

Employment

Current Employee

Victimisation



**RIGHT TO
PARTICIPATE**

Useful knowledge

If you're subjected to a 'detriment' – some form of disadvantage - as a result of bringing a claim, making a complaint of disability discrimination, or doing anything else under the Equality Act 2010 – such as supporting someone else with a complaint of disability discrimination - this is known as victimisation.

Victimisation can also take place when there is a suspicion that a complaint of discrimination has been or will be made.

Under the terms of The Equality Act 2010, victimisation is unlawful. An example of victimisation could be being turned down for a promotion because you previously made a complaint about disability discrimination.

Useful skills

- Effective communication
- Openness
- Self-awareness
- Problem solving

Ways to assert your legal rights

By email or letter, report the victimisation to your line manager.

[Click here for template letter](#)

It is useful if you can provide dates etc. of when the victimisation occurred. If your line manager *is* the person you wish to report for victimisation, raise the issue with their line manager, head of department or equivalent.

If following informal action from your line manager, the issue has not been resolved to your satisfaction, you should invoke your employer's grievance policy. This is normally found in a staff handbook or similar, which most employees are given when they join a company.

If you still don't get a satisfactory resolution, you can take a claim to an employment tribunal. There are timescales within which a claim should be made. In general, the time limit within which a claim of disability discrimination

must be raised is three months less one day from the date of the discrimination taking place, or from the end of your employment.

Before taking your employer to an employment tribunal, you must first attempt what is termed 'early conciliation'. Early conciliation is a service delivered by the Advisory, Conciliation and Arbitration Service (ACAS), a publicly funded but independent organisation. Engaging early conciliation can reduce the stress and anxiety caused by taking a claim to a tribunal. If engaged within its own time limit (also three months less one day), early conciliation extends the time period for taking action via an employment tribunal if you need to take it that far.

If you're a member of a trade union, it's worth engaging their support as early as possible, but at any stage of the process. [Find out more about joining a trade union here.](#)

You can have confidence in the process because

Disabled employees are protected from discrimination, harassment and victimisation by The Equality Act 2010.

You can get more help from

The [Equality Advisory & Support Service \(EASS\)](#) runs a free helpline assisting individuals with equality and human rights issues across England, Scotland and Wales.

- Telephone • 0808 800 0082
- Text phone • 0808 800 0084
- Email • [through websites form](#)

ACAS runs the [Early Conciliation service](#) for when you can't sort out things directly with an employer.

- Helpline • 0300 123 1100
- Website • www.acas.org.uk