

Status: This version of this provision is prospective.

Changes to legislation: Equality Act 2010, Section 14 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Equality Act 2010

2010 CHAPTER 15

PART 2 **E+W+S**

EQUALITY: KEY CONCEPTS

CHAPTER 2 **E+W+S**

PROHIBITED CONDUCT

Discrimination

PROSPECTIVE

14 **Combined discrimination: dual characteristics** **E+W+S**

- (1) A person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics.
- (2) The relevant protected characteristics are—
 - (a) age;
 - (b) disability;
 - (c) gender reassignment;
 - (d) race
 - (e) religion or belief;
 - (f) sex;
 - (g) sexual orientation.
- (3) For the purposes of establishing a contravention of this Act by virtue of subsection (1), B need not show that A's treatment of B is direct discrimination because of each of the characteristics in the combination (taken separately).

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- (4) But B cannot establish a contravention of this Act by virtue of subsection (1) if, in reliance on another provision of this Act or any other enactment, A shows that A's treatment of B is not direct discrimination because of either or both of the characteristics in the combination.
- (5) Subsection (1) does not apply to a combination of characteristics that includes disability in circumstances where, if a claim of direct discrimination because of disability were to be brought, it would come within section 116 (special educational needs).
- (6) A Minister of the Crown may by order amend this section so as to—
 - (a) make further provision about circumstances in which B can, or in which B cannot, establish a contravention of this Act by virtue of subsection (1);
 - (b) specify other circumstances in which subsection (1) does not apply.
- (7) The references to direct discrimination are to a contravention of this Act by virtue of section 13.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)