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# Disability rights

## 1. Overview

As a disabled person, you have rights to protect you from discrimination. These rights cover most areas including:

- employment
- education
- dealing with the police

The Equality Act 2010 and the United Nations (UN) Convention on [disability rights](#) help to enforce, protect and promote your rights.

## 2. Employment

It's against the law for employers to discriminate against you because of a disability. The Equality Act 2010 protects you and covers areas including:

- application forms
- interview arrangements
- aptitude or proficiency tests
- job offers
- terms of employment, including pay
- promotion, transfer and training opportunities
- dismissal or redundancy
- discipline and grievances

### Reasonable adjustments in the workplace

An employer has to make 'reasonable adjustments' to avoid you being put at a disadvantage compared to non-disabled people in the workplace. For example, adjusting your working hours or providing you with a special piece of equipment to help you do the job.

### Recruitment

An employer who's recruiting staff may make limited enquiries about your health or disability.

You can only be asked about your health or disability:

- to help decide if you can carry out a task that is an essential part of the work
- to help find out if you can take part in an interview
- to help decide if the interviewers need to make reasonable adjustments for you in a selection process
- to help monitoring
- if they want to increase the number of disabled people they employ
- if they need to know for the purposes of national security checks

You may be asked whether you have a health condition or disability on an application form or in an interview. You need to think about whether the question is one that is allowed to be asked at that stage of recruitment.

## Redundancy and retirement

You can't be chosen for [redundancy \(https://www.gov.uk/redundant-your-rights\)](https://www.gov.uk/redundant-your-rights) just because you're disabled. The selection process for redundancy must be fair and balanced for all employees.

Your employer cannot force you to retire [if you become disabled \(https://www.gov.uk/if-you-become-disabled/if-youre-in-employment-and-become-disabled\)](https://www.gov.uk/if-you-become-disabled/if-youre-in-employment-and-become-disabled).

## 3. Education

It's against the law for a school or other education provider to treat disabled students unfavourably. This includes:

- direct discrimination, for example refusing admission to a student or excluding them because of disability
- indirect discrimination, for example only providing application forms in one format that may not be accessible
- discrimination arising from a disability, for example a disabled pupil is prevented from going outside at break time because it takes too long to get there
- harassment, for example a teacher shouts at a disabled student for not paying attention when the student's disability stops them from easily concentrating
- victimisation, for example suspending a disabled student because they've complained about harassment

## Reasonable adjustments

An education provider has a duty to make 'reasonable adjustments' to make sure disabled students are not discriminated against. These changes could include providing extra support and aids (like specialist teachers or equipment).

Schools are not subject to the reasonable adjustment duty to make alterations to physical features, like adding ramps. They must make the buildings accessible for their disabled pupils as part of their overall planning duties.

## Special educational needs and disabilities (SEND)

All publicly funded pre-schools, nurseries, state schools and local authorities must try to identify and help assess children with [special educational needs and disabilities \(SEND\)](https://www.gov.uk/children-with-special-educational-needs) (<https://www.gov.uk/children-with-special-educational-needs>).

If a child has an an [education, health and care \(EHC\) plan](https://www.gov.uk/children-with-special-educational-needs) (<https://www.gov.uk/children-with-special-educational-needs>) or a [statement of special educational needs](https://www.gov.uk/children-with-special-educational-needs) (<https://www.gov.uk/children-with-special-educational-needs>), these must be reviewed annually. From year 9 the child will get a full review to understand what support they will need to prepare them for adulthood.

## Higher education

All universities and higher education colleges should have a person in charge of disability issues that you can talk to about the support they offer.

You can also ask local social services for an [assessment](https://www.gov.uk/apply-needs-assessment-social-services) (<https://www.gov.uk/apply-needs-assessment-social-services>) to help with your day-to-day living needs.

## 4. Police

If you're being questioned or interviewed at a police station you have certain rights depending on your impairment.

### Deaf, hearing-impaired or speech difficulties

The police should arrange for an interpreter to be present with you. The police can interview you without an interpreter if a delay would result in harm to people, property or evidence.

### Learning disabilities

The police should only interview someone who has a learning disability when a responsible person (referred to as an 'appropriate adult') is present. The appropriate adult should not work for the police and should have experience of people with learning disabilities. The police can interview you without an appropriate adult if a delay would result in harm to people, property or evidence.

### Right to medical treatment

If you're being kept in a police cell, you have the right to a medical examination by a healthcare worker. A healthcare worker may be a paramedic, nurse or a police surgeon (sometimes referred to as a 'Forensic Medical Examiner').

If you do not want to be examined by the healthcare worker provided, you could be examined by a general practitioner (GP) that you choose - if they're available. You may have to pay for this, and this payment will be noted down.

## 5. The Equality Act 2010 and UN Convention

The Equality Act 2010 protects you from discrimination. It provides legal rights for you in the areas of:

- employment

- education
- access to goods, services and facilities
- buying and renting land or property

The Equality Act 2010 also protects your rights if you have an association with a disabled person, for example a carer or parent.

Get more information about the [Equality Act 2010 \(https://www.gov.uk/guidance/equality-act-2010-guidance\)](https://www.gov.uk/guidance/equality-act-2010-guidance).

## United Nations (UN) Convention on disability rights

The UN Convention on [disability rights](#) has been agreed by the UK to protect and promote the rights of disabled people.

Get more information about the UN Convention on disability rights from the [Office for Disability Issues](#).

## 6. Further help and advice

[Check if you can get legal aid \(https://www.gov.uk/check-legal-aid\)](https://www.gov.uk/check-legal-aid) to help with your legal costs if you think you've been discriminated against. You can get advice from Civil Legal Advice if you're eligible.

You can get advice and information on your rights from:

- [Equality Advisory Support Service \(https://www.gov.uk/equality-advisory-support-service\)](https://www.gov.uk/equality-advisory-support-service)
- [Disability Rights UK](#)
- [Advicenow](#)
- [Citizens Advice](#)

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