



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 2

#### CIVIL COURTS

#### 116 Education cases

- (1) A claim is within this section if it may be made to—
  - (a) the First-tier Tribunal in accordance with Part 2 of Schedule 17,
  - (b) the [<sup>F1</sup>Education Tribunal for Wales] in accordance with Part 2 of that Schedule, or
  - (c) [<sup>F2</sup>the First-tier Tribunal for Scotland Health and Education Chamber] in accordance with Part 3 of that Schedule.
- (2) A claim is also within this section if it must be made in accordance with appeal arrangements within the meaning of Part 4 of that Schedule.
- (3) Schedule 17 (disabled pupils: enforcement) has effect.

#### Textual Amendments

- F1** Words in s. 116(1)(b) substituted (E.W.) (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 19(2)**; S.I. 2021/373, art. 8(j)(xxxiii)
- F2** Words in s. 116(1)(c) substituted (S.) (12.1.2018) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Additional Support Needs Tribunals for Scotland\) Regulations 2018 \(S.S.I. 2018/4\)](#), reg. 1(1), **sch. 2 para. 4(2)**

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**Changes to legislation:** Equality Act 2010, Section 116 is up to date with all changes known to be in force on or before 28 March 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) View outstanding changes

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#### Commencement Information

- II** S. 116 wholly in force; s. 116 not in force at Royal Assent see s. 216; s. 116(3) in force for certain purposes at 4.8.2010 by [S.I. 2010/1966](#), [art. 2](#); s. 116(1)(a)(b)(2) wholly in force and s. 116(1)(c)(3) in force for certain purposes at 1.10.2010 by [S.I. 2010/2317](#), [art. 2\(1\)\(9\)\(b\)-\(d\)](#) (with [art. 15](#), and subject to transitional provision in [art. 7](#)); s. 116(1)(c)(3) in force at 18.3.2011 in so far as not already in force by [S.I. 2010/2317](#), [art. 3\(a\)\(b\)](#) (with [art. 15](#), and subject to transitional provision in [art. 7](#))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)