

If you've been discriminated against at work

It may be discrimination if you think you're being treated unfairly because of any of these 'protected characteristics':

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

If you believe you've experienced discrimination at work, you can make a complaint to your employer.

It's best to make a complaint as soon as possible. But if you make a complaint a long time after an incident took place, your employer should still take it seriously.

If your employer has a specific policy for making discrimination complaints, you should follow that policy.

Understanding discrimination

Discrimination law (Equality Act 2010) protects people against discrimination at work. There are different types of discrimination, including harassment and victimisation.

Understanding the type of discrimination you might have experienced will help you find the best way to resolve it.

[Find out more about discrimination and the Equality Act 2010](#)

Keeping a record

It's a good idea to keep a diary or record of what's happened, including:

- what happened
- how it made you feel
- dates and times it happened
- any evidence, for example emails or screenshots of social media posts
- any witnesses

Keeping a record can be especially helpful if you find talking about the experience particularly distressing.

Raising the problem informally

It's usually best to raise the problem informally first. You can do this with your manager, HR or someone senior from work. Informal resolution is usually quicker and less stressful for everyone.

For example, Lou is a transgender woman. A colleague, Ash, asks what Lou's name used to be. Lou is upset but believes Ash did not realise the question was offensive. Lou decides to raise the issue informally and asks their manager to talk to Ash. Later, the manager tells Lou that Ash is sorry and will not do it again. Lou is happy with this and the unwanted behaviour stops.

Not every situation will be suitable for informal resolution.

[Find out more about how to raise a problem at work](#)

Raising the problem formally

You can raise a grievance if:

- you've already tried to resolve things informally but it did not work
- you feel the situation is too serious to be resolved informally
- your employer has asked you to raise the problem formally, because they feel the matter is very serious

Raising a grievance is where you make a formal complaint to your employer.

For example, Lou is a transgender woman. Two colleagues insist on referring to Lou as 'he', even after other people ask them not to. The team manager refuses to get involved and tells Lou to ignore them. Lou feels the behaviour is deliberately malicious and is concerned by the manager's attitude. Lou thinks this a serious issue and contacts HR to raise a formal complaint.

Your employer might encourage you to try informal resolution first, if you have not done that already. However, they should allow you to raise a problem formally if that's what you want. If you cannot agree on an approach together, your employer should deal with it formally.

[Find out more about raising a grievance](#)

Using a question and answer process

If you believe you have been discriminated against, it can be a good idea to use a question and answer process. This includes sending your employer a statement explaining what happened and asking them any questions you might have.

You can do this at any time, whether you're raising the problem informally or formally.

[Find out how to ask your employer questions about discrimination](#)

What your employer should do

Your employer should take your discrimination complaint seriously and look into it as soon as possible.

[Find out how employers should handle a discrimination complaint](#)

If the problem is not resolved

If you make a formal complaint and this does not resolve the problem, you can consider making a claim to an employment tribunal.

There are strict time limits for making a claim. In most cases, you have 3 months minus 1 day from the date the discrimination happened. If the time limit has passed, you can still make a claim to an employment tribunal. It's up to the judge to decide whether they will accept your claim.

You can make a discrimination claim regardless of your employment status or how long you've worked for your employer.

Find out more about:

- [making a claim to an employment tribunal](#)
- [employment tribunal time limits](#)

If you have to leave your job because of discrimination

If you feel you have to resign because of discrimination, this might be 'constructive dismissal'. You might be able to make a claim to an employment tribunal.

Resigning from your job is a big step to take. You should consider this very carefully.

In most cases, you should give your employer a chance to resolve the problem before you consider leaving.

[Find out more about constructive dismissal](#)

Get more advice and support

Help and support is available for anyone affected by discrimination.

Support through work

Depending on what's available at your work, this might include:

- counselling or mental health support through an employee assistance programme (EAP)
- someone who's been trained to advise people who are considering making a discrimination complaint
- staff support networks – for example a disability network

Other support

To help you understand your rights and options, you can:

- [contact the Acas helpline](#)
- [contact the Equality Advisory and Support Service \(EASS\)](#)
- talk to your trade union, if you have one

[Find out about mental health advice and support](#)