

Equality Act 2010



What is the Equality Act 2010?

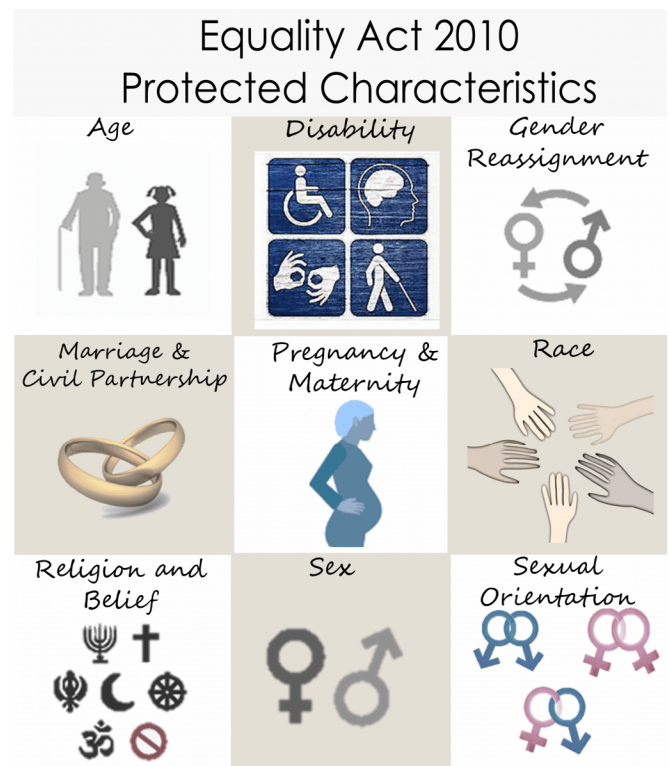
The Equality Act 2010 is a legal framework which seeks to eliminate discrimination, ensure equality of opportunity, promote good relations between people who share a 'protected characteristic' and prevent harassment and victimisation.

Watch this video from the Equality and Human Rights Commission:

[Click here to watch the video](#)



There are [9 protected characteristics](#) and it is against the law to discriminate against someone because of any of these.



There are four main types of discrimination

1. Direct discrimination

This means treating one person worse than another person because of a protected characteristic.

2. Indirect discrimination

This means an organisation makes a rule, has a policy or a way of doing things which has a worse impact on a person with a protected characteristic than a person without one.

3. Harassment

This means treating a person in a way that does not respect their dignity, or causes them to feel intimidated or offended

4. Victimisation

Victimisation means being treated unfairly because you have made a complaint about discrimination personally or you are supporting someone who has experienced discrimination to make a complaint.

Discrimination does not have to be intentional to be unlawful

Under the Equality Act you are protected from discrimination in the following settings:

- workplace
- public services like health and social care (e.g. visiting your doctor) or education (e.g. college)
- businesses and other organisations that provide services and goods (e.g. shops, restaurants, and cinemas)
- public transport
- clubs or associations
- public bodies (The Equality Act requires public bodies e.g. local authorities, hospitals, and publicly funded service providers to think about how their decisions and policies affect people with different protected characteristics and

need to provide proof to show how it has done this.)

One of the protected characteristics is **disability**. The Equality Act 2010 defines disability as having a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

The Equality Act and reasonable adjustments (changes)

The Equality Act recognises that ensuring equality for disabled people means:

- changing the way in which services are delivered
- providing extra equipment and/or
- the removal of physical barriers

This is the 'duty to make **reasonable adjustments**'. A duty is something that must happen, in this case because it is the law.

The duty is 'anticipatory'. This means an organisation must not wait until a disabled person wants to use its services but instead think in advance (and on an ongoing basis) about what disabled people might reasonably need.

We come across anticipatory reasonable adjustments daily, without even recognising them, for example:

- pedestrian crossings with an auditory tone to indicate when it is safe to cross for people who have a visual impairment
- a portable induction loop for people with a hearing impairment
- wider doorways and lifts for people with a mobility impairment
- information in easy read for people with a learning disability
- quieter shopping hours in supermarkets, when the lights are dimmed and the music is turned off for autistic people

Family Carer Advocacy Resource

If an organisation has achieved the [Advocacy Quality Performance Mark](#) for equality, diversity and accessibility, here is what it should have in place:

- An up to date Equality and Diversity Policy that meets the requirements of current legislation and recognises the need to be pro-active in tackling all forms of inequality, discrimination and social exclusion so that everyone is treated fairly.
- Procedures to ensure that any issues or complaints regarding equality and diversity are resolved effectively and in a timely fashion.
- Equality and Diversity training and the impact of this is checked eg during supervision/ appraisals.
- Advocates' time is allocated equitably.
- Reasonable adjustments.
- Policies, procedures, and publicity materials promote full access for the people who use its service.
- Information and language that is easy to understand and accessible.
- Accessible premises or the use of accessible meeting spaces that create a welcoming environment for all.
- Opening hours that are accessible for the people who want to use or refer to the service.
- A contingency plan to ensure a service is still available during periods of staff illness or holiday.
- A free service if people are entitled and if the organisation is funded directly to provide this service.

Further information:

Read the government's guidance about the Equality Act 2010:



[Click here to read more](#)

Explore the Disability Rights UK website and the Right to Participate website which also includes examples of how people have used the Equality Act to challenge discrimination, harassment, and victimisation:



[Click here to go to the Disability Rights UK website](#)



[Click here to go to the Right to Participate website](#)

This link provides information about carers rights under the Equality Act:



[Click here to read more](#)

Read this leaflet "Equality Act 2010: What do I need to know as a carer?":



[Click here to read the leaflet](#)

This link from Mind provides information about 'Discrimination in everyday life' including the type of discrimination people with a mental health condition may experience and the solutions which should be offered:



[Click here to read more](#)