

EQUALITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 16: General and Miscellaneous

Schedule 13: Education: reasonable adjustments

889. This Schedule provides for reasonable adjustments to be made by educational bodies in relation to disabled people.

Effect

890. [Paragraph 2](#), which relates to admissions, the provision of education and access to benefits, facilities and services, requires schools to comply with requirements to:

- ensure that any provisions, criteria or practices do not place disabled pupils at a substantial disadvantage in comparison with non-disabled pupils;
- provide any reasonable auxiliary aids which might help remove any such disadvantage.

891. [Paragraph 3](#) requires higher or further education institutions in relation to admissions, education, access to benefits, facilities and services, and the conferring of qualifications to comply with requirements to take reasonable steps to:

- ensure that any provisions, criteria or practices do not place disabled students at a substantial disadvantage in comparison with non-disabled students;
- take reasonable steps to change physical features which place disabled students at a disadvantage;
- provide any reasonable auxiliary aids which might help remove any substantial disadvantage.

892. [Paragraph 4](#) defines who is an “interested disabled person”, in relation to conferment of qualifications. It also sets out that a provision, criterion or practice does not include an application of a competence standard, which is also defined.

893. [Paragraph 5](#) requires local authorities and maintained schools which are providing higher education or further education to take reasonable steps to ensure that any provisions, criteria or practices do not place disabled people at a substantial disadvantage, and provide any reasonable auxiliary aids to help remove any disadvantage in relation to enrolling people on courses of further or higher education, and to services provided once enrolled. Local authorities providing such services also need to take reasonable steps to change physical features which place disabled students at a disadvantage.

894. [Paragraph 6](#) requires local authorities providing recreational or training facilities to take reasonable steps to ensure that any provisions, criteria or practices do not place disabled people at a substantial disadvantage. They must also take reasonable steps to change physical features which place disabled students at a disadvantage and

*These notes refer to the Equality Act 2010 (c.15)
which received Royal Assent on 8 April 2010*

provide reasonable auxiliary aids to help remove any disadvantage in relation to their arrangements for providing recreational or training facilities.

895. [Paragraph 7](#) requires educational institutions to consider the relevant code of practice produced by the Equality and Human Rights Commission when determining reasonable steps.
896. [Paragraph 8](#) requires that, when making any reasonable adjustment for a particular person, the educational institution needs to consider any request made by that person to keep the nature and existence of that person's disability confidential.
897. [Paragraph 9](#) sets out that qualifications bodies must take reasonable steps to:
- ensure that any provision, criterion or practice does not place disabled people at a substantial disadvantage;
 - change physical features which put disabled candidates at a substantial disadvantage;
 - provide auxiliary aids to disabled candidates who are at a substantial disadvantage in the conferring of qualifications.

Background

898. These provisions are designed to mainly replicate the effect of provisions in the Disability Discrimination Act 1995.

Examples

- A school with a number of disabled pupils could negotiate special arrangements for pupils who are taking exams.
- A school could provide Braille texts to a blind pupil at the start of lessons so they have access to the same information as other pupils.
- A university has a revolving door which causes some problems for disabled pupils and under these duties it may be reasonable for them to replace the door with a sliding one.
- To ensure that a pupil who needs a wheelchair is not disadvantaged by being left out of PE lessons, a school consults a physiotherapist and devises special activities for the pupil to carry out in PE.