

REFERENCE GUIDE FOR TYPES OF PROHIBITED CONDUCT UNDER THE EQUALITY ACT (2010)

Type of Conduct	Terminology	Staff Example	Student Example
Direct Discrimination	Different treatment of two individuals where the reason for the difference in treatment is a protected characteristic.	Training opportunities are offered to younger staff rather than older staff as it's assumed that they older staff would not be interested.	After a heated argument in a course involving student of a religion and students from non-religion during a discussion about radicalisation and terrorism, the School moves some of the students of the religion into another study group. It does not take a similar approach to the non-religious students involved in the incident.
Indirect discrimination	A practice or policy or action which may at first appear neutral in its effects, but at closer examination disproportionately and adversely effects a person's protected characteristic.	Dress code requirements stating that employees may not wear any headwear would indirectly discriminate against employees of particular religions.	A School introduces a change to its drugs policy to specify that no hypodermic needles will be permitted on campus due to a number of dirty needles being found. Policy has a negative impact on some disabled students who need to use hypodermic needles in the treatment of their condition, such as diabetic students who need to inject insulin at regular intervals during the day.
Victimisation	Treating a person unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.	Staff brands an employee as a 'troublemaker' because they raised a lack of job-share opportunities as potentially discriminatory.	Student applies for a Postgrad course at the University and at interview is questioned about a complaint the student made during Undergrad studies on the grounds of disability. The student is unsuccessful in gaining a place on the course and was able to show a link between not gaining a place and the questioning about the complaint.
Discrimination by association	Where a person does not have a protected characteristic themselves but is treated less favourably because of their relationship with someone who does e.g. the parent of a disabled child.	An internal job applicant has been unsuccessful due to disclosing that they have a caring responsibility for a disabled child, parent or partner, regardless of whether or not the job applicant is disabled.	During Freshers' Week, 2 students decide to sign-up for a course in Religious Studies. One is chair of the 'LGBT Society' and is gay. The other student is a friend and not gay. They are both told that the Religious Studies course has no more places available so they cannot join up. Later one of them sees a group of four men sign-up to the course. In this case not only the gay student but also the friend could complain of discrimination For the friend the discrimination would be on the basis of his association with his friend who is gay.
Discrimination by perception	Acting or behaving in a discriminatory way towards a person due to the belief that they have a protected characteristic, whether or not they have such a characteristic.	Staff refuses to work with other staff because they believe them to be of a different religion irrespective of whether the staff members are of that perceived religion or not	A course coordinator at the University does not offer a work placement at a hospital to a student as part of the course because they think the student is undergoing a gender reassignment and are worried that the hospital might find this 'uncomfortable' – despite the fact that the student has not undergone a gender reassignment at all.