

SUMMARY OF THE EQUALITY ACT 2010

This page briefly summarises the Equality Act 2010.

Under the Act it is unlawful to treat anyone less favourably on the basis of the following 'protected characteristics':

- Religion or belief - includes having no religious belief
- Race
- Age - currently applies to employment only.
- Sex
- Sexual orientation
- Gender reassignment
- Disability
- Marriage and civil partnerships
- Maternity and pregnancy.

Currently age discrimination applies to employment only. The government is consulting on proposed exceptions to the ban on age discrimination for the provision of services such as:

- free eye-sight tests or prescriptions to young people under 16 years or above 65 years
- cervical or breast screening for people of certain ages
- geriatric services for elderly people.

The government plans to bring these exceptions into force in 2012 when the consultation is complete.

Direct Discrimination

Direct Discrimination occurs when a person treats another less favourably than they treat or would treat others because they:

- have a protected characteristic
- associate with someone who has a protected characteristic, for example carers, family, friends (discrimination by association)
- are thought to have a protected characteristic (discrimination by perception).

Indirect Discrimination

Indirect discrimination is where a policy or practice that applies to everyone particularly disadvantages people who have a protected characteristic.

Harassment

Harassment is unwanted conduct that violates a person's dignity or creates an environment that is hostile, intimidating, degrading, humiliating or offensive. Harassment can be a serious one-off incident. Bullying is a form of harassment.

Victimisation

Victimisation is detrimental treatment because a person has made or intends to

make a complaint about or bring proceedings under the Act. It can apply to someone not covered by the act who helps a protected person with a complaint or a claim.

Definition of disability

A person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.

Impairment includes conditions such as Downs Syndrome, asthma, diabetes, arthritis, dyslexia, learning disabilities. Some people, including those with cancer, multiple sclerosis and HIV/AIDS are automatically protected as disabled people. People with severe disfigurement will be protected as disabled.

For more in-depth information visit [Equality Act 2010](#) or contact a member of the Patient Experience Team.