

## **Disability Discrimination Act 2005 – definition**

The Disability Discrimination Act (DDA) defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

For the purposes of the Act:

- substantial means neither minor nor trivial
- long term means that the effect of the impairment has lasted or is likely to last for at least 12 months (there are special rules covering recurring or fluctuating conditions)
- normal day-to-day activities include everyday things like eating, washing, walking and going shopping
- a normal day-to-day activity must affect one of the 'capacities' listed in the Act which include mobility, manual dexterity, speech, hearing, seeing and memory

Some conditions, such as a tendency to set fires and hay fever, are specifically excluded.

People who have had a disability in the past that meets this definition are also covered by the scope of the Act. There are additional provisions relating to people with progressive conditions.

The DDA 2005 amended the definition of disability. It ensured that people with HIV, cancer and multiple sclerosis are deemed to be covered by the DDA effectively from the point of diagnosis, rather than from the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

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Source: [www.direct.gov.uk](http://www.direct.gov.uk) 21 January 2010