

Direct discrimination

Direct discrimination is when someone is put at a disadvantage or treated less favourably because of a 'protected characteristic'.

By law (Equality Act 2010), protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Less favourable treatment can be anything that puts someone with a protected characteristic at a disadvantage, compared to someone who does not have that characteristic.

There's no legal definition of 'disadvantage'. But it might include excluding someone from opportunities, causing them distress, or making it harder to do their job.

For pregnancy and maternity, discrimination means treating someone 'unfavourably'. There's no need to compare with how someone else is treated.

Types of direct discrimination

There are 3 types of direct discrimination. These are when it happens to a person who:

- has a protected characteristic – sometimes called 'ordinary' direct discrimination
- has a connection with someone with a protected characteristic – called 'discrimination by association'
- is thought to have a protected characteristic when they do not – called 'discrimination by perception'

Direct discrimination against someone who has a protected characteristic

This is when someone is put at a disadvantage and treated less favourably because of a protected characteristic they have. It's sometimes known as 'ordinary' direct discrimination.

Example of direct discrimination because of someone's protected characteristic

Mo is a woman and applies for a job with a company selling farm machinery. The employer rejects the application because they think men have better technical skills and would have more credibility with customers. This is direct discrimination because of sex.

When 'ordinary' direct discrimination might be allowed

Sometimes direct discrimination is allowed if there is 'objective justification'. This means the employer is able to prove there's a good business reason.

It only applies in some situations related to age and disability.

[Find out more about objective justification](#)

Discrimination by association

'Discrimination by association' is a type of direct discrimination. It's also known as 'associative discrimination'.

It means discriminating against someone because of their connection with either:

- someone who has a protected characteristic – for example a family member, friend or colleague
- a group of people who have a protected characteristic

Discrimination by association does not apply to the protected characteristics of:

- marriage and civil partnership
- pregnancy and maternity

Example of discrimination by association

Al has a close friend who had gender reassignment surgery. After some people at work find out about this, they stop inviting Al to work social events. This could be discrimination by association, as gender reassignment is a protected characteristic.

Discrimination by perception

'Discrimination by perception' is another type of direct discrimination. It's also known as 'perceptive discrimination'.

It means discriminating against someone because of a 'perceived' protected characteristic. For example thinking someone is a certain age and discriminating against them because of it, when they're not actually that age.

Discrimination by perception does not apply to the protected characteristics of:

- marriage and civil partnership
- pregnancy and maternity

Example of discrimination by perception

Ashley wears a rainbow bracelet to display commitment to LGBT+ equality. Some colleagues think this means Ashley is a lesbian and they draw offensive graffiti on Ashley's locker. Ashley is not a lesbian, so this is discrimination by perception on the grounds of sexual orientation.

Find more examples

Read more examples of direct discrimination in our advice on:

- [age discrimination](#)

- [disability discrimination](#)
- [gender reassignment discrimination](#)
- [marriage and civil partnership discrimination](#)
- [pregnancy and maternity discrimination](#)
- [race discrimination](#)
- [religion or belief discrimination](#)
- [sex discrimination](#)
- [sexual orientation discrimination](#)

What you can do

If you think you've been discriminated against at work, you should raise the issue with your employer. You can raise the problem informally or formally.

If you're an employer, you should take any complaint of discrimination very seriously and look into it as soon as possible. You must follow a full and fair procedure.

If you think someone else at work is being discriminated against, there are actions you can take.

Find out more about:

- [what to do if you've experienced discrimination](#)
- [how employers should handle a discrimination complaint](#)
- [witnessing discrimination](#)

Get more advice and support

You can contact the:

- [Acas helpline](#)
- [Equality Advisory and Support Service \(EASS\)](#)

You can find more detailed legal guidance on the Equality Act 2010 in the [Employment: Statutory Code of Practice from the Equality and Human Rights Commission](#).