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Background

A recent learning review in Salford highlighted the need for all practitioners to be aware of the requirements of the Equality Act 2010. Under this legislation, public services and private businesses have a duty to make reasonable adjustments to the way they deliver their services so that a person with a disability can access the same services as someone without a disability and is not disadvantaged. If a person is not able to access a service because of their disability, this amounts to discrimination.

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Legislation

The [Equality Act 2010](#) was introduced to make the law about discrimination easier to understand. The purpose of the legislation is to protect people from discrimination not only in the workplace but in wider society covering many situations including accessing public services. It clearly sets out the different ways in which it is unlawful to treat someone. [Guidance](#) published in December 2023 outlines the duty of public authorities to comply. Failure to comply with the duty may result in legal action.

3

Protected Characteristics

It is against the law to discriminate against anyone because of:

- age
- gender reassignment
- being married or in a civil partnership
- [being pregnant](#) or on maternity leave
- [disability](#)
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

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Definition of Disability

A person is [disabled](#) under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. Addiction / dependence on alcohol or any other substance is not regarded as an [impairment](#) for the purposes of the Act.

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In Practice

In practice this means that professionals who work with children and families, including when a child is subject to a Child Protection plan, must ensure that the appropriate specialist services are in place at the right time to inform assessments. This will ensure that risk assessments and Child and Family assessments include a robust understanding of any adult health needs and therefore identify what reasonable adjustments are required.

Further info

[Equality Act 2010 \(legislation.gov.uk\)](https://www.gov.uk/legislation/equality-act-2010)
[Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/equality-act-2010-guidance)
[Public Sector Equality Duty: guidance for public authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/public-sector-equality-duty-guidance-for-public-authorities)



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Reasonable Adjustments

Service providers are required to make changes, where needed, to improve services for customers with a disability or potential customers. There is a legal requirement to make [reasonable changes](#) either to the way things are done, or to the built environment, and to provide extra aids and services, e.g. accessible information or additional staff support.

Reasonable changes are required wherever customers with a disability would otherwise be at a substantial disadvantage compared those without a disability.

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Discrimination arising from Disability

The Equality Act 2010 introduced the concept of [Discrimination](#) arising from disability. This happens when a person with a disability is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified. A person is legally protected from discrimination by the Equality Act 2010.