

Equality Act Review Policy Briefings

To inform Government and Parliamentary Debate

Why Autism needs to be included as a non-disability related protected characteristic within the Equality Act 2010

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Background

Autism is a developmental disability that can impact **how an individual communicates and interacts** with the world around them (*National Autistic Society, 2023*). This means that many autistic people can struggle to communicate in a way that matches societal demand, and can often become anxious or overstimulated in social situations, struggling with noise and light (*Booth, 2016*). Despite this, society largely ignores the challenges that individuals with Autism face in their daily lives, forcing individuals with Autism to **conform to the 'norm'** instead of adjusting environmental conditions to suit their needs (*Woods, 2017*). This means that many individuals do not have a diagnosis of Autism as they have spent the majority of their lives 'masking' their Autism as a way of social conformance. At present, it is thought that around **1 in 100 people are Autistic**, however Autism can often go undiagnosed, especially in women. This means that many people do not find out that they are autistic until later in life, where they are not provided the support that they may need to access different opportunities in school and in the workplace (*National Autism Society, 2023*).

Current Protection

Currently, under the Equality Act 2010, individuals with Autism are protected under the disability characteristic, where employers and educational services are expected to provide **reasonable adjustments** for individuals with Autism. The issue, however, is that the

individual must identify as being disabled, something that many individuals with Autism do not identify as. This is because Autism is a spectrum, where people have entirely **different relationships with their Autism** and it impacts their lives in a range of different ways. For some individuals, their Autism dictates their entire lives, being unable to live independently safely or communicate with others, so that they are entirely reliant on care. For many however, their Autism does not have such debilitating or 'disabling' impacts, where conforming to the 'norm' of society is easier for them.

Recommendations

We recommend that Autism, or **Neurodivergence, is included as a protected characteristic, independently of disability** so that reasonable provisions are more accessible to individuals with Autism in the workplace. By making Neurodivergence its own characteristic, those with Autism will not be required to identify as being disabled, in order to receive the support and reasonable provisions that they need to both be afforded, and to experience equal opportunity under the Equality Act 2010. This will result in a **social transition** towards workplace environments becoming more suitable and accepting for neurodivergent workers, where they are able to thrive in their careers, diversifying our skilled workforce.

Bibliography

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