

## Types of sex discrimination

Sex discrimination includes:

- direct discrimination
- indirect discrimination
- harassment
- victimisation

It's important to understand the different types of sex discrimination. This is so you know what your rights and responsibilities are under discrimination law (Equality Act 2010).

For full definitions of each type of discrimination, read our advice on [discrimination and the Equality Act 2010](#).

Equal pay is also covered by the law. Men and women must get equal pay for doing 'equal work'. Find out more about [equal pay](#).

### Direct discrimination

Direct sex discrimination is when someone is put at a disadvantage or treated less favourably because:

- they're a man or a woman
- they are wrongly believed to be a man or a woman – this is called 'discrimination by perception'

In some circumstances, direct discrimination can happen because of a connection with someone of the other sex. This is called 'discrimination by association'.

[Read the full definition of direct discrimination](#)

### Example of direct discrimination

Rowan is the only woman in the sales team. Rowan's manager thinks men are better at sales than women. Rowan is given less important contracts to work on and is not able to earn as much commission. This is direct discrimination because of sex.

### Example of discrimination by perception

Charlie applies for a job and does not get an interview. The recruiting manager thinks Charlie has the right skills and experience. But they assume Charlie is a man and they would prefer to hire a woman. As Charlie is a woman, this could be sex discrimination by perception.

### Example of discrimination by association

Amal starts a new job and is asked to attend a trade fair abroad. Amal's partner is due to give birth on the day of the trade fair, so Amal says no. The employer dismisses Amal for 'lack of commitment'. This could be sex discrimination by association. Amal is a man but the discrimination is because of their connection with a woman.

## Indirect discrimination

Indirect sex discrimination is when a working practice, policy or rule applies to everyone but puts a person or group at a disadvantage because of their sex.

[Read the full definition of indirect discrimination](#)

### Example of indirect discrimination

Dayo is a woman and works part time. They do not get a promotion because the organisation has a policy that supervisors must work full time. Dayo cannot do more hours because of childcare. As women are more likely to have childcare responsibilities, this is likely to be indirect sex discrimination.

The organisation might be able to defend their decision. They would need to show that their business need is important enough to justify the possible discrimination.

## When a decision might not be discrimination

In certain circumstances, an employer might be able to make or justify a decision based on sex. For example:

- positive action – to address a situation where men or women are at a disadvantage or underrepresented
- occupational requirement – when being a man or a woman is essential for a job
- objective justification – for example when there's a genuine business need

Find out more about:

- [positive action](#)
- [an occupational requirement in recruitment](#)
- [objective justification](#)

## Harassment

There are 3 types of harassment that can happen because of sex. These are:

- harassment related to sex
- sexual harassment
- less favourable treatment as a result of harassment

### Harassment related to sex

Harassment related to sex is when someone experiences unwanted behaviour that's related to them being a man or a woman.

To be harassment, the unwanted behaviour must have either:

- violated someone's dignity
- created an intimidating, hostile, degrading, humiliating or offensive environment

[Read the full definition of harassment](#)

### Example of harassment directed at a specific person

Nikola manages a team of men. Some of them do not like being managed by a woman. They make negative comments about women and undermine Nikola's authority. This creates an intimidating and hostile environment for Nikola.

### Example of harassment not directed at a specific person

A manager regularly comments that men should not take time off to look after their children because women ought to do it. Some people in the team are offended by these comments. This could be harassment, even though the comments were not directed at a specific person.

### Sexual harassment

Sexual harassment is unwanted behaviour of a sexual nature.

[Find out more about sexual harassment](#)

### Less favourable treatment as a result of harassment

This type of harassment is when someone is treated less favourably because of how they responded to previous:

- harassment related to sex
- sexual harassment

[Find out more about less favourable treatment as a result of harassment](#)

### Victimisation

Victimisation is when someone is treated less favourably as a result of being involved with a discrimination complaint.

It does not matter if the complaint was made by them or someone else.

The law also protects someone from victimisation if someone else thinks they're involved with a complaint.

Ways someone can be victimised include being labelled a troublemaker, being left out, or not being allowed to do something.

[Read the full definition of victimisation](#)

### Example of victimisation

Indy is supporting a friend at work who's making a sex discrimination complaint. A manager threatens Indy with dismissal if they continue to support the claim. This is victimisation.

### Contact the Acas helpline

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

Related content

[Types of pregnancy and maternity discrimination](#)