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**Changes to legislation:** Equality Act 2010, Paragraph 5 is up to date with all changes known to be in force on or before 01 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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# SCHEDULES

## SCHEDULE 11

### SCHOOLS: EXCEPTIONS

#### PART 2

##### RELIGIOUS OR BELIEF-RELATED DISCRIMINATION

###### *School with religious character etc.*

- 5 Section 85(1) and (2)(a) to (d), so far as relating to religion or belief, does not apply in relation to—
- (a) a school designated under section [<sup>F1</sup>68A or] 69(3) of the School Standards and Framework Act 1998 (foundation or voluntary school with religious character);
  - (b) a school [<sup>F2</sup>(other than an alternative provision Academy)] listed in the register of independent schools for England or for Wales, if the school's entry in the register records that the school has a religious ethos;
  - (c) a school transferred to an education authority under section 16 of the Education (Scotland) Act 1980 (transfer of certain schools to education authorities) which is conducted in the interest of a church or denominational body;
  - (d) a school provided by an education authority under section 17(2) of that Act (denominational schools);
  - (e) a grant-aided school (within the meaning of that Act) which is conducted in the interest of a church or denominational body;
  - (f) a school registered in the register of independent schools for Scotland if the school admits only pupils who belong, or whose parents belong, to one or more particular denominations;
  - (g) a school registered in that register if the school is conducted in the interest of a church or denominational body.

#### Textual Amendments

- F1** Words in Sch. 5 para. 5(a) inserted (W.) (30.4.2021) by [Curriculum and Assessment \(Wales\) Act 2021](#) (2021 asc 4), s. 84(1), **Sch. 2 para. 63** (with savings and transitional provisions in S.I. 2022/111, regs. 1, 3)
- F2** Words in Sch. 11 para. 5(b) 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. 28**

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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](#)