7 minute briefing

Safeguarding ENFIELD

Why are we talking about the Equality Act (2010)?

The Equality Act 2010 underpins many of the principles of safeguarding and Making Safeguarding Personal. Understanding how someone may be disadvantaged and giving reasonable adjustments is key to ensuring that they are empowered and supported properly.

The 2nd National Analysis of Safeguarding Adults reviews highlighted that practitioners and reviewers were often not recording protected characteristics of the adults they work with – and therefore not showing what impact these could have had or any reasonable adjustments may have been made.

The CQC inspection framework also highlights how important it is to understand the Act.

What is the Act?

The Equality Act 2010 brought together and simplified previous discrimination legislation. Its purpose is to protect people from discrimination both in employment and across wider society, including when accessing public services. The Act sets out the different forms of unlawful treatment and the responsibilities placed on organisations.

Further information:

- Diverse by Design: a workbook for adult social care [local.gov.uk]
- Skills for Care: Equality, diversity and inclusivity [skillsforcare.org.uk]
- Research in Practice: Safety Matters

What Characteristics are protected under the Act?

- Age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation.

Definition of Disability: A person is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. Addiction / dependence on alcohol or any other substance is not regarded as an impairment for the purposes of the Act but clearly can have a huge impact.



Common barriers to be mindful of:

Unconscious Bias: Assumptions can affect how risks, needs and strengths are understood.

A lack of representation: People's voices may be missed if they are not meaningfully included in the professional team and forums.

Power Dynamics: Power imbalances can make it harder for people to challenge decisions or ask for help. Professionals don't always recognise their power.

Lack of holistic or intersectional thinking: Looking at one issue alone can mean missing how different risks and barriers connect.

The importance of explicit recording of protected characteristics…

It is vital to record the characteristics of adults that we work with – both so that there is evidence of where reasonable adjustments have been considered and to ensure that there is evidence of any demographic patterns within our work.

Often ,we consider these factors but don't record them – therefore there is no evidence for either inspectors or future professionals.

Reasonable Adjustments…

There is a legal duty under the Equality Act to make reasonable adjustments to support adults where they might otherwise be disadvantaged due to individual needs or one of the protected characteristics – you can find guidance around disability related adjustments here for example.

This might include using translation services, specialist equipment, advocacy – it's important to consider what you yourself would expect or find helpful.

A note on translation – it is important to always use a formal translator (as opposed to a family member) where there is a safeguarding concern. Even where a translator isn't necessary, adults talking in their second or third language might need extra time or consideration (for example, social workers do different things in different countries so this might need clarifying).