

Discrimination and the Equality Act – advice in BSL

Introduction

Hello and welcome to this Citizens Advice BSL film about discrimination and the Equality Act.

In this film we tell you about the Equality Act, which will start in October 2010. We tell you about what discrimination is, and what you can do if you think you've been treated unfairly. In this film we focus on the rights of Deaf people. We tell you about your rights at work, out and about and in education.

You can find out lots more information about discrimination and your rights on our website at: www.adviceguide.org.uk.

Or you can go to your local Citizens Advice Bureau. You can find your nearest CAB by searching online at: www.citizensadvice.org.uk. You can find out more about how your CAB works in our BSL film that gives an introduction to Citizens Advice.

What is discrimination?

Discrimination means treating someone worse than other people because they have a particular identity or they're part of a particular group.

At the moment there are lots of different laws about discrimination. When the Equality Act starts in October 2010 it will bring all these laws together.

The rights you have at the moment will be stronger, and you will also have some new rights.

So if you've got a problem with being treated worse than other people because you're Deaf, the new Equality Act might give you stronger rights to do something about it.

The Equality Act will also give you rights not to be treated unfairly because of your:

- age
- changed gender
- marriage or civil partnership
- pregnancy or maternity
- race
- religion or belief
- sex
- sexual orientation.

What rights do I have?

Here are some of the rights you'll have as a Deaf or disabled person from October 2010:

At work

The law says that your employer must not treat you worse than other people because of your disability.

For example:

- an employer must not treat you worse than other people if you're **looking for work** and apply for a job with them
- usually, an employer shouldn't **ask you questions about your disability or health** before offering you a job
- your employer must not **bully you** or let other people bully you because you're Deaf
- your employer must not treat you worse than other people or bully you because of a **connection** you have with a Deaf or disabled person. This might be, for example, if you have a Deaf child
- your employer must not treat you worse than other people because you've made a **complaint** about how you've been treated.

Sometimes disabled people have difficulties with parts of their work because of their disability. The law says that your employer must make changes to help you do your job. These are called **reasonable adjustments**.

Reasonable adjustments might be things like:

- being allowed to work flexible hours
- having a BSL interpreter for meetings
- allowing you to work from home sometimes
- moving you to a different job.

Sometimes it may be too difficult or expensive for an employer to make changes to help Deaf or disabled people. Then the law says they might not have to. But employers must always try their best to find a way to help you.

Access to Work

The government also wants to make it easier for disabled people to get good jobs. If you're looking for a job your local Jobcentre Plus can help you. They can also help if you need changes to be made at work because of your disability, through a scheme called **Access to Work**.

Access to Work give money to disabled people or employers to help them buy equipment or make changes at work so they can do their job. For example, if you need a new computer so that you can do your job, Access to Work might be able to help pay for this. They also help to pay for things disabled people need at interview, for example a BSL interpreter.

If you have a problem with how your employer is treating you, you might be able to take action about it. You can find out more about the action you can take in our BSL film about employment.

Out and about

Sometimes Deaf people find that there are difficulties when they try to use a service or get information about a service.

Services are organisations that help us by selling or giving us things we want or need. From October 2010 this will include places like shops, hotels, gyms, transport, where you live, professional services like solicitors, and private clubs.

People who provide services shouldn't refuse you a service or give you a worse service because you're Deaf or disabled. They also shouldn't treat you worse because you've made a complaint about how you've been treated.

For example, a Deaf person who needs to see a solicitor might need a BSL interpreter. Sometimes solicitors won't hire an interpreter. They think it can be too expensive, or that you can manage with a pen and paper. Sometimes they tell clients to come in with a friend or relative.

But the law says that services have to make changes so that Deaf people can use their services. These are called **reasonable adjustments**.

This might be doing things like:

- the solicitor providing a BSL interpreter
- a theatre providing a BSL interpreter for a play
- access for disabled people to the gym or swimming pool
- a private club putting in a hearing loop.

Sometimes organisations can't make the changes that Deaf people would like. This might be because it might cost a lot of money or be very difficult. This can be hard for small organisations who don't have a lot of money.

The law says that organisations don't always have to make all the changes we would like, but they must do their best within reason to be accessible to disabled people.

The law also says that public organisations like the council, social services or hospitals have a special responsibility to make sure they don't treat disabled people worse than other people. Public organisations must work with disabled people when they make their plans.

At school, college or university

If you or your child is Deaf or disabled, you also have rights about how you should be treated at school, college or university.

Schools should make it easier for you or your child to take a full part in school life. For example, if you or your child needs special equipment or help because of your disability, the school should provide this, as long as it's reasonable. Schools should also provide an interpreter for Deaf parents if you have to go to a meeting about your child.

If you're at college or university, they also shouldn't treat you worse than other people because you're Deaf or disabled. They should make reasonable changes to make sure you can do your course and use the university services. For example, this might be by providing special equipment, or an interpreter or communication support worker.

What can I do if I've been discriminated against?

If you think you've been treated worse than other people because you're Deaf, always try and give the organisation the chance to sort out the issue and make reasonable adjustments.

If you feel comfortable, you can try and resolve the situation on the spot, but if you don't, make your point in writing. Keep a copy of the letter and make sure it has the date and the time the event happened. Send the letter first class. Make sure you get a certificate of posting. This is free from the post office.

If this doesn't work, you can make an appointment to see a Citizens Advice adviser. We can:

- advise you of your rights
- write a complaint letter and try and resolve the problem with a service provider
- if there is no response or resolution, we can try and take the case further, and make more people aware
- we can, in certain situations and if you want to, help you find a lawyer to take the case to court.

Our aim is not just about taking legal action – we want to help you to resolve the situation in the best way for you.

Don't leave your concern too long! The time limit for some types of cases is as short as 3 months from the date the incident happened. It is best to seek advice as soon as possible if you have a concern about the way you have been treated.

To sum up

Discrimination can happen in lots of different ways. It means being treated worse than other people because they have a particular identity or they are part of a particular group.

If you think you're being treated worse than other people because you're Deaf or disabled, there are laws that can help you. From October 2010 the Equality

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Act will give you stronger rights to take action if you've been treated worse than other people.

If you want to take action about how you're being treated, there are lots of organisations that can help you. Citizens Advice has helped more than 25,000 clients over the past year with discrimination problems, so don't worry if you just want to get advice about a possible discrimination case. We're here to help.

You could also try contacting the Equality and Human Rights Commission – have a look at: www.equalityhumanrights.com. Or look at the Citizens Advice website: www.adviceguide.org.uk for details of lots of other organisations that could help you.

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This information is intended to provide general information only and should not be taken as a full statement of the law on the subject. Please also note that the information only applies to England and Wales.