It is for this reason that there was greater preference for training tailored for their entity's context as well as for the provision of manuals and guidelines which they can use.

It can be concluded that the survey has provided some valuable insights with respect to equality and discrimination within public entities. It can be concluded that there is a good degree of knowledge and positive attitudes among the public employees responding to the study. They have reported the existence of some discriminatory situations, but have also indicated how their entities have also started to implement processes and policies to promote equality and fight discrimination.

Recommendations

Based on the results obtained a number of recommendations and direction related to potential action related to equality and discrimination can be put forward. Actions which have been shown to be needed from this study include:

- ***Need to invest more in education:*** There is need to invest more in educating public employees about the different types of institutional discrimination and why one must cater for diversity in promoting equality. While public employees were knowledgeable and aware of obvious cases of discrimination, they tend to understand less the need to cater for diversity in order to promote equality, and to realise how services which are the same for all may in themselves be discriminatory;
- ***Training aimed at Administrative Staff:*** Those who are least knowledgeable about equality and discrimination tended to be administrative staff. They also tend to be those public employees most in direct contact with the general public. It is thus very important that they are knowledgeable and aware of issues related to equality and discrimination as they may be the first to note and flag cases of discrimination which occur. It would thus be worthwhile to start targeting also administrative staff in training programmes organised. Many of the initiatives by NCPE have focused on middle and top management as they can bring about

change within public entities. However, they can now also target workers who are in direct contact with the public or support the organisations to include this focus in their own staff training;

- ***Educate about the wider meaning of equality and discrimination.*** While knowledge and understanding about equality and discrimination is quite good, the wider perspective of these two concepts are not yet well understood. NCPE can thus start working at targeting training which promotes this wider understanding and promote concepts such as catering for diversity, taking action and developing services which are sensitive to the needs of different groups;
- ***Provide managerial staff with practical tools and practices which they can implement to ensure equality and combat discrimination.*** There was a request for tools which public entities can use in order to promote equality and combat discrimination. NCPE can thus build on this need and to take initiatives to disseminate more the tools which it already has among managerial staff so that they can use them. There is need to develop and promote new guidance on equality policies and actionplans;
- ***Tailor training more at practical tools which employees can implement and use.*** NCPE should invest in providing training which goes beyond sensitising public employees to issues of equality and discrimination, and to invest in training on how to use the manuals and guidelines as well as to how to implement practices within institutions. There is a need to learn implementation procedures;
- ***Promote mutual learning among different public entities:*** Identify examples of good practice within public entities where mechanisms for review of services to ensure that they cater for diversity are profiled and disseminated among other public entities;
- Respond to issues of age, ethnicity, disability and religion that emerged and to build the focus on these groups within the public sector. These three grounds appear to be the greatest challenge and it would be worthwhile to invest time and energy in targeting these aspects;

All these recommendations highlight how NCPE should continue to invest in promoting measures and practices within public entities which ensure that public service provision responds to diversity within society and measures are implemented to ensure equality in the services provided.

Areas for further research

The survey has provided many answers and insights with respect to the understanding and attitudes towards equality by public employees as well as frequency of discrimination across public entities. The survey, has also led to further questions which may be answered through future research. Areas for further research identified include:

- Stock-taking of the different mechanisms for review of practices for equality and discrimination across the different public entities and different services provided;
- Qualitative studies to identify how aware public employees are of institutional discrimination and how difference groups are affected. Such a study can focus on some particular sectors;
- Qualitative study on the effective implementation of manuals and guidelines provided by NCPE to act as examples of good practice and from which other entities can find inspiration to implement such practices themselves in the workplace; and

Those reading this report would probably have further potential research projects and research questions to set for further research. The area of equality and discrimination in Malta still need to be better understood and this study has just scratched the surface. Hopefully it will also act as a stepping stone for further research leading to greater understanding.

Final Remarks

This research exercise has provided insight into a number of aspects related to equality and discrimination among public employees as well as within public entities. It has also raised questions for further research. While the overall results are encouraging as positive attitudes towards equality and against discrimination were obtained, it has also highlighted that much more needs to be done to ensure that public services cater for diversity within Maltese society such that real equality is achieved.

ANNEX 1: Questionnaire used in study

SURVEY with Public Sector on Discrimination: Section a: Personal Details

Please tick with an **X** the appropriate box.

1. **Gender**

Male	
Female	

2. **Age**

< 20		40-49	
21-30		50-59	
31-39		>60	

3. **Please name the entity you work at: _____**

4. **What is your highest academic qualification?**

No qualification		First Degree	
O/SEC standard		Post-Graduate level Degree	
A Level/Matriculation		Other	

5. **Indicate your current Employment position**

Administrative		Managerial	
Technical		Other	
Professional			

Section B: Understanding of Discrimination

6. **How much do you know about:**

	Nothing	A little	Average	Quite	Quite a lot
the National Commission for the Promotion of Equality (NCPE)?					

7. How much do you feel that you know about equality?

	Nothing	A little	Average	Quite	Quite a lot
a. Overall					
b. on the basis of gender					
c. on the basis of age					
d. on the basis of religious belief					
e. on the basis of sexual orientation					
f. on the basis of ethnic origin/skin colour					
g. on the basis of disability					

8. How much do you feel that you know about discrimination?

	Nothing	A little	Average	Quite	Quite a lot
a. Overall					
b. on the basis of gender					
c. on the basis of age					
d. on the basis of religious belief					
e. on the basis of sexual orientation					
f. on the basis of ethnic origin/skin colour					
g. on the basis of disability					

9. How much do you know which Maltese Law tackles issues of equality and discrimination:

	Nothing	A little	Average	Quite	Quite a lot
a. on the basis of gender?					
b. on the basis of age?					
c. on the basis of religious belief?					
d. on the basis of sexual orientation?					
e. on the basis of ethnic origin/skin colour?					
f. on the basis of disability?					

10. In the space below write one sentence about what you understand by

a. 'equality'.

b. 'discrimination'.

11. Consider the following statements and indicate how much you agree/disagree with them

	Strongly disagree	disagree	Not sure	agree	Strongly Agree
d. A civil servant is allowed to work beyond 65 years.					
b. A female who is promoted to Director even though there were 5 male applicants.					
c. There should be access to all government buildings for disabled persons.					
d. Family friendly measures should be promoted among male workers.					
e. There should be language translation provision for immigrants asking for services.					
f. Schools need to take steps to respect a wide range of different religions.					
g. A person who is good at his/her work should be promoted even if still quite young.					
h. Transgender persons should be allowed to wear clothes of their preferred gender for work.					
i. Men are better heads than females.					
j. Government organisations should respect and implement practices which respect other religious feasts e.g. Ramadan for Muslims					
k. Disabled persons should be encouraged to apply for promotion					
l. Government's healthcare services should respect the requirements of different religions					
m. Welfare services need to be more proactive in meeting the needs of migrants					
n. Public services should be made available to Trans people on the basis if the gender with which they identify.					
o. Government should invest in offering in Braille for blind people.					
p. The police need to develop positive relationships with immigrant communities.					
q. A job should first be offered to a Maltese person, and not to somebody who is not Maltese					
r. Workers should continue with their studies even if they are over 40 years old;					
s. Health services need to take steps to be sensitive to the needs of same sex partners.					
t. Positive action is needed in civil service employment to have more women at senior management level.					

Section 3: Your experience of discrimination at your workplace

12. Have you ever personally experienced AT WORK discriminatory behaviour towards you due to your?

	Never	A few times	Every now and again	often	regularly
a. of gender?					
b. age?					
c. religious belief?					
d. sexual orientation?					
e. ethnic origin/skin colour?					
f. disability?					

13. If you experienced discrimination: did you:

- a. do nothing about it? Why? _____
- b. reported it: To whom? _____
- c. shared it with others with whom? _____
- why didn't you report it? _____

14. Have you ever personally witnessed AT WORK discriminatory behaviour towards others (workers & persons getting services) due to their:

	Never	A few times	Every now and again	often	regularly
a. gender?					
b. age?					
c. religious belief?					
d. sexual orientation?					
e. ethnic origin/skin colour?					
f. disability?					

15. If you witnessed discrimination: did you:

- a. do nothing about it? Why? _____
- b. reported it: To whom? _____
- c. shared it with others with whom? _____
- why didn't you report it? _____

16: With respect to discrimination based on gender/age/religious belief/sexual orientation/ethnicity or skin colour/disability can you give ONE EXAMPLE where steps were taken:

- a. to prevent discrimination?
- b. make adjustments for diversity?
- c. to advance equality for people?

17. Indicate whether at your workplace different aspects of discrimination (i. e. placing some groups at a disadvantage) may be intentionally or unintentionally present in:

	Never	A few times	Every now and again	often	regularly
the type of services you offer?					
providing access to the services you offer?					
the way you provide information?					
treating complaints related to your services?					
providing access to your premises?					
the treatment of employees within your institution?					
opportunities for promotion?					

18. Indicate if your organisation has the following:

	Yes	No
a policy on discrimination		
a policy on harassment		
a policy on equality		
an action plan for equality		
procedures to take account of difference and diversity		
any staff with particular responsibility for equality and diversity		

19. How often does your organisation:

	Never	A few times	Every now and again	often	Regularly
review its practices to assess for discrimination and for advancing equality?					
Review new services offered prior to implementation to ensure equality?					
take action to rectify situations of inequality which may arise?					
Include the issue of equality and discrimination in discussions related to the running of the organisation?					
Include the issue of equality and discrimination in discussions related to its operation?					
Include the issue of equality and discrimination in discussions related to how employees are treated?					
Organise training for staff on equality and diversity?					

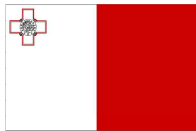
Section 4: Information about discrimination

20. Please indicate whether you would like to learn more about the following:

	Yes	No
a. Malta's Laws with respect to discrimination		
b. The role of the National Commission for the Promotion of Equality (NCPE)		
c. The various services related to discrimination offered by NCPE		
d. skills to promote equality and diversity		
e. Skills to prevent and address discrimination		
f. strategies to make your organisation better at dealing with equality and discrimination		

21. Indicate which forms of training or support you would prefer. (You can tick more than one option)

	Yes	No
a. direct training tailored to the needs of your organisation:		
b. training with other organisations:		
c. on-line training:		
e. have access to manuals, guidelines etc.:		



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