

Disability discrimination

The law on disability discrimination

Disability is one of 9 'protected characteristics' covered by discrimination law (Equality Act 2010).

Disability discrimination includes direct and indirect discrimination, harassment and victimisation.

Disability discrimination can happen in any aspect of work. It can result from decisions made at work or from how people behave towards each other.

It could be a regular pattern of behaviour or a one-off incident. It can happen in the workplace, at work social events or when people are working remotely.

Terms used around disability

We use the social model of disability, that says people are disabled by barriers in society, not by their impairment or difference. We generally use the term 'disabled people' rather than 'people with disabilities'.

Some people will use different terms to describe themselves. There's no one term that everyone will prefer.

What disability means by law

The Equality Act 2010 sets out when someone is considered to be disabled.

The law says someone is disabled if both of these apply:

- they have a 'physical or mental impairment'
- the impairment 'has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'

A small number of conditions and impairments are automatically classed as a disability.

[Find out more about what disability means by law](#)

Who is protected by disability discrimination law

At work, the law protects the following people against discrimination:

- employees and workers
- contractors and self-employed people hired to personally do the work
- job applicants
- former employees – usually around providing references

If someone does not tell their employer they're disabled

Nobody has to tell their employer – or potential employer – that they're disabled.

Reasons for not saying anything could include:

- they do not realise their condition is considered a disability by law
- they do not think of themselves as disabled
- they're worried about how their employer might react
- they do not want anyone to know

Employees are still protected from discrimination if their employer could reasonably be expected to know they have a disability.

Find out more about:

- [talking about disability at work](#)
- [considering whether someone has a disability](#)

Past disability

The Equality Act 2010 also protects people who had a disability in the past.

For example:

- someone is turned down for a promotion because of a high absence record in the past, when their employer knows this was because of a serious injury that was considered a disability
- someone is harassed at work because of a past mental health condition

Understanding more about discrimination

[Find out about the different types of disability discrimination](#)

If you need more general discrimination advice, you can read [discrimination and the Equality Act 2010](#). This includes advice on employer responsibilities and on other protected characteristics.

Contact the Acas helpline

If you have any questions about disability discrimination at work, you can [contact the Acas helpline](#).