



The Willows School
Academy Trust
Learning - Achieving - Succeeding

Equalities Policy

Equality Act 2010 – Protected Characteristics

When are you protected from discrimination?

Discrimination means treating you **unfairly** because of who you are. The **Equality Act 2010** protects you from discrimination by:

- employers
- businesses and organisations which provide goods or services like banks, shops and utility companies
- health and care providers like hospitals and care homes
- someone you rent or buy a property from like housing associations and estate agents
- schools, colleges and other education providers
- transport services like buses, trains and taxis
- public bodies like government departments and local authorities.

There are nine **protected characteristics** in the Equality Act. Discrimination which happens because of one or more of these characteristics is unlawful under the Act. We all have some of these characteristics - for example, sex or age - so the Act protects everyone from discrimination.

If you're treated unfairly because someone thinks you belong to a group of people with protected characteristics, this is also unlawful discrimination.

Protected Characteristics

The Equality Act 2010 makes it unlawful to discriminate against people with a 'protected characteristic'. So what exactly are these protected characteristics.

The protected characteristics are as follows:

Age: The Act protects people of all ages. The age specific protections have not yet been fully implemented and age is still the only protected characteristic by which

direct or indirect discrimination can be justified (if it can be argued that treating someone differently because of their age is meeting a legitimate aim).

Disability: The Act applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.

Gender Reassignment: The definition of gender reassignment has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.

Pregnancy and Maternity (including breastfeeding mothers): A woman is protected against discrimination on the grounds of pregnancy and maternity. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. Also, it is unlawful to discriminate against women breastfeeding in a public place.

Marriage and Civil Partnership: The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

Race: This includes colour, ethnic / national origin or nationality.

Religion or belief: The Act covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.

Sex: Previously referred to as gender. Applies to male or female.

Sexual Orientation: The Act protects lesbian, gay, bi-sexual and heterosexual people.

Discrimination by association

The Act also protects you if people in your life, like family members or friends, have a protected characteristic and you're treated unfairly because of that. This is called **discrimination by association**. For example, if you're discriminated against because your son is gay.