



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 3

#### EMPLOYMENT TRIBUNALS

#### 124 Remedies: general

- (1) This section applies if an employment tribunal finds that there has been a contravention of a provision referred to in section 120(1).
- (2) The tribunal may—
  - (a) make a declaration as to the rights of the complainant and the respondent in relation to the matters to which the proceedings relate;
  - (b) order the respondent to pay compensation to the complainant;
  - (c) make an appropriate recommendation.
- (3) An appropriate recommendation is a recommendation that within a specified period the respondent takes specified steps for the purpose of obviating or reducing the adverse effect<sup>F1</sup> on the complainant ] of any matter to which the proceedings relate—
  - <sup>F2</sup>(a) .....
  - <sup>F2</sup>(b) .....
- (4) Subsection (5) applies if the tribunal—
  - (a) finds that a contravention is established by virtue of section 19 <sup>F3</sup>[or 19A], but
  - (b) is satisfied that the provision, criterion or practice was not applied with the intention of discriminating against the complainant.
- (5) It must not make an order under subsection (2)(b) unless it first considers whether to act under subsection (2)(a) or (c).

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*Changes to legislation: Equality Act 2010, Section 124 is up to date with all changes known to be in force on or before 03 April 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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- (6) The amount of compensation which may be awarded under subsection (2)(b) corresponds to the amount which could be awarded by [<sup>F4</sup>the county court] or the sheriff under section 119.
- (7) If a respondent fails, without reasonable excuse, to comply with an appropriate recommendation<sup>F5</sup>..., the tribunal may—
- (a) if an order was made under subsection (2)(b), increase the amount of compensation to be paid;
  - (b) if no such order was made, make one.

#### Textual Amendments

- F1** Words in s. 124(3) inserted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 2(1)(a)**, 115(7); S.I. 2015/994, art. 11(a) (with [Sch. Pt. 1](#))
- F2** S. 124(3)(a)(b) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 2(1)(b)**, 115(7); S.I. 2015/994, art. 11(a) (with [Sch. Pt. 1](#))
- F3** Words in s. 124(4)(a) inserted (1.1.2024) by [The Equality Act 2010 \(Amendment\) Regulations 2023 \(S.I. 2023/1425\)](#), regs. 1(2), **3(6)**
- F4** Words in s. 124(6) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 52**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Words in s. 124(7) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 2(2)(a)**, 115(7); S.I. 2015/994, art. 11(a) (with [Sch. Pt. 1](#))

#### Commencement Information

- I1** S. 124 wholly in force; s. 124 not in force at Royal Assent see s. 216; s. 124 in force at 1.10.2010 by S.I. 2010/2317, **art. 2(1)(9)(f)** (with [art. 15](#), and subject to transitional provision in [art. 7](#))

**Changes to legislation:**

Equality Act 2010, Section 124 is up to date with all changes known to be in force on or before 03 April 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.

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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](#)