

Using protected characteristics to make decisions

What the law says

Under the law (Equality Act 2010), in certain circumstances employers can:

- take action based on a particular protected characteristic
- justify a business decision that affects people with a particular protected characteristic

This can help:

- someone or a group of people who are disadvantaged or underrepresented in the organisation
- the organisation's diversity and inclusion
- to fulfil a specific need for the employer

Employers can do this through either:

- [positive action](#)
- [objective justification](#)

The protected characteristics under the law are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Contact the Acas helpline

If you have any questions about using protected characteristics to make a decision at work, [contact the Acas helpline](#).