



# Special Educational Needs and Disability Act 2001

## 2001 CHAPTER 10

### PART 2 **E+W+S**

#### DISABILITY DISCRIMINATION IN EDUCATION

### CHAPTER 1 **E+W+S**

#### SCHOOLS

##### *Duties of responsible bodies*

#### <sup>F1</sup>11 **Discrimination against disabled pupils and prospective pupils** **E+W+S**

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##### **Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see [S.I. 2010/2317](#), art. 2)

#### <sup>F1</sup>12 **Meaning of “discrimination”** **E+W+S**

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##### **Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see [S.I. 2010/2317](#), art. 2)

*Changes to legislation: There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)*

**F1 13 Disabled pupils not to be substantially disadvantaged** **E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 14 Accessibility strategies and plans** **E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 15 Accessibility strategies and plans: procedure** **E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 16 Residual duty of education authorities** **E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

*Enforcement*

**F1 17 Special Educational Needs and Disability Tribunal** **E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

*Changes to legislation:* There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)

**F1 18 Jurisdiction and powers of the Tribunal** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 19 Procedure** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 20 Admissions** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 21 Exclusions** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 22 Roles of the Secretary of State and the National Assembly** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F1 23 Enforcement procedure: Scotland** **E+W+S**

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*Changes to legislation:* There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)

**Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F124 Validity and revision of agreements of responsible bodies** **E+W+S**

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**Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F125 Interpretation** **E+W+S**

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**Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**CHAPTER 2** **E+W+S**

**FURTHER AND HIGHER EDUCATION**

*Duties of responsible bodies*

**F126 Discrimination against disabled students and prospective students** **E+W+S**

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**Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F127 Meaning of “discrimination”** **E+W+S**

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**Textual Amendments**

**F1** Ss. 11-33 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

*Changes to legislation:* There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)

**F128 Disabled students not to be substantially disadvantaged** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see S.I. 2010/2317, art. 2)

**F129 Further education etc. provided by local education authorities and schools** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see S.I. 2010/2317, art. 2)

*Enforcement*

**F130 Right of redress** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see S.I. 2010/2317, art. 2)

**F131 Occupation of premises by educational institutions** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see S.I. 2010/2317, art. 2)

**F132 Validity and revision of agreements** **E+W+S**

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**Textual Amendments**

- F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see S.I. 2010/2317, art. 2)

*Changes to legislation: There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)*

**F1 33 Interpretation E+W+S**

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**Textual Amendments**  
**F1** Ss. 11-33 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**34 Removal of certain duties of funding bodies E+W+S**

- (1) In section 65 of the Further and Higher Education Act 1992 (c. 13) (administration of funds by higher education funding councils), omit subsections (4A) and (4B).
- (2) In section 40 of the Further and Higher Education (Scotland) Act 1992 (c. 37), omit subsections (5) and (6).
- (3) Section 528 of the 1996 Act ceases to have effect.
- F2**(4) .....
- F2**(5) .....
- F2**(6) .....
- F2**(7) .....
- (8) In section 35 of that Act (conditions imposed on financial resources in Wales), omit subsections (4) and (6).

**Textual Amendments**  
**F2** S. 34(4)(5)(6)(7) repealed by 2010 c. 15, Sch. 27 Pt. 1 (as substituted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2**) (see S.I. 2010/2317, art. 2)

**CHAPTER 3 E+W+S**

MISCELLANEOUS

**F3 35 Extension of role of Disability Rights Commission E+W+S**

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**Textual Amendments**  
**F3** Ss. 35-37 repealed (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), s. 93(1), **Sch. 4** (with s. 92); S.I. 2007/2603, art. 2(d)

*Changes to legislation:* There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)

**F<sup>3</sup>36 Codes of practice** **E+W+S**

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**Textual Amendments**

**F3** Ss. 35-37 repealed (1.10.2007) by Equality Act 2006 (c. 3), s. 93(1), **Sch. 4** (with s. 92); S.I. 2007/2603, art. 2(d)

**Commencement Information**

**I1** S. 36 wholly in force at 1.9.2002; s. 36 not in force at Royal Assent see s. 43(3); s. 36(1) in force for certain purposes and s. 36(2) in force at 1.7.2002 by S.I. 2002/1721, **art. 3**, **Sch. Pt. 1**; s. 36 in force so far as not already in force at 1.9.2002 by S.I. 2002/2217, **art. 3**, **Sch. Pt. 1**

**F<sup>3</sup>37 Conciliation for disputes under Part 4 of the 1995 Act** **E+W+S**

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**Textual Amendments**

**F3** Ss. 35-37 repealed (1.10.2007) by Equality Act 2006 (c. 3), s. 93(1), **Sch. 4** (with s. 92); S.I. 2007/2603, art. 2(d)

**F<sup>4</sup>38 Relationship with other Parts of the 1995 Act** **E+W+S**

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**Textual Amendments**

**F4** Ss. 38-40 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F<sup>4</sup>39 Application to the Isles of Scilly** **E+W+S**

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**Textual Amendments**

**F4** Ss. 38-40 repealed (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

**F<sup>4</sup>40 Duty of Teacher Training Agency** **E+W+S**

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**Changes to legislation:** *There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2. (See end of Document for details)*

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#### **Textual Amendments**

- F4** Ss. 38-40 repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 2](#) (see [S.I. 2010/2317](#), art. 2)



**Changes to legislation:**

There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Part 2.