

Disability Rights

The information on this website is for general guidance on your rights and responsibilities. This is not legal advice. For more details about your rights, or legal advice contact an adviser or solicitor. [Read more about where to get legal advice.](#)

What are Disability Rights?

[The Equality Act \(2010\)](#) protects your rights as a disabled person. This includes your employment, education, and your access to goods, services and facilities. This replaces the Disability Discrimination Act (1995). It is unlawful for you to be discriminated against because you have a disability.

Definition of Disability

The Equality Act states that a person is disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

- Long term, means it has lasted for 12 months, or is likely to last for more than 12 months. Or it will last for the rest of your life
- Substantial, means it has a negative impact on your ability to carry out day-to-day tasks, such as getting dressed.

For more information on the definition of disability please visit www.gov.uk

Normal day-to-day activities include:

- moving around, ability to lift, carry or move objects
- using your hands
- using the toilet
- talking, hearing and eyesight
- ability to remember things, concentrate, learn and understand
- understanding of the risk of physical danger

[Equality and Human Rights Commission](#) have more details about the definition of disability. This can include people who are registered blind or partially sighted, and people who have a progressive health condition such as cancer.

[Disability Rights UK](#) provide a range of online information and advice on Disability Rights. They have a telephone helpline and can give information about independent living.

Types of discrimination

Disability discrimination can take many forms, but is broadly defined as when someone is ‘treated less favourably on the basis of disability’. There are 4 types of discrimination:

- **Direct discrimination:** is when you’re treated less favourably than other people because of your disability.
 - **Indirect discrimination:** for example, failure to make reasonable adjustments for a disabled person.
 - **Harassment:** when a you feel intimidated, humiliated or offended by another person’s conduct about your disability. An example of this would be when someone makes jokes about your disability that you find offensive.
 - **Victimisation:** for example being treated unfairly because you have made a complaint of discrimination, or given evidence when somebody else complains of discrimination.
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Your rights

We have summarised below the rights that you have as a disabled person under The Equality Act. For a more detailed description, visit the [Equality and Human Rights Commission website](#).

Your rights at work

The Equality Act makes it unlawful for employers to discriminate against people with disabilities. This includes:

- recruitment
- terms and conditions of employment
- promotion, transfer, training and benefits
- discipline and dismissal
- making reasonable adjustments
- health and safety
- sick leave, sick pay and medical appointments
- redundancy
- pensions

[Equality and Human Rights Commission website](#) has more information about your employment rights and the protected characteristics.

If you think you have been discriminated against at work because of your disability, you should firstly speak to your line manager or someone else in authority. If this doesn’t help you can get information and support from:

- [Equality Advisory and Support Service \(EASS\)](#)
- your trade union
- [Royal National Institute for Blind people \(RNIB\)](#)
- [Royal National Institute for deaf people \(RNID\)](#)
- [Citizens Advice Newcastle](#)
- [Disability Employment Advisor's](#) at your [local job centre](#) can give help and advice on returning to the workplace or changing your career. They support people who have a health condition or a disability that affects their ability to work.

[Read more about problems at work on InformationNOW.](#)

Access to Work grants and support

[Access to Work](#) is a government scheme can help you get or stay in work if you have a physical or mental health condition or disability. The support you get will depend on your needs. Through Access to Work, you can apply for:

- a grant to help pay for practical support with your work
 - support with managing your mental health at work
 - money to pay for communication support at job interviews
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Your rights of access to goods and services

The Equality Act protects your rights to receive goods, services or facilities. Anyone who provides a service to the public is required to make 'reasonable adjustments' to make sure the service is accessible to disabled people. This includes services such as restaurants, shops, libraries, churches and GP surgeries. There are some exceptions where it may not be possible to make adjustments to a service.

If you feel that you have been discriminated against you should speak to the organisation or business. If this does not help, you could make a written complaint to the service. If you are still unhappy, there is help and support available to understand your rights. See the Help and Support section below.

Help and advice

[Liberty](#) offers a free human rights advice service to members of the public. They can provide advice and information on queries relating to human rights law, but are unable to assist with general legal queries. Liberty cannot advise people who are already represented by a solicitor.

[The Equality Advisory and Support Service \(EASS\)](#) can support you if you think you may have experienced discrimination. They have a free telephone helpline where they give information and advice on discrimination and human rights issues. They can help to explain the Equality Act and how this applies to you. They can give you information and advice to help you understand how the issue could be resolved informally. They will work with you to decide the best course of action to take to resolve your issue. They do not provide legal advice.

[Scope](#) provide information and support to disabled people, families and carers. They have a free disability telephone helpline. They can answer questions and talk you through a wide range of topics connected with disability. You can call or email them to ask for an interpreter if you need one.

[Disability North](#) have Voice for change forum where disabled people can have their voices heard about issues that they care about.

Your rights of access to Adult Social Care

[Contact Adult Social Care at Newcastle City Council](#) to start a conversation about what support you need. They can talk to you, or your carer to understand more about you and:

- give you information and advice
- signpost you to local services
- help to arrange assessments to find out what support is available to you

Read more about [Adult Social Care in Newcastle on InformationNOW](#).

Your rights of access to health care

Knowing your rights to health and social care can be difficult, as many medical judgements are not covered by The Equality Act and some social care services are exempt. However, disabled people still have rights to access services as outlined above. Information should be given in a format that is accessible to you and all buildings should be suitable for your needs.

If you are unhappy with health care or treatment you should complain directly to the health service.

If you are not happy with the outcome, or you don't feel able to do this yourself, contact the [Patient Advice and Liaison Service \(PALS\)](#). PALS provide support and information to patients, their families and carers if they have any concerns about the care they receive from their doctor, hospital or other health care service. The staff can put you in touch with other people or organisations that can help if they can't resolve your problem.

Read more on InformationNOW about [how to complain about health services](#).

Read more about [How to make a good complaint on InformationNOW](#)

Driving

[North East Drive Mobility](#) help people with a medical condition or disability that may affect your ability to drive or use a vehicle as a passenger. To help you retain or regain your independence as a driver and passenger. They can assess your driving ability and give advice. They offer:

- independent assessment of your driving ability: This takes place on their purpose-built driving track, as well as on the public highway

- advice on vehicle adaptations
 - advice on getting in and out of a vehicle, and wheelchair stowage
 - specialist driving tuition
 - information and advice service, including advice on possible alternatives to using a car. For example, community transport services
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Advocacy – Help to get your voice heard

Advocacy is free, independent support to help you to get your voice heard. Advocacy services pair you up with an independent advocate who is on your side if you need support. They can help you to:

- find information
- talk things through with you to find out what you want
- get your views across at appointments and meetings
- understand your rights
- access services such as Health, Housing, Adult Social Care
- make complaints
- access personal budgets

[Read more on InformationNOW about Advocacy](#)

Accessible information

[You can change InformationNOW to suit your needs.](#) Our website can be read aloud and translated into other languages. You can change the colour, size and contrast of the website to make it easier to read. You can print out the pages to share with people who aren't online.

[Accessible health and social care information](#) is available in the format you need. This means people with a: disability, sensory loss or impairment can get information in different formats. For example, you could need large print information or a BSL interpreter at medical appointments. You can tell services how they need to communicate with you. They have to do this by law. This is known as the Accessible Information Standard. ([section 250 of the Health and Social Care Act 2012](#))

[The NHS App](#) gives you access to your health information.

Other useful information

[Equally Ours](#) is a UK charity that brings together people and organisations working across equality, human rights and social justice to make a reality of these in everyone's lives.

[Youreable](#) is [Disabled Living Foundation's](#) forum by and for people living with disabilities. You can find peer support, shared experiences and guidance from others who have experienced challenges to their rights due to disability.

Useful Organisations

Patient Advice and Liaison Service (PALS)

Email: pals@nhct.nhs.uk

Website: <https://www.nhs.uk/nhs-services/hospitals/what-is-pals-patient-advice-and-liaison-service/>

Telephone: 0800 032 0202

Address: Freepost PALS,

Disability Rights UK

Email: enquiries@disabilityrightsuk.org

Website: www.disabilityrightsuk.org

Telephone: 0330 995 0400

Address: Plexal, 14 East Bay Lane , E20 3BS

Equality and Human Rights Commission

Website: www.equalityhumanrights.com

Telephone: 0330 995 0400

Address: 1st Floor, Fleetbank House, EC4Y 8JX

Solicitors for the Elderly

Email: admin@sfe.legal

Website: www.sfe.legal

Telephone: 0844 567 6173

Address: Studio 209, MillStudio Business Centre, SG12 9PY

Equality Advisory and Support Service (EASS)

Website: www.equalityadvisoryservice.com

Telephone: 0844 567 6173

Liberty

Website: <https://www.liberty-human-rights.org.uk/>

Telephone: 020 7403 3888

Address: Liberty House, SW1P 2HR

Equally Ours

Email: info@equallyours.org.uk

Website: <https://www.equallyours.org.uk/>

Telephone: 020 303 31454

Address: Tavis House,, WC1H 9NA

North East Drive Mobility

Email: northeast.drivemobility@ntw.nhs.uk

Website: <https://www.cntw.nhs.uk/services/north-east-drive-mobility-independent-assessment-advice-service-walkergate-park/>

Telephone: (0191) 287 5090

Address: Walkergate Park Hospital, NE6 4QD

Euans Guide

Website: <https://www.euansguide.com/>

Telephone: (0191) 287 5090

Scope

Email: helpline@scope.org.uk

Website: <https://www.scope.org.uk/>

Telephone: (0191) 287 5090

Address: Here East Press Centre, E15 2GW

RNIB (Royal National Institute of Blind People)

Email: helpline@rnib.org.uk

Website: <https://www.rnib.org.uk>

Telephone: 0303 123 9999

Address: The Grimaldi Building, N1 9JE

Royal National Institute for the Deaf (RNID)

Email: contact@rnid.org.uk

Website: <https://rnid.org.uk/>

Telephone: 0303 123 9999

Address: RNID, Brightfield Business Centre, PE2 6XU

Citizens Advice Newcastle (CAN)

Email: citycab@newcastlecab.org.uk

Website: <http://citizensadvice-newcastle.org.uk>

Telephone: 0808 223 1133

Address: 4th Floor, City Library, NE1 8AX

Disability North

Email: reception@disabilitynorth.org.uk

Website: www.disabilitynorth.org.uk

Telephone: 0191 2840480

Address: The Dene Centre, NE3 1PH

Related Articles

[Living with a long-term health condition or disability](#)

[Hate crime](#)

[Personal budgets for care and support](#)

[Personal health budgets](#)

[How to make a good complaint](#)

[How to make a complaint about Adult Social Care services](#)

[How to complain about health services](#)