

## **The Equality Act 2010**

The Equality Act 2010 came into force on 1 October 2010 and replaced previous anti-discrimination legislation. It covers exactly the same groups of individuals protected by the previous legislation. However the headings of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage & civil partnership, and pregnancy & maternity are known as 'protected characteristics.'

The Act also extends some of these protections to characteristics not previously covered by equality legislation. There are a number of different types of discrimination under the legislation.

### **Direct discrimination**

Where someone is treated less favourably than another person because of a protected characteristic.

### **Associative discrimination**

This is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

### **Discrimination by perception**

This is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.

### **Indirect discrimination**

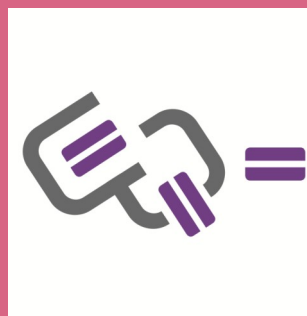
This can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

### **Making or telling someone to discriminate**

It is illegal to make someone discriminate against, harass or victimise a certain individual or group.

#### **Protected characteristics:**

Age  
Disability  
Gender reassignment  
Race  
Religion or belief  
Sex (gender)  
Sexual orientation  
Marriage and civil partnership  
Pregnancy and maternity



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Email:

**[advice@equipequality.org.uk](mailto:advice@equipequality.org.uk)**

**Discrimination arising from Disability only** covers both discrimination arising from your disability and failure to make reasonable adjustments.

### **Discrimination arising from disability**

This relates to someone being treated unfavourably because of something arising in consequence of their disability. For example you may have been treated unfairly because of something connected to your disability such as special equipment or adaptations rather than the disability itself.

### **Duty to make reasonable adjustments for disabled people**

There is a duty on employers and providers of education, housing and other services to make reasonable adjustments to allow disabled users to access premises and services.

### **Harassment**

This is behaviour that is deemed offensive by the recipient. Employees can complain of the behaviour they find offensive even if it is not directed at them.

### **Victimisation**

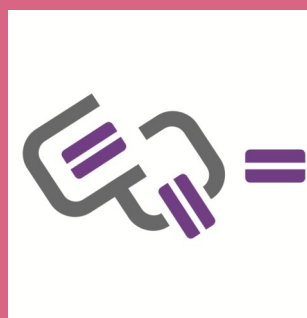
This occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

### **So what are the remedies?**

Get advice first and foremost—approach EQUIP for more help, advice and support. We run a free casework support service on discrimination but you may need independent legal advice that may be chargeable. We specialise in discrimination cases relating to access to services, housing, education, NHS. In employment discrimination cases there is usually a **3 month time limit** so don't delay. Any case has to go through ACAS for mediation first, there is a long delay in getting to an Employment Tribunal so get in touch soon.

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