Equality Act 2010

CHAPTER 15

EQUALITY ACT 2010

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Changes to legislation: Equality Act 2010 is up to date with all changes known to be in force on or before 26 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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8 (1) This paragraph applies where the relevant disabled person comes...

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2 (1) An office or post is not a personal or...

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5 (1) A difference as between men and women is permitted...

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6 (1) Regulations may amend this Part of this Schedule so...

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1 This Schedule applies where a duty to make reasonable adjustments...

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2 (1) A must comply with the first, second and third...

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   provider,....

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17 This paragraph applies where A is a trade organisation. Relevant...
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18 (1) This paragraph applies where A is a local authority....

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20 (1) A is not subject to a duty to make...

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2 (1) A person (A) does not contravene a provision mentioned...

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3 A person (A) with an ethos based on religion or...

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4 (1) A person does not contravene section 39(1)(a) or (c)...

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5 (1) A person (A) does not contravene section 55(1) or...

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6 (1) This paragraph applies for the purposes of this Part...

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Preliminary

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8 (1) It is not an age contravention to dismiss a...

Applicants at or approaching retirement age

9 (1) A person does not contravene section 39(1)(a) or (c),...

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10 (1) It is not an age contravention for a person...

The national minimum wage: young workers

11 (1) It is not an age contravention for a person...
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(1) It is not an age contravention for a person...

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(1) It is not an age contravention for a person...

Insurance etc.

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Child care

(1) A person does not contravene a relevant provision, so...

Contributions to personal pension schemes

(1) A Minister of the Crown may by order provide...

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(1) A person does not contravene section 39(1)(b) or (2),...

Benefits dependent on marital status, etc.

(1) A person does not contravene this Part of this...

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(1) A does not contravene a provision mentioned in sub-paragraph...

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(1) A local authority in England and Wales must, in...

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(1) The responsible body of a school in England and...

(1) In preparing an accessibility plan, the responsible body must...

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2 (1) Section 85(1), so far as relating to sex, does...

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3 (1) If the responsible body of a single-sex school decides...
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5 Section 85(1) and (2)(a) to (d), so far as relating...

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Single-sex institutions turning co-educational
2 (1) If the responsible body of a single-sex institution decides...
3 (1) In the case of a single-sex institution—

Part 2 — OTHER EXCEPTIONS

Occupational requirements
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Institutions with a religious ethos
5 (1) The responsible body of an institution which is designated...

Benefits dependent on marital status, etc.
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1 This Schedule applies where a duty to make reasonable adjustments...

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The duty for further or higher education institutions

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(1) An interested disabled person is a disabled person who,...

The duty relating to certain other further or higher education courses

5 (1) This paragraph applies where A is the responsible body...

The duty relating to recreational or training facilities

6 (1) This paragraph applies where A is the responsible body...

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Confidentiality requests

8 (1) This paragraph applies if a person has made a...

The duty for general qualifications bodies

9 (1) This paragraph applies where A is a qualifications body...

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1 (1) This paragraph applies to a trust deed or other...

Educational endowments

2 (1) This paragraph applies to an educational endowment—

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Preliminary

1 This Schedule applies where a duty to make reasonable adjustments...

The duty

2 (1) A must comply with the first, second and third...

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Single characteristic associations

1 (1) An association does not contravene section 101(1) by restricting...

**Age**

1A (1) An association does not contravene section 101(1) or (2),...

**Health and safety**

2 (1) An association (A) does not discriminate against a pregnant...

SCHEDULE 17 — Disabled pupils: enforcement

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1 In this Schedule— “the Tribunal” means— in relation to a...

Part 2 — TRIBUNALS IN ENGLAND AND WALES

Introductory

2 This Part of this Schedule applies in relation to the...

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3 A claim that a responsible body in England has contravened...

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3A (1) A claim that a responsible body for a school...

**Time for bringing proceedings**

4 (1) Proceedings on a claim may not be brought after...

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5 (1) This paragraph applies if the Tribunal finds that the...

**Procedure**

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6AA (1) A party to any proceedings on a claim under...

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6A (1) This paragraph applies to a child not over compulsory...

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6B (1) A local authority in Wales must arrange for any...

**Resolution of disputes — Wales**

6C (1) A local authority in Wales must make arrangements with...

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6D (1) Every local authority in Wales must—
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6E (1) If the Welsh Ministers are satisfied (whether on a...

Capacity of parents and persons over compulsory school age - Wales

6F (1) The Welsh Ministers must make regulations for the purpose...

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Introductory

7 This Part of this Schedule applies in relation to the...

Jurisdiction

8 A claim that a responsible body has contravened Chapter 1...

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9 (1) This paragraph applies if the Tribunal finds the contravention...

Procedure etc.

10 (1) The Scottish Ministers may make rules as to—

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11 (1) Either of the persons specified in sub-paragraph (2) may...

Amendment of Education (Additional Support for Learning) (Scotland) Act 2004

12 The Education (Additional Support for Learning) (Scotland) Act 2004 (asp...

Part 4 — ADMISSIONS AND EXCLUSIONS

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14 (1) This paragraph applies if appeal arrangements have been made...

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2 (1) In relation to the exercise of immigration and nationality...

Judicial functions, etc.

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4 (1) Section 149(2) (application of section 149(1) to persons who...
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5 (1) A Minister of the Crown may by order amend...

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A Minister of the Crown. A government department other than...

Armed forces

Any of the armed forces other than any part of...

Broadcasting

The British Broadcasting Corporation (“BBC”), except in respect...

Citizens’ rights

The Independent Monitoring Authority for the Citizens' Rights Agreements.

Civil liberties

The Commission for Equality and Human Rights. The Information Commissioner....

Court services and legal services

The Children and Family Court Advisory and Support Service. The...

Criminal justice

Her Majesty's Chief Inspector of Constabulary. Her Majesty's Chief Inspector...

Environment, housing and development

The Homes and Communities Agency. Natural England. The Office for...

Health, social care and social security

NHS England. An integrated care board established under section...

Industry, business, finance etc.

The Advanced Research and Invention Agency. The Advisory, Conciliation and...

Local government

A county council, district council or parish council in England....

Other educational bodies

The governing body of an educational establishment maintained by an...
Parliamentary and devolved bodies

The National Assembly for Wales Commission (Comisiwn Cynulliad Cenedlaethol Cymru)....

Police

The British Transport Police Force. A chief constable of a...

Regulators

... The Association of Chartered Certified Accountants, in respect of...

Transport

High Speed Two (HS2) Limited. A strategic highways company appointed...

Part 2 — PUBLIC AUTHORITIES: RELEVANT WELSH AUTHORITIES

Welsh Assembly Government, etc.

The Welsh Ministers. The First Minister for Wales. The Counsel...

National Health Service

A Local Health Board established under section 11 of the...

Local government

A corporate joint committee established by regulations made under Part...

Other educational bodies

The governing body of an educational establishment maintained by a...

Other public authorities

The Welsh Revenue Authority or Awdurdod Cyllid Cymru. The Auditor...

Part 3 — PUBLIC AUTHORITIES: RELEVANT SCOTTISH AUTHORITIES

Scottish Administration

An office-holder in the Scottish Administration (within the meaning given...

National Health Service

A Health Board constituted under section 2 of the National...

Local government

A council constituted under section 2 of the Local Government...

Other educational bodies

An education authority in Scotland (within the meaning of section...
Police and Fire
The Scottish Police Authority. The chief constable of the Police...

Other bodies and offices added on 6th April 2011
Accounts Commission for Scotland. Audit Scotland. Board of Trustees of...

Other bodies and offices added on 5th March 2012
Children's Hearings Scotland. The National Convener of Children's Hearings Scotland...

Other bodies added on 1st April 2015
Historic Environment Scotland. An integration joint board established by order...

Other body added on 28th June 2018
ILF Scotland.

Other body added on 26th November 2020
The Scottish National Investment Bank p.l.c.

Other office added on 1st December 2020
Scottish Biometrics Commissioner.

Other body added on 23rd December 2021
South of Scotland Enterprise.

PART 4 — PUBLIC AUTHORITIES: CROSS-BORDER AUTHORITIES

Cross-border Welsh authorities
The Environment Agency – D The Natural Resources Body for...

SCHEDULE 20 —

SCHEDULE 21 — Reasonable adjustments: supplementary

Preliminary
1 This Schedule applies for the purposes of Schedules 2, 4,...

Binding obligations, etc.
2 (1) This paragraph applies if— (a) a binding obligation requires...

Landlord's consent
3 (1) This paragraph applies if— (a) A occupies premises under...
Proceedings before county court or sheriff

4 (1) This paragraph applies if, in a case within Part...

Joining landlord as party to proceedings

5 (1) This paragraph applies to proceedings relating to a contravention...

Regulations

6 (1) Regulations may make provision as to circumstances in which...

Interpretation

7 An expression used in this Schedule and in Schedule 2,...

SCHEDULE 22 — Statutory provisions

Statutory authority

1 (1) A person (P) does not contravene a provision specified...

Protection of women

2 (1) A person (P) does not contravene a specified provision...

Educational appointments, etc: religious belief

3 (1) A person does not contravene Part 5 (work) only...
4 A person does not contravene this Act only by doing...

Crown employment, etc.

5 (1) A person does not contravene this Act—

SCHEDULE 23 — General exceptions

Acts authorised by statute or the executive

1 (1) This paragraph applies to anything done—

Organisations relating to religion or belief

2 (1) This paragraph applies to an organisation the purpose of...

Communal accommodation

3 (1) A person does not contravene this Act, so far...

Training provided to non-EEA residents, etc.

4 (1) A person (A) does not contravene this Act, so...

SCHEDULE 24 — Harmonisation: exceptions

. . . . . . . . .

SCHEDULE 25 — Information society services
Service providers

1 (1) This paragraph applies where a person concerned with the...
2 (1) This paragraph applies where an information society service provider...

Exceptions for mere conduits

3 (1) An information society service provider does not contravene this...

Exception for caching

4 (1) This paragraph applies where an information society service consists...

Exception for hosting

5 (1) An information society service provider does not contravene this...

Monitoring obligations

6 An injunction or interdict under Part 1 of the Equality...

Interpretation

7 (1) This paragraph applies for the purposes of this Schedule....

SCHEDULE 26 — Amendments
Part 1 — ACTS OF PARLIAMENT

Disabled Persons (Employment) Act 1944

1 In section 15 of the Disabled Persons (Employment) Act 1944...

Teaching Council (Scotland) Act 1965

2 In section 1(3) of the Teaching Council (Scotland) Act 1965,...

Employment and Training Act 1973

3 In section 12(1) of the Employment and Training Act 1973...

Estate Agents Act 1979

4 The Estate Agents Act 1979 is amended as follows.
5 In section 5(3) (supplementary provisions about prohibition and warning orders)—...
6 (1) Schedule 1 (provisions supplementary to section 3(1)) is amended...

Civic Government (Scotland) Act 1982

7 (1) Section 20 of the Civic Government (Scotland) Act 1982...

Housing (Scotland) Act 1987

8 In section 338(1) of the Housing (Scotland) Act 1987 (interpretation)...
Local Government Act 1988

9 Part 2 of the Local Government Act 1988 (public supply...
10 In section 17 (local and other public authority contracts: exclusion...
11 Omit section 18 (exceptions to section 17 relating to race...
12 In section 19 (provisions supplementary to or consequential on section...

Employment Act 1989

13 The Employment Act 1989 is amended as follows.
14 In section 8 (exemption for discrimination in favour of lone...
15 (1) Section 12 . . . (Sikhs: requirements as to...
16 In section 28 (orders etc.), omit subsections (2), (3) and...
17 In section 29(1) (interpretation), omit the definition of “the 1975...

Local Government and Housing Act 1989

18 In section 7(2) of the Local Government and Housing Act...

Enterprise and New Towns (Scotland) Act 1990

19 The Enterprise and New Towns (Scotland) Act 1990 is amended...
20 In section 2(4)(a) (functions in relation to training for employment...
21 In section 16(2) (courses of training etc.: duty to give...
22 For section 17 (encouragement of women, members of minority racial...

Further and Higher Education Act 1992

23 In section 62(7B) of the Further and Higher Education Act...

Trade Union and Labour Relations (Consolidation) Act 1992

24 (1) Schedule A2 to the Trade Union and Labour Relations...

Trade Union Reform and Employment Rights Act 1993

25 In section 39(2) of the Trade Union Reform and Employment...
26 In Schedule 6 (compromise contracts) omit paragraphs 1 and 2....

Employment Tribunals Act 1996

27 The Employment Tribunals Act 1996 is amended as follows.
28 In section 5(2)(c) (remuneration, fees and allowances) for “2A(1)(b) of...
29 In section 7(3)(h) (employment tribunal procedure regulations) for “2A(1)(b) of...
30 In section 12(1) (restriction of publicity in disability cases) for...
31 In section 18(1) (tribunal proceedings to which conciliation provisions apply)—...
32 In section 21(1) (Jurisdiction of appeal tribunal)—

Employment Rights Act 1996

33 (1) Section 126 of the Employment Rights Act 1996 (acts...

Housing Grants, Construction and Regeneration Act 1996

34 In section 126 of the Housing Grants, Construction and Regeneration...
Education Act 1996

35 The Education Act 1996 is amended as follows.
36 (1) Section 317 of the Education Act 1996 (duties of...
37 In section 336(4A) (tribunal procedure) for “claim under Chapter 1...
38 In section 509AC(5)(interpretation etc), in the definition of “disabled person”,...
39 Omit section 583(5) (commencement etc: transitory provision relating to the...
40 In Schedule 35B (meaning of eligible child etc), paragraph 15(4),...
41 In Schedule 35C (school travel schemes), paragraph 14, in the...
42 (1) In Schedule 36A (education functions of local authorities) the...

Teaching and Higher Education Act 1998

43 In section 1(4) of the Teaching and Higher Education Act...

School Standards and Framework Act 1998

44 The School Standards and Framework Act 1998 is amended as...
45 In Schedule 5, in paragraph 6 (adjudicators, procedure) for subparagraphs...
46 (1) In Schedule 6, Part 5 (procedures for making transitional...
47 (1) In Schedule 7, in Part 6 (transitional exemption orders,...

Transport Act 2000

48 In section 112(2) of the Transport Act 2000 (plans and...

Employment Act 2002

49 (1) Schedule 5 to the Employment Act 2002 (tribunal jurisdiction)... 

Income Tax (Earnings and Pensions) Act 2003

50 The Income Tax (Earnings and Pensions) Act 2003 is amended...
51 In section 439(4) (chargeable events) after “within the meaning of”...
52 In section 477(5) (chargeable events) after “within the meaning of”...

Communications Act 2003

53 The Communications Act 2003 is amended as follows.
54 In section 27(5) (training and equality of opportunity)—
55 In section 337(9) (promotion of equal opportunities and training)—
56 In Schedule 12, in paragraph 23(6) (obligations of the Welsh...

Finance Act 2004

57 The Finance Act 2004 is amended as follows.
58 In section 172A(5)(db) (surrender of pension benefits etc) for—
59 In paragraphs 11D(2A) and (2B)(b), 12(2C)(d) and 14(3A) and (3D)(a)... 

Serious Organised Crime and Police Act 2005

60 Section 56 of the Serious Organised Crime and Police Act...
Equality Act 2006

61 The Equality Act 2006 is amended as follows.
62 (1) Section 8 (equality and diversity) is amended as follows....
63 In section 10(2) (meaning of group) for paragraph (d) substitute—...
64 For section 11(3)(c) (interpretation) substitute— (c) a reference to the...
65 (1) Section 14 (codes of practice) is amended as follows....
66 In section 16(4) (inquiries: matters which the Commission may consider...
67 In section 21(2)(b) (unlawful act notice: specification of legislative provision)...
68 After section 24 insert— Enforcement powers: supplemental (1) This section has effect in relation to—
69 Omit section 25 (restraint of unlawful advertising etc.).
70 Omit section 26 (supplemental).
71 (1) Section 27 (conciliation) is amended as follows.
72 (1) Section 28 (legal assistance) is amended as follows.
73 For section 31(1) (duties in respect of which Commission may...
74 (1) Section 32 (public sector duties: compliance notice) is amended...
75 Omit section 33 (equality and human rights enactments).
76 (1) Section 34 (meaning of unlawful) is amended as follows....
77 (1) Section 35 (general: definitions) is amended as follows.
78 In section 39(4) (orders subject to affirmative resolution procedure) for...
79 Omit section 43 (transitional: rented housing in Scotland).
80 Omit Part 2 (discrimination on grounds of religion or belief)....
81 Omit section 81 (regulations).
82 Omit Part 4 (public functions).
83 In section 94(3) (extent: Northern Ireland)— (a) omit “and 41...
84 (1) Schedule 1 (the Commission: constitution, etc.) is amended as...
85 In Schedule 3 (consequential amendments), omit paragraphs 6 to 35...

Immigration, Asylum and Nationality Act 2006

86 In section 23(1)(a) of the Immigration Asylum and Nationality Act...

Childcare Act 2006

87 The Childcare Act 2006 is amended as follows.
88 In section 6(6) (duty to secure sufficient childcare for working...
89 In section 12(8) (duty to provide information, advice and assistance)...
90 In section 22(6) (duty to secure sufficient childcare for working...
91 In section 27(8) (duty to provide information, advice and assistance...

Education and Inspections Act 2006

92 The Education and Inspections Act 2006 is amended as follows....
93 In section 21(5) (proposals under section 19: procedure) for “section...
94 In section 91(7) (enforcement of disciplinary penalties) for “Disability Discrimination...

Finance Act 2007

95 In paragraph 7(7) of Schedule 18 to the Finance Act...
UK Borders Act 2007
96 In section 48(2)(f) of the UK Borders Act 2007 (recommendations...}

Regulatory Enforcement and Sanctions Act 2008
97 The Regulatory Enforcement and Sanctions Act 2008 is amended as...
98 Insert after section 38(2) (meaning of “relevant offence”) —
99 In Schedule 3 (enactments specified for the purposes of the...

Apprenticeships, Skills, Children and Learning Act 2009
100 In section 218(3)(b) of the Apprenticeships, Skills, Children and Learning...
Part 2 — ACTS OF THE SCOTTISH PARLIAMENT

Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002
101 In section 6 of the Education (Disability Strategies and Pupils'...

Freedom of Information (Scotland) Act 2002
102 The Freedom of Information (Scotland) Act 2002 is amended as...
103 In section 11(5) (means of providing information) for “provider of...
104 In section 12(6) (excessive cost of compliance) for “Disability Discrimination...

Dog Fouling (Scotland) Act 2003
105 In section 16 of the Dog Fouling (Scotland) Act 2003...

Education (Additional Support for Learning) (Scotland) Act 2004
106 Paragraph 3(1)(e) of schedule 2 to the Education (Additional Support...

Housing (Scotland) Act 2006
106A In section 194(1) of the Housing (Scotland) Act 2006 (interpretation),...

Education (Additional Support for Learning) (Scotland) Act 2009
107 In section 9 of the Education (Additional Support for Learning)...
Changes to legislation:
Equality Act 2010 is up to date with all changes known to be in force on or before 26 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:
- s. 80(7) repealed by S.I. 2014/3229 Sch. 5 para. 19(3)
- s. 104(7) words repealed by 2010 c. 15 s. 105(1)(2) (This repeal comes into force at the end of 2030 unless an order under s. 105(2) specifies a later time)
- s. 138(8) words substituted by 2013 c. 22 Sch. 9 para. 52
- s. 140AA(1)(b) words substituted by S.I. 2019/305 reg. 5(2)(b) (This amendment not applied to legislation.gov.uk. Reg. 5(2)(b) substituted immediately before IP completion day by S.I. 2020/1139, regs. 1(2), 6(2)(a))
- s. 155(2) words substituted by S.I. 2019/560 reg. 3(2)(a) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 155(3) words substituted by S.I. 2019/560 reg. 3(2)(b) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- Sch. 19 Pt. 1 words inserted by 2015 c. 2 Sch. 3 para. 17
- Sch. 19 Pt. 1 words inserted by 2021 c. 10 Sch. 6 para. 6
- Sch. 19 Pt. 1 words inserted by 2022 c. 31 Sch. 15 para. 10
- Sch. 19 Pt. 2 words inserted by S.I. 2023/724 reg. 2(b)
- Sch. 19 Pt. 2 words omitted by S.I. 2023/724 reg. 2(a)
- Sch. 20 para. 12(5) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 26 para. 36 omitted by 2018 anaw 2 Sch. 1 para. 6(o)
- Sch. 26 para. 37 omitted by 2018 anaw 2 Sch. 1 para. 6(o)
- Sch. 26 para. 23 omitted by 2022 asc 1 Sch. 4 para. 26(2)