

## **CILIP Briefing**

### **The Equality Act (2010)**

The Equality Act protects the rights of individuals and advances equality of opportunity for all.

The Act extends the circumstances in which a person is protected against discrimination, harassment or victimisation because of a protected characteristic.

The relevant protected characteristics set out in the Equalities Act are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

### **What the Equality Act means for public libraries**

Public libraries must comply with the Public Sector Equality duty (section 149 of the Equality Act). This imposes a duty on public bodies to have due regard to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

*“A public authority must have due regard to the need to”:*

- Eliminate discrimination, harassment, victimisation and any conduct prohibited by the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to promote understanding.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Public bodies also have to consider how their policies, programmes and service delivery will affect people with the protected characteristics. The Act also places a new duty on public bodies to consider socio-economic disadvantage when making strategic decisions about how to exercise their functions.

The Secretary of State for Culture must also have due regard to the Public Sector Equality Duty and be informed by its provisions in any guidance he provides to local authorities on their responsibilities under the Public Libraries & Museums Act 1964<sup>1</sup>

### **Legislation**

- [The Equality Act 2010](#)

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<sup>1</sup> See the briefings on the Public Libraries and Museums Act 1964 and the Human Rights Act 1998