

SCHEDULES

SCHEDULE 3

SERVICES AND PUBLIC FUNCTIONS: EXCEPTIONS

PART 2

EDUCATION

- 6 In its application to a local authority in England and Wales, section 29, so far as relating to age discrimination or religious or belief-related discrimination, does not apply to—
- (a) the exercise of the authority's functions under section 14 of the [Education Act 1996](#) (provision of schools);
 - (b) the exercise of its function under section 13 of that Act in so far as it relates to a function of its under section 14 of that Act.
- 7 In its application to an education authority, section 29, so far as relating to age discrimination or religious or belief-related discrimination, does not apply to—
- (a) the exercise of the authority's functions under section 17 of the Education (Scotland) Act 1980 (provision of schools);
 - (b) the exercise of its functions under section 1 of that Act, section 2 of the Standards in Scotland's Schools etc. Act 2000 ([asp 6](#)) or section 4 or 5 of the Education (Additional Support for Learning) (Scotland) Act 2004 ([asp 4](#)) (general responsibility for education) in so far as it relates to a matter specified in paragraph (a);
 - (c) the exercise of its functions under subsection (1) of section 50 of the Education (Scotland) Act 1980 (education of pupils in exceptional circumstances) in so far as it consists of making arrangements of the description referred to in subsection (2) of that section.
- 8 (1) In its application to a local authority in England and Wales or an education authority, section 29, so far as relating to sex discrimination, does not apply to the exercise of the authority's functions in relation to the establishment of a school.
- (2) But nothing in sub-paragraph (1) is to be taken as disapplying section 29 in relation to the exercise of the authority's functions under section 14 of the Education Act 1996 or section 17 of the Education (Scotland) Act 1980.
- 9 Section 29, so far as relating to age discrimination, does not apply in relation to anything done in connection with—
- (a) the curriculum of a school,
 - (b) admission to a school,
 - (c) transport to or from a school, or
 - (d) the establishment, alteration or closure of schools.

Status: This is the original version (as it was originally enacted).

- 10 (1) Section 29, so far as relating to disability discrimination, does not require a local authority in England or Wales exercising functions under the Education Acts or an education authority exercising relevant functions to remove or alter a physical feature.
- (2) Relevant functions are functions under—
- (a) the Education (Scotland) Act 1980,
 - (b) the Education (Scotland) Act 1996,
 - (c) the Standards in Scotland’s Schools etc. Act 2000, or
 - (d) the Education (Additional Support for Learning) (Scotland) Act 2004.
- 11 Section 29, so far as relating to religious or belief-related discrimination, does not apply in relation to anything done in connection with—
- (a) the curriculum of a school;
 - (b) admission to a school which has a religious ethos;
 - (c) acts of worship or other religious observance organised by or on behalf of a school (whether or not forming part of the curriculum);
 - (d) the responsible body of a school which has a religious ethos;
 - (e) transport to or from a school;
 - (f) the establishment, alteration or closure of schools.
- 12 This Part of this Schedule is to be construed in accordance with Chapter 1 of Part 6.