



## Disability under the Equality Act 2010 Factsheet



The Equality Act 2010 is the law that protects people with certain characteristics from unfair treatment. A person has a disability under this Act if they have:

1. a physical or mental **impairment** which has
2. A **substantial** and
3. **long-term** adverse effect on a person's ability to carry out
4. normal **day-to-day activities**.

<u>Impairment</u>	<u>Substantial</u>	<u>Long term</u>
Examples of impairments that are covered by the Act: <ul style="list-style-type: none"><li>• <b>Progressive conditions</b> such as motor neurone disease and dementia</li><li>• <b>Development conditions</b> such as autistic spectrum disorders</li></ul>	This means more than minor or trivial. Factors that will be considered: <ul style="list-style-type: none"><li>• The time taken to carry out an activity</li><li>• The way an activity is carried out</li><li>• Effects of behaviour</li><li>• Effects of medical treatment</li></ul>	The impairment needs to have lasted for more than 12 months, is likely to last for at least 12 months <b>or</b> is likely to last for the rest of the person's life.
<u>Normal day-to-day activities</u>		
These are activities that are done on a regular or daily basis such as getting dressed, reading, watching television or walking.		

## How to write an Impact Statement

An impact statement is a way of proving the impact of your disability. When writing an impact statement, consider the following structure:



### 1. What the impairment is

Outline what your impairment is, the date of your diagnosis, your symptoms and the history of your condition.

### 2. The impact of the impairment

Describe how your disability limits your everyday life. Focus on day-to-day activities and give examples of these.

### 3. Details about medication and treatments

Describe the difference that your treatment makes to how you go about your day-to-day life and what would happen if you did not have this treatment.

Updated:

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# HAVE YOU GOT A DISABILITY UNDER THE EQUALITY ACT 2010?



- ☐ Do you have an impairment that is either physical or mental?
- ☐ Is the negative effect of your condition substantial (more than minor)?
- ☐ Is the effect of your condition long-term?
- ☐ Does your condition have a negative effect on your ability to carry out normal day-to-day activities?

Remember that you need to be able to answer all these questions with a yes as they are all required in order for you to be disabled under the Equality Act 2010, unless you have a condition that is automatically treated as a disability under the Act.





# DISABILITY IMPACT STATEMENT CHECKLIST



- ☐ Have you stated your impairment; Including your diagnosis and date of this?
- ☐ Have you outlined your symptoms?
- ☐ Have you detailed your medical history? Importantly including the time in question?
- ☐ Have you kept your medical diagnosis section brief?
- ☐ Have you described how your impairment impacts everyday life? (including specific examples of this)
- ☐ If you take medication, have you given details of how this impacts your life? (including specific examples of this)
- ☐ Does your impact statement meet the word count (if there is one)