

Everyday Equality: challenging discrimination in welfare benefits

Is it discrimination?

Equality Act 2010 says what is unlawful discrimination.

Unlawful discrimination is unfair treatment based on a protected characteristic

The protected characteristics are:

- Age
- Disability
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Transgender

What happened?

- treated differently and worse
- an apparently neutral policy has a different impact + disadvantage
- harassed or subjected to an intimidating environment
- treated unfavourably after complaint about discrimination
- something creates a barrier or disadvantage for a disabled person
- a disabled person is treated unfavourably

direct discrimination

indirect discrimination

harassment

victimisation

a failure to make reasonable adjustments

discrimination because of something arising in consequence of disability

DWP and other public authorities must not discriminate when they provide services or carry out public functions