

Organisations that can help:

Intercom Trust Dorset

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LGBT Workers Group

Dorset County Council – contact

Equality South West LGB
Network

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Sexual orientation factsheet

Sexual orientation (being lesbian, gay, bisexual or heterosexual)

Key points about sexual orientation

Sexual orientation means the direction in which someone is erotically, emotionally, and sexually attracted. Where the direction is towards people of the opposite gender the sexual orientation is heterosexual; where the direction is towards people of their own gender the sexual orientation is lesbian or gay; where the direction is towards both genders in equal or unequal measure the sexual orientation is bisexual.

This topic includes virtually everyone. Everyone has a sexual orientation. Services should be delivered as needed, without discrimination against or towards any sexual orientation.

Sexual orientation (in whatever direction) usually becomes clear to the individual during adolescence. However, some people remain uncertain, and others may be actively in denial, of their sexual orientation, and may finally accept the way they have grown up only in middle or even older age. Procedures should be in place to ensure that someone coming Out in later life is not discriminated against on grounds either of age or of sexual orientation.

Discrimination against people for being heterosexual is rare in the UK: heterosexual people are in the majority, and so, logically, services tend to discriminate, if at all, against the other orientations. However, if a service appears to be less accessible to people who are heterosexual than it is to people who are LGB (lesbian, gay or bisexual), then it should be scrutinised to make sure that any actual discrimination is legal, necessary for the purposes of the service, and proportionate to the needs and outcomes. If this cannot be shown, then the service needs to be redesigned without unfair discrimination.



Example: if an HIV/AIDS service were targeted exclusively on gay men, and there were no other services available in that area to women or to men who are not gay, this might well involve unlawful discrimination.

Such a case would be very unlikely. Discrimination in that direction is very rare indeed. It is more common to find cases where generic services or employers discriminate against LGB people either through bad strategic planning, or, sometimes, deliberately because of individual or institutional prejudice.

If someone's sexual orientation is irrelevant to the matter in question, it should not be an issue, and it is wrong to enquire as to what it may be.

Great care must be taken at all times that people who have grown up lesbian gay or bisexual are never treated as victims of their minority sexual orientation. Where LGB people are disadvantaged this is not because they are LGB. Such disadvantage is due to the fact that people have to live in a prejudiced or uninformed social environment.



Indirect (unintentional) discrimination

Unintentional discrimination arises out of lack of knowledge, usually amongst heterosexual people who are delivering, managing or planning services, about the issues that affect LGB people but do not affect heterosexual people.

Many of these issues are to do with invisibility. Unlike many minorities, LGB people often feel we have to protect ourselves from disclosing that we are LGB in our local environment. Local environments of this kind might well include a family, a neighbourhood, a school, a workplace, a fitness-centre or other leisure activity, a place of worship, a retirement-home, or a care environment (such as a health-centre, hospital, or sheltered accommodation).

This choice of protective invisibility is very common indeed in the rural South West. It is not unusual for people growing up in conservative family or other social environments to embark on opposite-gender marriages or other relationships—often as a matter of camouflage, but sometimes as a statement of denial or because of low self-confidence and self-esteem.

Example: any service targeted at married couples and others in opposite-sex relationships will inevitably include amongst its service-users people who are LGB but are not known as such to their spouse / children / in-laws etc. Where staff are heard to make diminishing or negative remarks about LGB people, this will be particularly offensive to these service-users, and will constitute an unlawful barrier to accessing the service.

There are also bisexual people in opposite-sex relationships who are open with their families about their bisexuality. They may well also disclose this, if it is relevant, to service-providers.

However, it should always be assumed, for instance in the context of using appropriate and inclusive language, that in

any opposite-sex relationship one (or even both) partners may in fact be LGB.

There is no requirement on anyone, whatever their sexual orientation, to disclose it in the ordinary way of living their lives (e.g. to employers, relations, service-providers in any sector). This is a legally-protected part element of people's personal lives.

It can safely be said on the basis of wide experience across the South West that asking people to define their sexual orientation in a monitoring exercise will almost always produce seriously misleading results. Moreover, such an exercise will also be resented as disrespectful or even inflammatory by some, and as unacceptably intrusive by many others. Only a small (and in this context unrepresentative) proportion of LGB people will welcome it. The end result is inevitably an unrealistically low measure of LGB respondents, and a lessening of positive trust and confidence in the service-provider or employer.

More reliable and more useful demographic data can be found by contacting an inclusive grassroots community-led agency that is active in the area.

It is rare for an LGB person to be Out (that is, non-invisible) to absolutely everyone we meet or may meet. The great majority of us fine-tune our disclosures depending on the local environment. Again, such choices are protected in law as part of people's private lives.

For example, someone may be fully Out at work since they feel that is a safe environment, completely invisible within their place of worship, and partially Out within the family (e.g. to a sister but not a brother, to the father but not the mother, etc.). The key issue in the workplace will be that there is no overlap with their religious community or family. If however a family member or co-religionist then happened to join the same workplace, this could well lead to very serious negative developments in their lives.

Direct (intentional) discrimination

Four systems should be in place to protect service-providers and employers against any incident of intentional discrimination:

- Quality-assurance monitoring of services
- Regular reviews of employee performance
- Accessible and confidential procedures for both complaints and grievances, and
- Sound recruitment policies.

There is no legal exemption on grounds of conscience in respect of delivering services without discrimination on the basis of sexual orientation.

A staff member who has faith-based issues with this element of equality has the right to ask their employer to identify whether there is any other appropriate and available post within the organisation or firm which would not cause them this particular problem, and to which they could be reassigned.

Cross-cutting issues (multiple disadvantage)

Many people are vulnerable to discrimination on several grounds. LGB people may also be disadvantaged in the UK nowadays on grounds of faith or unbelief or other cultural background, gender (male or female), gender identity (they may also be transgendered), ethnicity, age (both younger and older people), learning difficulty, mental health problems, poverty, or physical difference such as being Deaf or needing mobility help.

For example, many lesbians and gay women find they are discriminated against as women as well as on grounds relating to their sexual orientation.

All provision for people from disadvantaged communities should be tested to ensure it is freely and appropriately accessible to LGB members of that community in conditions which are clearly secure and confidential - in other words, the same care should be taken as for the general population (e.g. the more affluent), but this may require more careful planning.

For example, where someone is cared-for and their carer acts in effect as a gateway both to knowledge and to activity, the service-user may be eager to find help in speaking confidentially to someone without their carer's knowledge or involvement.

Commonly-accepted terminology

As always in dealing with members of the public, the key is not to offend. A negative tone or expression can be as important (and as unlawful) as an openly offensive term. Where offence has been caused (inadvertently or not), it is vital to learn. If it is relevant to know this in the first place, people should be asked how they prefer to be identified, or addressed: no-one can reasonably take offence at being asked for the first time, but it is very important to ensure that what they have said goes on the record so that that terminology is accurately used into the future for that person.

“Gay” is widely acceptable for LGB men.

“Homosexual” (whether for men or women) is widely perceived as negative and discriminatory for very sound historical reasons.

Some women prefer to identify as “gay women” rather than “lesbian”. This choice must be respected.

Other women prefer to identify as “lesbian” rather than as “gay”. This choice must be respected.

Some LGB people prefer to identify as “queer”. This choice must be respected.

There are men who have sex with men, and women who have sex with women, who are very negative about the words “gay” and “lesbian” and “bisexual”. Their preferred terminology, whatever it is in each case, must be respected.

