

MY COUNTRY LEGISLATION ON HEALTH CARE OF DISABLED PEOPLE

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MEDICAL LAW

GOALS

- ▶ Under the Act, disabled people should be treated equally. Protection from discrimination applies in many situations such as buying or renting property, education, employment, exercise of public functions, goods, services, facilities and transport.
- ▶ You cannot use the Act against an individual, such as a neighbour who harasses you, but you may be able to report this as a hate crime
- ▶ The Equality Act *does cover* harassment by an individual at a place where you work.
- ▶ If you think you've been unfairly discriminated against you can:
 - ▶ complain directly to the person or organisation
 - ▶ use someone else to help you sort it out - for example your union representative
 - ▶ make a claim in a court or tribunal

THE EQUALITY ACT 2010

- ▶ A new Equality Act came into force on 1 October 2010.
- ▶ It brings together over 116 separate pieces of legislation into one single Act.
- ▶ The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.
- ▶ It provides Britain with a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

PRINCIPLES

- ▶ If you have a physical or mental impairment that has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities, you can use the Equality Act to protect you against discrimination in education, work and services provided for you.
- ▶ It can require employers, colleges, venues and service providers to make reasonable adjustments, provide support and make things accessible.
- ▶ The Equality Act also protects you if you are discriminated against because of age, sex, sexual orientation, religion and belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

STRUCTURE AND CHARACTERISTICS

- ▶ The Equality Act seeks to incorporate protections against LGBT discrimination into the federal Civil Rights law. Specifically, it prohibits discrimination based on sex, sexual orientation, and gender identity in a wide variety of areas including public accommodations and facilities, education, federal funding, employment, housing, and credit.
- ▶ It also seeks to expand existing protections for people of color, women, and other minority groups by updating the definition of public accommodations to include places or establishments that provide:
 - ▶ Exhibitions, recreation, exercise, amusement, gatherings, or displays
 - ▶ Goods, services, or programs
 - ▶ Transportation services

STRUCTURE AND CHARACTERISTICS

- ▶ Under the Equality Act, service providers, employers and colleges *have* to make reasonable adjustments to help you. These can include:
 - ▶ providing flexible working hours
 - ▶ flexible return to work policies following illness
 - ▶ modifying work performance targets
 - ▶ providing special equipment or extra assistance to help you in college or work (some of this may be provided by education grants or under the access to work scheme)

STRUCTURE AND CHARACTERISTICS

- ▶ providing information in an accessible format such as Braille, Large Print, Easy Read or by using coloured paper
- ▶ making a website accessible
- ▶ providing ramps for wheelchair access
- ▶ providing designated car parking spaces
- ▶ providing adapted toilets
- ▶ providing lifts to access offices or venues which are not on the ground floor
- ▶ making changes to “physical features” – for example to accommodate wheelchairs or a guide/assistant.

PRACTICAL REALIZATION

- ▶ Discrimination is where you are treated unfairly and are put at a disadvantage when compared with non-disabled people. Following you can use these act;
- ▶ You can be discriminated against:
- ▶ Directly - if you are treated less favourably than others
- ▶ Discrimination arising from your disability – Such as if you are disciplined because you need to take more time off work than your colleagues to attend medical appointments
- ▶ Indirectly – if an employer, college, venue or organisation has rules or arrangements in place which put you at an unfair disadvantage as a disabled person
- ▶ If you are being harassed.

SIGNIFICANCE

- ▶ The Equality Act 2010 is an amalgamation of previous anti-discrimination laws and offers a comprehensive legal basis to ensure that individuals are protected from discrimination, and that those who experience it can take action.
- ▶ The Act clearly defines the various types of discrimination, including direct and indirect forms, and other prohibited conduct such as victimisation and harassment, offering a basic framework of protection against the range of discrimination that can take place.
- ▶ The Equality Act 2010 is a vital reference for employers and employees alike.