

Discrimination at Work:

Know the Law

The 9 protected characteristics, types of discrimination, harassment, victimisation and how to take action under the Equality Act 2010.



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Equality Act 2010 · EHRC



England, Wales & Scotland

ukworkrights.co.uk

The 9 protected characteristics

- **Age** — any age group, not just older workers
- **Disability** — physical or mental impairment with substantial, long-term effect
- **Gender reassignment** — proposing to undergo, undergoing or having undergone a process to reassign sex
- **Marriage and civil partnership** — in employment only
- **Pregnancy and maternity** — during pregnancy and maternity leave period
- **Race** — colour, nationality, national or ethnic origin
- **Religion or belief** — includes lack of religion or philosophical belief
- **Sex** — a man or a woman
- **Sexual orientation** — gay, lesbian, bisexual, heterosexual

THE EQUALITY ACT 2010

All 9 characteristics are protected in all aspects of employment — recruitment, pay, promotion, training, dismissal and beyond.

Four types of unlawful discrimination

- 1 Direct discrimination**
Treating someone less favourably because of a protected characteristic. Example: not promoting a woman because she might go on maternity leave.
- 2 Indirect discrimination**
A rule or practice that applies to everyone but puts people with a protected characteristic at a disadvantage — unless it can be objectively justified. Example: requiring everyone to work Saturdays where this disadvantages observant Jewish workers.
- 3 Harassment**
Unwanted conduct related to a protected characteristic that violates dignity or creates a hostile environment. Includes a single serious incident or persistent low-level behaviour.
- 4 Victimisation**
Treating someone badly because they raised a discrimination complaint or supported someone else's complaint. Cannot happen even if the original complaint was unfounded.

THE FACTS

9

Protected characteristics under the Equality Act
2010

Uncapped

Compensation in discrimination Tribunal claims —
no upper limit

Day 1

Protection from discrimination applies from before
you even start — including during recruitment

3 months

Time limit to bring a claim — 3 months less one day
from the act complained of, where it happened
before 1 October 2026

6 months

Extended Tribunal time limit from October 2026
(ERA 2025)

Both

Employer and individual perpetrator can both be
liable for discrimination

If you experience discrimination

- 1 Keep a detailed record**
Note dates, times, what was said, who witnessed it. Save emails and messages. A contemporaneous diary is powerful evidence.
- 2 Raise a formal grievance**
Put your complaint in writing to HR. This triggers your employer's legal obligation to investigate. Keep a copy of everything you submit.
- 3 Contact the EHRC or ACAS**
The Equality Advisory and Support Service: 0808 800 0082. ACAS: 0300 123 1100. Both can advise on your options.
- 4 ACAS early conciliation before Tribunal**
Required before any Employment Tribunal claim. Time limit is 3 months less one day, or six months less one day for acts on or after 1 October 2026 — do not delay.

Frequently asked questions

Q Does the discrimination have to be intentional?

No. Direct discrimination can be unintentional. Indirect discrimination does not have to be intentional — the effect on the group matters, not the motive. The Equality Act focuses on outcome, not intent.

Q Can I be discriminated against during recruitment?

Yes — and it is unlawful. You are protected before employment begins. Employers cannot ask about your health, pregnancy status or disability during recruitment except in very limited circumstances.

Q What is associative discrimination?

Being discriminated against because of someone else's protected characteristic — for example, being treated badly because your partner is disabled. This is unlawful under the Equality Act even though you don't have the characteristic yourself.

Q My employer did an investigation and found no evidence — what now?

An internal investigation finding does not prevent you bringing an Employment Tribunal claim. Tribunals conduct their own independent assessment of the evidence. Contact ACAS and consider your options.

FREE RIGHTS GUIDANCE

Check your *discrimination rights*

Free help on the Equality Act, harassment and how to take action.

**EASS (EQUALITY ADVISORY AND SUPPORT
SERVICE)**

0808 800 0082

equalityhumanrights.com

ACAS

0300 123 1100

acas.org.uk

CITIZENS ADVICE

0800 144 8848

citizensadvice.org.uk

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