



Equality Act 2010

2010 CHAPTER 15

PART 6

EDUCATION

CHAPTER 1

SCHOOLS

87 [F¹Application of enforcement powers under education legislation]

[F²(A1) Subsections (1) and (2) do not apply in the case of a school in Wales.]

- (1) Sections 496 and 497 of the Education Act 1996 (powers to give directions where responsible body of school in default of obligations, etc.) [F³ and section 70 of the Education (Scotland) Act 1980] apply to the performance of a duty under section 85.
- (2) But neither of sections 496 and 497 of [F⁴the Education Act 1996] applies to the performance of a duty under that section by the proprietor of an independent educational institution (other than a special school) [F⁵ or an alternative provision Academy that is not an independent educational institution][F⁶; and section 70 of the Education (Scotland) Act 1980 does not apply to the performance of a duty under that section by the proprietor of an independent school].

[F⁷(3) In the case of a school in Wales—

- (a) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) (intervention in conduct of maintained schools) applies to the performance of a duty under section 85, but as if—
 - (i) the only relevant grounds for intervention were grounds 5 and 6 in section 2 of that Act, and
 - (ii) sections 3 to 9 and 12 to 16 of that Act did not apply;
- (b) Chapter 2 of Part 2 of the 2013 Act (intervention in local authorities) applies to the performance of a duty under section 85, but as if—

Changes to legislation: Equality Act 2010, Section 87 is up to date with all changes known to be in force on or before 17 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

- (i) the only relevant grounds for intervention were grounds 1 and 2 in section 21 of that Act, and
 - (ii) sections 24 to 27 of that Act did not apply.
- (4) But neither of Chapters 1 and 2 of Part 2 of the 2013 Act applies to the performance of a duty under section 85 by the proprietor of an independent educational institution (other than a special school).]

Textual Amendments

- F1** S. 87 title substituted (1.10.2010) by virtue of [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), **3**
- F2** S. 87(A1) inserted (E.W.) (20.2.2014) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), **Sch. 5 para. 11(2)**; S.I. 2014/178, art. 2(f) (with art. 3)
- F3** Words in s. 87(1) inserted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), **3(a)**
- F4** Words in s. 87(2) substituted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), **3(b)(i)**
- F5** Words in s. 87(2) inserted (E.W.) (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), arts. 1, 2, **Sch. para. 26**
- F6** Words in s. 87(2) inserted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), **3(b)(ii)**
- F7** S. 87(3)(4) inserted (E.W.) (20.2.2014) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), **Sch. 5 para. 11(3)**; S.I. 2014/178, art. 2(f) (with art. 3)

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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](#)