

# EQUALITY ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 16: General and Miscellaneous**

#### *Schedule 11: Schools: exceptions*

#### **Part 3: Disability discrimination**

#### **Permitted form of selection: [paragraph 8](#)**

#### **Effect**

873. This paragraph provides that schools will not be discriminating against disabled children when applying a permitted form of selection that they are using.

#### **Background**

874. This provision is designed to replicate the effect of provisions in the Disability Discrimination Act 1995. Permitted forms of selection are the selective admission arrangements operated by grammar schools, and selection by ability and aptitude in accordance with the School Standards and Framework Act 1998.

#### **Example**

- The parents of a disabled pupil cannot claim disability discrimination against a particular school if that pupil fails to meet any educational entry requirements set by the school.