

# Equality

The Equality Law 2010 is designed to ensure everyone is treated equally and to protect people from discrimination. Discrimination means being treated differently, less favourably or worse than others. The law is complicated and understanding what counts as discrimination is also complicated. If you feel you have been discriminated against ask for advice, see page 3 for details of organisations that offer free advice.

The Equality law protects you from discrimination:

- in education (eg schools and colleges) and with training providers
- when using public services such as GPs and hospitals, the local council, the police or government departments such as Jobcentre Plus
- at work. Employers have to make sure you get the same training, pay and promotion as other staff. They cannot discriminate when recruiting eg through questions on the application form or during an interview
- as a consumer when shopping and using other service industries such as banks, hotels, pubs and cafes, estate agents, private landlords housing associations or others selling, letting houses and homes.
- as a guest or member of a private club or association.

In those circumstances you are protected on the grounds of:

- Disability
- Gender
- Gender reassignment
- Sexual orientation
- Marriage or civil partnership (in employment only)
- Age (some exceptions)
- Religion or belief
- Pregnancy or maternity
- Race

These are also called 'protected characteristics'.

The law also protects you if you are associated with someone who has a protected characteristic and you are also treated less favourably.

Discrimination could be:

- Direct – when someone is treated less favourably than others because of a 'protected characteristic'.
- Indirect – when someone puts in place a rule that will apply to everyone but put you at an unfair disadvantage because of your 'protected characteristic' see below
- Harassment – unwanted or uninvited behaviour that is embarrassing, humiliating or offensive
- Victimisation – when someone has complained about discrimination or supported someone who has and is then treated unfairly.

**March 2019**

© C & K Careers Ltd

## Disability

The term disability includes people with physical disabilities, a learning disability or mental health problem in work, education, employment and accessing consumer services but in some areas of public services such as transport it is not against the law to discriminate on grounds of disability.

It is unlawful for an employer to ask you about your health until they have made you a job offer. If you are at a substantial disadvantage compared with someone who is not disabled, reasonable changes (adjustments) must be made by your employer or someone providing goods and services.

## Sexual orientation

This covers people attracted to:

- people of the same sex (lesbians and gay men)
- people of the opposite sex (heterosexual)
- people of the same and opposite sex (bisexual).
- It also covers people who identify as asexual (not sexually attracted to other people)

If discrimination takes place on the grounds of your sexual orientation in employment and training, education, accessing goods and services, housing, public services it is illegal and you may be able to take action against it.

## Religion and belief

You have the right to hold your own religious beliefs or beliefs similar to religion. If discrimination takes place on the grounds of your religion, belief or lack of any belief in employment and training, education, accessing goods and services, housing, public services it is illegal and you may be able to take action against it. However, in exceptional circumstances employers can recruit someone of a specific belief but they have to prove this is a genuine requirement for the job. Discrimination can include acts of harassment, victimisation, hate crimes, indirect and direct discrimination.

At work, if you have specific requests such as dress codes, food or religious holidays try to discuss these with your employer. ACAS offers advice if you think you have been discriminated against.

## Age

If age discrimination takes place in employment, training or education you may be able to take action against it. It is also against the law for goods and service providers to discriminate against you because of your age, if you are over 18.

This does not replace laws that are already in place around age in the work force such as a minimum age for bar work. There is no longer a default or set retirement age.

## Gender

The law protects men, and women from being treated unfairly because of their gender. If gender discrimination takes place in employment and training, education, accessing goods and services, housing, public services it is illegal and you may be able to take action against it. At work, you should receive equal pay for work of equal value. There can be exceptions to the law where there is a genuine occupational reason that a task has to be done by a particular sex.

## Gender re-assignment

This protects you if:

- you have changed sex
- you are in the process of changing sex
- you have told someone you are thinking of changing your sex.

## Racial discrimination

This term includes race, nationality, citizenship and ethnic origin. If race discrimination takes place in employment and training, education, accessing goods and services, housing, public services it is illegal and you may be able to take action against it.

## Maternity and pregnancy

This covers those expecting a baby and those who have recently had a baby.

**The Commission for Equality and Human Rights (EHRC)** is responsible for equality and human rights. If you feel you have been discriminated against contact the Equality and Advisory Support Service (EASS) for further advice.

Freepost EASS Helpline

FPN6521

T: 0808 800 0082

Textphone: 0808 800 0084

Open: 9.00am - 7.00pm Monday to Friday

10.00am - 2.00pm Saturday

W: [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

## Info

[www.acas.org.uk](http://www.acas.org.uk)

For information and advice about rights at work

[www.gov.uk/discrimination-your-rights](http://www.gov.uk/discrimination-your-rights)

For brief information about the Equality Act and your rights

[www.citizensadvice.org.uk/law-and-courts/discrimination/](http://www.citizensadvice.org.uk/law-and-courts/discrimination/) Information from Citizen's Advice

## Who can I contact if I want more information?



W: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) Overview of the legislation

T: 0300 123 1100 - The ACAS Helpline