



# Disability discrimination

A general guide on how you are protected from discrimination under the Equality Act and what your rights are. Applies to England and Wales.

## Contents

Disability discrimination .....	1
Overview .....	3
Quick facts .....	3
Please note.....	3
Terms you need to know.....	4
Equality Act 2010 .....	7
What is the Equality Act?.....	7
What areas of my life are protected under the Equality Act? .....	7
Is my mental health problem covered? .....	7
Disability.....	8
What is a disability?.....	8
What if I'm getting medication or treatment for my mental health problem? .....	8
What if I had a disability in the past? .....	9
Is my mental health problem a disability? .....	9
What are the different types of discrimination? .....	10
Direct discrimination.....	10
Discrimination arising from disability .....	11
Indirect discrimination.....	12
Harassment.....	12
Victimisation.....	12
Making reasonable adjustments .....	13
What is the public sector equality duty? .....	14
Discrimination and human rights.....	15
Make a complaint .....	15
How can I challenge disability discrimination? .....	15
How can I get help paying my legal fees? .....	16
Useful contacts.....	17
Where can I get more support?.....	19

# Overview

Sometimes people who have mental health problems are treated unfavourably because of their mental health condition. This is called discrimination and, if you experience it, you may have a legal right to challenge it.

## Quick facts

- The [Equality Act 2010](#) is the law that gives you the right to challenge discrimination.
- To get protection under the Equality Act, you have to show that your mental health problem is a disability. 'Disability' has a [special meaning](#) under the Act.
- The Equality Act protects you if you are discriminated against by:
  - employers
  - organisations that provide services (e.g. shops or insurance companies)
  - organisations that provide public functions (e.g. policing or benefits)
  - education providers (e.g. universities and colleges)
  - organisations that sell or manage property
  - private clubs and associations.
- Public authorities have an additional duty to eliminate discrimination and promote equality of opportunity, called the [public sector equality duty](#).
- There are short timescales for taking a legal claim if you believe that someone has discriminated against you. If you can, try to [get legal advice](#) before starting a claim.

## Please note

- This guide covers disability discrimination from the point of view of a person with a mental health problem.
- This guide applies to England and Wales.
- This guide contains general legal information, not legal advice. We recommend you get advice from a specialist legal adviser or solicitor who will help you with your individual situation and needs. See [Useful contacts](#) for more information.
- The legal information in this guide does not apply to children unless specifically stated.

# Terms you need to know

Term	Meaning
<b>Advisory Conciliation and Arbitration Service (ACAS)</b>	<p>ACAS is an organisation that provides information, advice, training, conciliation and other services for employers and employees to help prevent or resolve workplace problems.</p> <p>ACAS offers a free <b>Early Conciliation service</b>. If you want to take a <a href="#">disability discrimination</a> challenge against your employer at the <a href="#">Employment Tribunal</a>, you have to contact ACAS first and you need proof that you have done so before you can start a claim.</p>
<b>Advocate</b>	<p>An advocate is a person who can both listen to you and speak for you in times of need. Having an advocate can be helpful in situations where you are finding it difficult to make your views known, or to make people listen to them and take them into account. Find out more on our <a href="#">advocacy information page</a>.</p>
<b>County court</b>	<p>This is a court which deals with civil (non-criminal) matters. There are fees for starting a claim in the county court. But if you have a low income, you may be able to pay a reduced amount, or none at all (called a 'fee remission').</p> <p>Cases in the county court are in one of three tracks:</p> <ul style="list-style-type: none"> <li>• <b>small claims track</b> is where the amount of compensation you are asking for is less than £10,000 and your case is not complicated</li> <li>• <b>fast track</b> is where your case is more complicated but can be finished in a 1-day hearing</li> <li>• <b>multi-track</b> is where the claim is complicated, and/or will take longer than a 1-day hearing, and/or is for a larger sum of money.</li> </ul> <p>Fast track and multi-track cases are costly and if you do not win your case, you usually have to pay the other person's legal costs.</p>
<b>Disability</b>	<p>The <a href="#">Equality Act</a> says that you have a disability if you have an impairment that is either physical or mental and the impairment has a substantial, adverse and long-term effect on your normal daily activities.</p>
<b>Disability discrimination</b>	<p>This is when someone is treated worse because of their physical or mental health condition. The <a href="#">Equality Act</a> explains:</p> <ul style="list-style-type: none"> <li>• what a disability is, and</li> <li>• when worse treatment is discrimination</li> </ul> <p>You have to show that you have a disability before you can challenge worse treatment as disability discrimination.</p>
<b>Discrimination</b>	<p>There are many situations in which you may feel treated unfairly because of your disability, but the <a href="#">Equality Act</a> only covers these types of discrimination:</p> <ul style="list-style-type: none"> <li>• direct discrimination</li> <li>• discrimination arising from disability</li> <li>• indirect discrimination</li> </ul>

	<ul style="list-style-type: none"> <li>• harassment</li> <li>• victimisation</li> <li>• the duty to make reasonable adjustments</li> </ul>
<b>Employment Tribunal</b>	The Employment Tribunal decides disputes between employers and employees about employment rights. An Employment Tribunal is like a court but not always so formal.
<b>Equality Act 2010</b>	<p>This is the law that explains:</p> <ul style="list-style-type: none"> <li>• what behaviour counts as unlawful <a href="#">discrimination</a></li> <li>• who has a right to challenge discrimination</li> </ul>
<b>Judicial review</b>	<p>This is a type of court procedure where a judge reviews a <a href="#">public authority's</a> decision, policy, practice, act or failure to act, and decides whether it is lawful or not.</p> <p>If it is not lawful, the court may cancel the decision or action ('quash' it), and require the public authority to reconsider it, lawfully. The court can order the authority to do or not do something.</p>
<b>Justification</b>	<p>It might be lawful for a person or organisation to treat you unfavourably if they can show that:</p> <ul style="list-style-type: none"> <li>• there were valid intentions behind their action (such as ensuring the health and safety of others, or keeping up staff attendance so that their business can run properly), and</li> <li>• that it was an appropriate action to take in the circumstance.</li> </ul> <p>Legally this is called a 'justification'.</p> <p>Whoever is deciding whether or not unfavourable treatment is justified needs to balance the needs of both sides carefully, which can be very complicated.</p>
<b>Occupational health</b>	<p>The job of an occupational health professional is to assess you to find out:</p> <ul style="list-style-type: none"> <li>• how your work impacts your health</li> <li>• if you are fit for the work you do</li> <li>• what adjustments may need to be made to support you at work</li> </ul> <p>Your employer can refer you to occupational health if you have a physical or mental health problem that is affecting your work or causing you to take time off sick, particularly if this is more than 2 or 3 weeks at once.</p> <p>If you disagree with their assessment, it is important to <a href="#">seek advice</a>.</p>
<b>Office of the Independent Adjudicator (OIA)</b>	This is the independent organisation that reviews individual complaints by students against universities. You have to try to sort out your discrimination complaint using the complaints procedure of the university before you can contact OIA.
<b>Prohibited conduct</b>	Prohibited conduct is the special term used in the <a href="#">Equality Act</a> to cover behaviour that counts as unlawful. It covers discrimination, harassment, failure to make reasonable adjustments and victimisation.

<p><b>Protected characteristics</b></p>	<p>'Protected characteristics' is the name for the nine personal characteristics that are protected by the <a href="#">Equality Act</a> in certain situations. They are:</p> <ul style="list-style-type: none"> <li>• age</li> <li>• <b>disability</b> (this can include mental health problems)</li> <li>• gender reassignment</li> <li>• marriage and civil partnership</li> <li>• pregnancy and maternity</li> <li>• race</li> <li>• religion or belief</li> <li>• sex</li> <li>• sexual orientation</li> </ul>
<p><b>Public authorities</b></p>	<p>These are organisations whose role is of a public nature. This includes:</p> <ul style="list-style-type: none"> <li>• Police</li> <li>• NHS hospitals and employees</li> <li>• Local authorities and their employees</li> <li>• Some nursing and personal care accommodation providers</li> <li>• Prison staff</li> <li>• Courts and tribunals, including Mental Health Tribunals</li> <li>• Government departments and their employees</li> <li>• Statutory bodies and their employees (for example the Information Commissioner's Office)</li> </ul>
<p><b>Public functions</b></p>	<p>This means an act or activity taken by a <a href="#">public authority</a> which is not a service. A public authority carries out a public function when it performs its particular legal duties and powers. Examples of public functions are licensing, planning and enforcement of parking.</p> <p>Public authorities can get private companies or voluntary organisations to carry out their public functions. So for example, a private company that runs prisons and takes prisoners into custody would be considered a private company carrying out a public function.</p>
<p><b>Public sector equality duty</b></p>	<p>This is the legal duty which public authorities like councils, NHS hospitals and government departments have to follow. It means they have to consider how their policies and practices affect people with protected characteristics, like people with mental health problems.</p> <p>Private or voluntary organisations also have to follow the public sector equality duty when they carry out a public function on behalf of public authorities. For example, a private firm that is employed by a local council to collect council tax arrears needs to follow the public sector equality duty.</p>
<p><b>Reasonable adjustments</b></p>	<p>These are changes that:</p> <ul style="list-style-type: none"> <li>• employers</li> <li>• organisations and people providing services and public functions</li> <li>• education providers like universities and colleges</li> <li>• managers of properties like landlords</li> <li>• clubs and associations</li> </ul> <p>should make for you if you are at a major disadvantage because of your mental health problems and it is reasonable.</p> <p>Examples of reasonable adjustments include:</p> <ul style="list-style-type: none"> <li>• making changes to the way things are organised or done</li> </ul>

	<ul style="list-style-type: none"> <li>• making changes to the built environment, or physical features like steps or doorways around you</li> <li>• providing aids and services for you</li> </ul>
<b>Service provider</b>	This is an organisation or person that provides services to the public or a section of the public for payment or for free. It includes private companies, voluntary organisations and public authorities.

# Equality Act 2010

## What is the Equality Act?

The [Equality Act 2010](#) is the law that protects you from discrimination and gives you the right to challenge it. You are protected by the Equality Act if you have certain [protected characteristics](#), like a mental health problem.

## What areas of my life are protected under the Equality Act?

The Equality Act protects you from discrimination when you:

- apply for work, are in a job and when you leave it ([see our information on discrimination at work](#))
- use services like shops and hospitals
- deal with organisations carrying out public functions like tax collection and crime investigation
- are in education (including schools, colleges and universities)
- buy or rent property ([see our information on discrimination and premises](#))
- join some private clubs and associations

Organisations that are [public authorities](#) also have special legal obligations under the [public sector equality duty](#).

## Is my mental health problem covered?

You don't have to have a particular mental health condition to get protection under the Equality Act. What you need to show is that [your mental health problem is a disability](#).

Mental health problems that could be covered under the Equality Act would include:

- [depression](#)
- [schizophrenia](#)
- [bipolar affective disorder](#)
- and many other conditions (see our full list of [types of mental health problems](#))

# Disability

## What is a disability?

You have to show that your mental health problem is a [disability](#) to get the protection of the [Equality Act](#).

'Disability' has a special legal meaning under the Equality Act, which is broader than the usual way you might understand the word. Even if you don't think you have a disability, the Equality Act may protect you from [discrimination](#) if your mental health problem fits its definition of disability.

The Equality Act says you have a disability if you have a physical or mental impairment that has a **substantial, adverse, and long-term effect** on your ability to carry out normal day-to-day activities.

The focus is on the **effect** of your mental health problem, rather than the diagnosis. So you need to show that your mental health problem:

- has more than a small effect on your everyday life
- makes things more difficult for you, and
- has lasted at least 12 months, is likely to last 12 months, or (if your mental health problem has improved) that it is likely to recur.

### Example of 'substantial adverse effect'

Simon has obsessive-compulsive disorder (OCD). He has to check and recheck whether lights are switched off and doors are locked. This can make him late for work or other appointments. His obsessive thoughts often distract him from activities that he is doing and disrupt his daily routines. His mental health problem therefore has a **substantial adverse effect** on the way he does things.

### Examples of 'long term'

- Jenny has had depression for 10 months and the doctor says it will be likely to last at least another 4 to 5 months.
- Selina has bipolar affective disorder. She had her first and second episode in January 2013, then a third episode in January 2014. Even though there was a gap between her second and third episode, her mental health problem is considered to have continued over the whole period (in this case, a period of 13 months).

## What if I'm getting medication or treatment for my mental health problem?



If you are getting some treatment or taking medication for your condition, you ignore the effect of your treatment when deciding whether your condition is having a substantial, adverse effect on your daily activities. This means the law is looking at how your condition affects you without your treatment or medication.

### **Example**

Mohammed has long-term anxiety and is being treated by counselling. Anxiety would normally make him find simple tasks difficult. Because he has counselling, he is able to get up and go to work.

The [Equality Act](#) says you have to ignore his treatment in deciding whether his mental health problem has a substantial adverse effect on his day-to-day activities and so he has a [disability](#).

## **What if I had a disability in the past?**

You are still protected from discrimination if you had a [disability](#) in the past. That means that if your past mental health problem had a **substantial, long-term and adverse effect**, you will get the protection of the Equality Act.

### **Example**

Four years ago, Mary had depression that lasted 2 years and had a substantial effect on her ability to carry out normal day-to-day activities. She has not experienced depression since then.

If Mary is treated worse by her employer because of her past mental health problem, she will be protected by the Equality Act.

## **Is my mental health problem a disability?**

You can ask yourself these questions:

1. Do I have a mental or physical health impairment?
2. Is it long-term (meaning lasting more than 12 months or likely to do so)?
3. Does it have a more than minor adverse effect my day-to-day living, if I discount my treatment or medication?

If you answered "yes" to all three questions, then your mental health problem could get the protection of the [Equality Act](#).

If you want to get the protection of the Equality Act, you may find it helpful to get some evidence from your GP, or another medical professional. You can ask them to write a letter saying whether they think you have a disability under the Equality Act. It would be particularly useful if they can give their opinion on the answer to each of these three questions.

### **Example**

Esra doesn't consider herself disabled because she doesn't receive disability benefits and she is physically healthy.

Esra has been living with an anxiety disorder for the past 3 years. Because of this, it takes her a longer time to do things like get up in the morning, dress herself for the day and do the shopping. She takes medication to control the symptoms.

Esra would be protected by the Equality Act because she has:

- **a mental impairment** – an anxiety disorder
- **it is long term** – she has had it for the past 3 years
- **it has a substantial effect on her daily life** – her mental health has a major effect on her daily life when you ignore the effect of her medication
- **it has an adverse effect** – her mental health problem makes things more difficult for her.

## What are the different types of discrimination?

The [Equality Act](#) only protects people who have a [disability](#) against these types of [discrimination](#):

- [Direct discrimination](#)
- [Discrimination arising from disability](#)
- [Indirect discrimination](#)
- [Harassment](#)
- [Victimisation](#)
- [Duty to make reasonable adjustments](#)

It is possible that you have experienced discrimination in more than one way.

### Direct discrimination

Direct discrimination is when you are treated worse than someone else because you have a [disability](#). You have to show that there is a link between your disability and the way you have been treated, which can be difficult. However, you don't always have to provide an example of a particular non-disabled person who was treated better than you if it is clear from all the circumstances that your disability was the reason why you were treated as you were.

**Discrimination by association:** you may be treated worse because of your connection or association with another person with a disability, even if you don't have a disability yourself.

**Discrimination by perception:** you can also be treated worse because a person or organisation believes you do have a disability when you don't.

#### Examples of direct discrimination

- Jon is not offered a promotion because he has depression. But his colleague Harry, who does not have depression, is offered a promotion – even though he has less experience and fewer qualifications.

- Carrie is interviewed for a job. She has better qualifications and more experience than all the other candidates, and performs the best at the interview. One of the interviewers knows of Carrie's diagnosis of bipolar disorder. Carrie is not offered the job, but neither are any of the other candidates. Carrie hasn't clearly been treated worse than any of the other candidates, but she has been treated worse than a non-disabled person would have been treated in the same situation.
- Jenny is not offered an apprenticeship after she tells the training provider that she has caring responsibilities for her partner, who has a mental health problem. This is an example of discrimination by association.
- A bank incorrectly assumed that David had a long-term mental health problem. They refused him a loan for this reason, even though he has no mental health problem. This is an example of discrimination by perception.

## Discrimination arising from disability

This is where you are treated badly not because of your [disability](#) but because of something that happens because of your disability.

Unlike direct discrimination, there is no need for you to compare yourself with anyone else. You just have to show that you were treated badly, and this treatment was linked to your disability.

You don't need to show that the person who treated you badly was aware that the behaviour was due to your disability, but they do need to be aware that you have a disability.

### Examples of discrimination arising from disability

- Peter experiences psychosis and hears voices, which he manages by talking to them. Staff in a shop ask Peter to leave when he is talking to his voices. Peter has been treated unfavourably because of behaviour related to his disability.
- Jan is given a disciplinary warning from her employer for taking sickness-related absences because of her bipolar disorder. Her employer's decision to treat this as a disciplinary matter may be discrimination arising from Jan's disability.

Unlike direct discrimination, there is no need for you to compare yourself with anyone else. You just have to show that you were treated badly, and this treatment was linked to your disability.

#### Situations when unfavourable treatment might not be discrimination

There are some situations in which it might be lawful for a person or organisation to treat you unfavourably. These are if they can show that:

- there were valid intentions behind their action (such as ensuring the health and safety of others, or keeping up staff attendance so that their business can run properly), **and** that it was an appropriate action to take in the circumstance. Legally this is called a '[justification](#)', or
- they did not know you had a disability (and could not reasonably have known).

For example, in Jan's situation above, her employer might argue that the reason why they disciplined her was because they need to keep up staff attendance – therefore their action was justified. Jan might accept that her employer's intentions were valid, but argue that the action they took was much too harsh and not appropriate in the circumstance – therefore their action was not justified.

Whoever is deciding whether or not unfavourable treatment is justified needs to balance the needs of both sides carefully, which can be very complicated.

# Indirect discrimination

Indirect discrimination is where:

- a person or organisation has practices or arrangements that seem to treat everyone in an equal, non-discriminatory way. But,
- these practices or arrangements put you and others with your [disability](#) at a disadvantage compared with those who do not have your disability.

## Examples of indirect discrimination

- An advice centre will only provide advice to people who visit their centre and will not offer advice by phone or email. This practice puts people with mental health problems like agoraphobia at a disadvantage because they can't leave their homes to travel to the centre.
- An employer only offers promotions to people who have a driving licence and are able to drive, even though this is not a key requirement of the job. This will discriminate against people with mental health problems that prevent them from holding a driving licence.

For indirect discrimination, it doesn't matter whether the person or organisation knew about your disability. This means they have to plan in advance and think about how their policies and practices may affect people with mental health problems.

But it is not indirect discrimination if the person or organisation can show these practices and arrangements were [justified](#).

# Harassment

Harassment is behaviour from others that you don't want that:

- violates your dignity or creates an environment that is intimidating, degrading, offensive or humiliating, and
- relates to a [disability](#). It does not have to relate to a disability that you have.

## Examples of harassment

- Mary has an eating disorder. Mary's manager knows she has an eating disorder and she makes offensive remarks in the open plan office about people with anorexia.
- Steve has schizoaffective disorder. He is on a day out from inpatient treatment in a psychiatric hospital and is eating with fellow patients at a local café. A member of staff who knows he is a psychiatric patient uses silent gestures and mime to make fun of him. Steve is very upset.

# Victimisation

Victimisation is when an employer or organisation puts you at a disadvantage just because:

- you have made allegation about [discrimination](#), or
- you have supported someone who has made an allegation of discrimination

## Examples of victimisation

- Jibin's colleague has bipolar disorder. Jibin supports her colleague to complain to their employer about [disability discrimination](#). After this, Jibin's manager refuses her promotion on the basis that her loyalty to the company is in question.
- Deb has an anxiety disorder. She complains to her local supermarket that she genuinely believes that she has been discriminated against by an assistant who made remarks about her condition in front of customers. After this, the manager says she should shop elsewhere.

# Making reasonable adjustments

The [Equality Act](#) says that employers and service providers should think about making [reasonable adjustments](#) (in other words, changes), if you are at a substantial disadvantage compared to other people who do not have a mental health problem.

Reasonable adjustments include:

- making changes to the way things are organised or done
- making changes to the built environment, or physical features around you (for example physical features of a building that put a disabled person at substantial disadvantage)
- providing aids and services for you to overcome the substantial disadvantage

You cannot be asked to pay for the cost of reasonable adjustments. If a person or organisation does not make reasonable adjustments when it would have been reasonable to do, this will be unlawful discrimination.

To find out more, see our pages on reasonable adjustments you could ask for from:

- [your employer \(work\)](#)
- [your landlord or property manager \(premises\)](#)
- [organisations or people who provide services and public functions](#) (such as private companies, local councils, government departments, charities, places of worship, GPs, hospitals and clinics).

## Examples of reasonable adjustments

- Sylvie is working in an office and has depression. She is taking part in a supported employment scheme from the [workplace mental health support](#) scheme. Her employer lets her make private phone calls to her support worker in the working day as a reasonable adjustment.
- Tomasz has a range of problems with anxiety, and he gets particularly anxious travelling on crowded public transport. He speaks to his manager about his mental health problem and explains that he is finding it hard to get to work in the morning travelling during the rush hour. Tomasz's manager agrees to adjust his working hours so that he comes into work before the morning rush hour and leaves before the evening rush hour. His

employer would not have to make adjustments if they did not know about Tomasz's condition, or how it was affecting his working life.

# What is the public sector equality duty?

The [public sector equality duty](#) is a special duty that means most [public authorities](#) (like government departments, local authorities, police forces and NHS hospitals) have to:

- eliminate discrimination, harassment and victimisation
- make sure people with a [protected characteristic](#) have the same opportunities as other people

The **public sector equality duty** means public authorities should:

- remove or minimise any disadvantages you might have because of your mental health problem
- take steps to meet the needs of people with mental health problems that are different from the needs of people who don't

take steps to encourage people with mental health problems to get involved in public life or any activity in which their participation is disproportionately low.

The public sector equality duty applies in addition to their duty not to discriminate against you.

## Example of how the public sector equality duty could apply

A local authority plans to cut its mental health care support services. This decision has to comply with the public sector duty. This means that the authority should:

- consult the people who use the service and their families
- consider the impact this decision will have on the service users and their families

If it fails to do this then it may not have followed its public sector equality duty and people may make complaints, or take them to court.

- If you think an organisation is not following its public sector equality duty then you should [get legal advice](#) as soon as possible.
- You can make a complaint using the complaints procedure of that organisation and you may also be able to challenge the decision or act of the organisation by taking a [judicial review](#) challenge.

## What is a judicial review?

A judicial review is a legal challenge to the way a public authority has made a decision or has done or not done something lawfully.

- The judge will look at whether the public authority has followed its public sector equality duty and its human rights duties.
- If the judge decides that the public authority has not acted lawfully, it can cancel the public authority's decision, order it to do something, or order it to not do something.
- You have to get permission from the High Court before bringing a claim for judicial review.
- There are strict time limits: you have to do this as soon as possible and at the very latest **within 3 months less 1 day** of when the public authority made the decision you want to challenge.

You need to get advice from a [legal adviser](#) who specialises in public law and human rights before asking for a judicial review.

# Discrimination and human rights

In addition to following the Equality Act, all [public authorities](#) have a legal duty to respect your human rights. This includes not discriminating against you, which is protected in UK law through the Human Rights Act 1998.

Individuals and private companies do not have to follow the Human Rights Act, so you can't bring human rights claims against individual people or private companies.

[See our information on the Human Rights Act 1998.](#)

## Make a complaint

## How can I challenge disability discrimination?

If you believe you have experienced [disability discrimination](#), there are a number of things you can do. What is best for you will depend on the area of discrimination you have experienced, and exactly what has happened. It is generally best to try to sort it out informally if you can.

### Resolve it informally

Sometimes a problem can be sorted out by speaking with the person or organisation involved, with the aim of resolving it without having to follow a formal process.

An advocate may be able to help you if you would like support in doing this. You can get more information about finding an advocate in [Useful contacts](#).

If this doesn't resolve your problem you can move to the next step.

## Use a complaints procedure

You may be able to complain through a formal complaints procedure. For example:

- the NHS and local authority social services have complaints procedures, which allow a person to go to the Ombudsman if the complaint cannot be resolved: [see our information on community care and aftercare](#)
- your employer may have formal grievance procedures in place for exactly this kind of situation

If this doesn't resolve your problem you could consider taking legal action.

## Take legal action

If you can't resolve your problems informally or by using a complaints procedure, you may want to consider taking legal action.

Depending on who has discriminated against you, this might mean that you would:

- complain to the Employment Tribunal
- complain to the county court
- bring a judicial review

Taking legal action can be stressful and expensive, so it is very important that you get legal advice from a specialist legal adviser before you do this.

See [Useful contacts](#) for more information.

# How can I get help paying my legal fees?

## Get legal aid

If you are on a low income, you may be able to get legal aid to pay for legal advice about your discrimination problem and for a legal adviser to represent you in court.

To find out if you can get legal aid you can contact the government's [Civil Legal Advice Service](#).

- They will ask you about what money and savings you have so it is important to have that information ready when you contact them.
- They can refer you to specialist discrimination legal services.
- There is a useful online eligibility calculator on the [Gov.uk website](#) which you can use to see if you can get legal aid.

## Check your insurance policy

It is also a good idea to check any insurance policies you have like a home contents or car insurance as sometimes these policies also cover general legal expenses and so can be used to pay a solicitor.



## Contact your union (employment-related discrimination)

If you are a member of a union at your workplace then the union may have solicitors who will offer you legal advice about your case and if necessary represent you in an Employment Tribunal.

# Useful contacts

## *Advisory Conciliation and Arbitration Service (ACAS)*

0300 123 1100 (8am-8pm Monday to Friday and 9am-1pm Saturday)

[acas.org.uk](https://www.acas.org.uk)

ACAS provides information, advice, training, conciliation and other services for employers and employees to help prevent or resolve workplace problems. They offer a free [Early Conciliation service](#).

If you want to take a [disability discrimination](#) challenge against your employer at the [Employment Tribunal](#), you will need to go to ACAS and get a conciliation certificate to show that you have tried to reach agreement over the dispute.

You can call their telephone helpline to get advice about your employment rights.

## *Civil Legal Advice (CLA)*

0845 345 4345

[gov.uk/civil-legal-advice](https://www.gov.uk/civil-legal-advice)

The Civil Legal Advice can tell you if you're eligible for legal aid and can give you free and confidential legal advice in England and Wales.

## *Coram Children's Legal Centre*

01206 714 650

[info@coramclc.org.uk](mailto:info@coramclc.org.uk)

[childrenslegalcentre.com](https://www.childrenslegalcentre.com)

Coram Children's Legal Centre specialises in law and policy affecting children and young people. They provide free legal information, advice and representation to children, young people, their families, carers and professionals, as well as international consultancy on child law and children's rights.

## *Disabled Students Helpline run by Disability Rights UK*

0800 328 5050 (Tuesday 11.30am–1.30pm and Thursday 1.30–3.30pm)

[students@disabilityrightsuk.org](mailto:students@disabilityrightsuk.org)

The free helpline provides advice to disabled students who are studying in England.

## *Employment Tribunal*

Public enquiry line (England and Wales): 0300 123 1024

Postal address for sending fees and ET forms:

Employment Tribunal Central Office

PO Box 10218

Leicester  
LE1 8EG  
[justice.gov.uk/tribunals/employment](https://justice.gov.uk/tribunals/employment)

The **Employment Tribunal** decides disputes between employers and employees about employment rights. They have a public enquiry line to answer general queries, provide information about tribunal publications and explain how the tribunal system works.

### *The Equality and Advisory Support Service (EASS)*

Tel: 0808 800 0082  
Text: 0808 800 0084  
Monday to Friday 9am-8pm  
Saturday 10am-2pm  
[equalityadvisoryservice.com](https://equalityadvisoryservice.com)

The helpline can advise and assist you on issues relating to equality and human rights across England, Scotland and Wales.

There is a special [form](#) on its website for reporting employers who ask pre-employment questions.

### *Equality and Human Rights Commission (EHRC)*

[equalityhumanrights.com](https://equalityhumanrights.com)

The EHRC is responsible for monitoring and protecting human rights in Britain. It has useful advice and information about legal rights and discrimination on its website.

The website also has copies of the Equality Act 2010 Statutory Code of Practice for services and the Equality Act 2010 Statutory Code of Practice for Employment which give helpful guidance on how to apply the Equality Act.

### *Independent Parental Special Education Advice (IPSEA)*

[ipsea.org.uk](https://ipsea.org.uk)

IPSEA is a national charity offering free advice to families with children with special educational needs.

### *Law Centres Network*

[lawcentres.org.uk](https://lawcentres.org.uk)

Law Centres offer legal advice, casework and representation to individuals and groups. To find your local Law Centre, you can look at their [interactive Google map](#) or see the [Law Centres list](#).

For legal advice enquiries, visit the [I am looking for advice](#) page on their website.

### *The Law Society*

020 7242 1222 (England)  
029 2064 5254 (Wales)  
[lawsociety.org.uk](https://lawsociety.org.uk)

The Law Society provides details of solicitors in your area that you can contact for specialist legal advice.

*LawWorks*  
lawworks.org.uk

LawWorks is a legal charity that lists on its website the Free Legal Advice Clinics in England and Wales. These clinics can give you one-off, face-to-face advice if you have legal problems about consumer disputes, housing, social welfare law or employment.

*Office for Disability Issues*  
gov.uk/government/organisations/office-for-disability-issues

This is part of the Department of Work and Pensions and supports the development of policies to remove inequality between disabled people and non-disabled people. It has produced useful guidance on how you work out whether you have a disability.

*Shelter*  
8am–8pm on weekdays and 8am–5pm on weekends, 365 days a year

**England**  
0808 800 4444  
england.shelter.org.uk

**Wales**  
0845 075 5005  
sheltercymru.org.uk

Shelter offers free, expert housing advice. They have a free helpline as well as face-to-face advice centres up and down the country.

## Where can I get more support?

### *Local Mind*

Local Minds support over 280,000 people across England and Wales. Their services include supported housing, crisis helplines, drop-in centres, employment and training schemes, counselling and befriending. They may be able to help you find advocacy services in your area.

Find your local Mind [here](#).

### *Find an advocate*

An advocate is a person who can both listen to you and speak for you in times of need. Having an advocate can be helpful in situations where you are finding it difficult to make your views known, or to make people listen to them and take them into account.

For information on advocacy services and groups in your area, you could start by contacting the [Mind Legal Line](#) and your [local Mind](#).

Read more about how [advocacy](#) might help you.