

*Status: Point in time view as at 03/12/2021.*

*Changes to legislation: Equality Act 2010, Paragraph 6 is up to date with all changes known to be in force on or before 25 May 2024. 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)*

## SCHEDULES

### SCHEDULE 10

#### ACCESSIBILITY FOR DISABLED PUPILS

##### *Supplementary*

- 6 (1) This paragraph applies for the purposes of this Schedule.
- (2) Regulations may prescribe services which are, or are not, to be regarded as being—
- (a) education;
  - (b) a benefit, facility or service.
- (3) The power to make regulations is exercisable by—
- (a) in relation to England, a Minister of the Crown;
  - (b) in relation to Wales, the Welsh Ministers.
- (4) “Disabled pupil” includes a disabled person who may be admitted to the school as a pupil.
- (5) “Responsible body” means—
- (a) in relation to a maintained school or a maintained nursery school, the local authority or governing body;
  - (b) in relation to a pupil referral unit, the local authority;
  - (c) in relation to an independent educational institution [<sup>F1</sup>or an alternative provision Academy that is not an independent educational institution], the proprietor;
  - (d) in relation to a special school not maintained by a local authority, the proprietor.
- (6) “Governing body”, in relation to a maintained school, means the body corporate (constituted in accordance with regulations under section 19 of the Education Act 2002) which the school has as a result of that section.
- (7) “Maintained school” has the meaning given in section 20 of the School Standards and Framework Act 1998; and “maintained nursery school” has the meaning given in section 22 of that Act.

#### **Textual Amendments**

- F1** Words in [Sch. 10 para. 6\(5\)\(c\)](#) inserted (E.W.) (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), arts. 1, 2, [Sch. para. 27](#)

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