

Know your rights

Your guide to the Public Sector Equality Duties



This leaflet was written by **Disability Wales**. It is an easy read version of “Know your rights, Use your rights, Live your rights.”

March 2022

How to use this document



This is an easy read document. But you may still need support to read it. Ask someone you know to help you.



Words in **bold blue writing** may be hard to understand. You can check what the words in blue mean on **page 21**.



Where the document says **we**, this means **Disability Wales**. For more information contact:

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This document was made into easy read by **Easy Read Wales** using **Photosymbols**. To tell us what you think about this easy read version, [click here](#).

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Introduction



This booklet has been written by **Disability Wales**.



This booklet is for disabled people and disabled people's organisations.



This booklet gives information about the **Public Sector Equality Duties**. But it is not legal advice.



There are 8 booklets in total. Each booklet has information about a different law.



This booklet was correct in January 2021. But **The Public Sector Equality Duties** might change in the future.

About our work



We work hard to protect the **rights** of disabled people.



Rights are the things you are allowed to do. For example, you have the right to get married and the right to vote.

Rights tell us how we should be treated. For example, you have the right to be treated with respect.

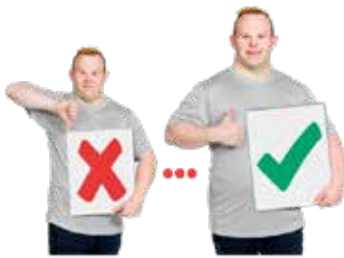
Other people have **rights** too. For example, you must treat other people with respect.



In 2020, we asked disabled people in Wales about their **rights**.



A lot of disabled people told us their **rights** were not well protected in Wales.



A lot of disabled people felt this would not improve in the future.



We want disabled people to know and use their **rights**. And to feel protected.



We wrote these 8 booklets to help.

The public sector equality duties



The **public sector equality duties** are part of the **Equality Act 2010**.



You can find out more about The **Equality Act 2010** in **Know Your Rights – Your guide to the Equality Act 2010**.



The **public sector equality duties** are rules for **public bodies** and other organisations. The rules cover any services they offer to the public.



Public bodies are services that are run for the public. For example, the NHS, local authorities, national parks, or fire service.



Public bodies must think about ways they can make life fairer for everyone.



And they should tell everyone about their plans and ideas.

Know your rights

The **public sector equality duties** has 3 aims. It says **public bodies** must:



- stop **discrimination**, **harassment**, and **victimisation**

Discrimination is when you are treated badly or unfairly because of your sex, race, religion, disability, or sexual identity.

Harassment is behaviour that upsets someone. Like being bullied.

Victimisation is being treated badly or picked on by someone.

Equality



- improve **equality**

Equality means treating people fairly.



- make sure different communities get along.



Public bodies need to think about the **3 aims** in all the work they do. For example, if they employ disabled people, they should consider their needs.



The **Public Sector Equality Duties** says disabled people's needs are different from non-disabled people's needs.



Public bodies must consider disabled people's needs. And make **reasonable adjustments** for them.

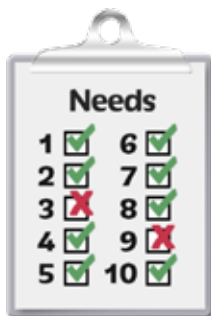


Reasonable adjustments are changes people can make to help disabled people. For example, putting in a ramp so a wheelchair user can enter a building.

Public bodies must also:



- change things that make life hard for disabled people



- meet the needs of disabled people



- help disabled people get involved in their communities and activities.

Public Sector Equality Duties in Wales



The **Public Sector Equality Duties** is stronger in Wales than the rest of the UK.



Public bodies in Wales must write **equality** plans.



Public bodies in Wales include people with **protected characteristics** in their plans. And ask them for ideas.



Protected characteristics are things about people that are protected by law. Like an impairment.



You can find out more about **protected characteristics** in **Know Your Rights - Your guide to the Equality Act**.

Use your rights

Disabled people's organisations and public bodies



Public bodies in Wales must write **equality objectives**.



Equality objectives are things they plan to do to improve **equality**.



Disabled people's organisations can work with **public bodies**. And make sure they write **equality objectives** that matter to disabled people.



Sometimes **public bodies** make changes to services. If these changes are illegal or unfair, **disabled people's organisations** can ask them to stop.



The **Public Sector Equality Duties** says **public bodies** must listen to what disabled people's organisations have to say.

Making a complaint



If you think a **public body** is breaking the law, you should talk to them first.



Use their complaints or appeals service. Tell them what they are doing wrong.



If they don't listen, you could contact an **Ombudsman**.



An **Ombudsman** is someone who will help you with your complaint.



In Wales, you can contact the **Public Service Ombudsman**.



To complain about a UK service, contact the **Parliamentary and Health Service Ombudsman**.



Instead of an **Ombudsman**, you could contact the **Equality and Human Rights Commission**.



It's the **Equality and Human Rights Commission's** job to help you with a complaint.



The **Equality and Human Rights Commission** will check if the **public body** is doing something wrong.



If the **public body** is doing something wrong, the **Equality and Human Rights Commission** will ask them to stop.



The **Equality and Human Rights Commission** can force the **public body** to stick to the **Public Sector Equality Duties**.

Going to court



You might not be sure if a **public body** has broken the **Public Sector Equality Duties** rules. But you can take them to court to check.



You need to show that what they have done is unfair. And affects 1 or more disabled person.



This kind of case is called a **judicial review**. You will need a good solicitor for this.



You might be able to get **legal aid** to pay for a **judicial review**. But only if you have a strong case.



Going to court can be very expensive if you don't have **legal aid**.



You should only go to court if you have tried everything else first.

A real life story

Community access group vs its local authority 2012



A council made changes to a high street. This affected Blue Badge holders.

What happened next



A campaign group complained about it. The **Ombudsman** talked to the council. And the group was given a compromise.



Now, Bangor High Street is open at 4:30pm. And is closed at 10:00 am the following day.

This gives Blue Badge holders more time to use the high street.



You can watch a film about it here:

English subtitled version: www.youtube.com/watch?v=ilrnvc8yFGQ

More information



For a full list of bodies covered by the **public sector equality duties** go to:

www.legislation.gov.uk/ukpga/2010/15/schedule/19

For an overview of the **Equality and Human Rights Commission** report on **public sector equality duties** and how it works in Wales go to:

www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-wales

A summary of the **Equality and Human Rights Commission** report on **public sector equality duties** and how it works in Wales:

www.equalityhumanrights.com/en/publication-download/review-public-sector-equality-duty-psed-wales-executive-summary

A list of local authorities and what they are doing to stick to **public sector equality duties**:

www.equalityhumanrights.com/sites/default/files/psed_examples_report_english.pdf



Equality and Human Rights Commission Essential Guide for Public Authorities in Wales:

www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty

Citizens Advice information about the **public sector equality duties**:

www.citizensadvice.org.uk/wales/law-and-courts/discrimination/public-sector-equality-duty/what-s-the-public-sector-equality-duty/

Hard words

Discrimination

Discrimination is when you are treated badly or unfairly because of your sex, race, religion, disability or sexual identity.

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Victimisation

Victimisation is being treated badly or picked on by someone.

