

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2: Removal of employment tribunals' power to make wider recommendations

22. This section amends section 124 of the Equality Act 2010 which sets out the remedies available to an employment tribunal where it finds that there has been a contravention of the key provisions of the Equality Act 2010 relating to non-discrimination at work. The tribunal may make a declaration of the rights of the person making the complaint and the other party to the dispute (normally, the employer) and it may order compensation to be paid. In addition, it may make a recommendation that the other party take steps specified by the tribunal to obviate or reduce the adverse effect of any matter to which the proceedings relate. Currently, the recommendation could relate to an adverse effect on the complainant or on another person. A recommendation relating to another person is generally referred to as a "wider recommendation". Such a recommendation might, for example, relate to all members of a particular group in the employer's workforce.
23. The section amends section 124 so as to remove the power to make a wider recommendation (set out in section 124(3)(b)). In consequence of this change, the section also removes section 125 of the Equality Act 2010 which sets out exemptions to the power to make wider recommendations in national security cases.
24. The amendments form part of the law of England and Wales and Scotland. They come into force on a day to be appointed by the Secretary of State in a commencement order.