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**Changes to legislation:** Equality Act 2010, Part 2 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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*Curriculum, worship, etc.*

- 6 Section 85(2)(a) to (d), so far as relating to religion or belief, does not apply in relation to anything done in connection with acts of worship or other religious observance organised by or on behalf of a school (whether or not forming part of the curriculum).

*Power to amend*

- 7 (1) A Minister of the Crown may by order amend this Part of this Schedule—
- (a) so as to add, vary or omit an exception to section 85;
  - (b) so as to make provision about the construction or application of section 19(2) (d) in relation to section 85.
- (2) The power under sub-paragraph (1) is exercisable only in relation to religious or belief-related discrimination.
- (3) Before making an order under this paragraph the Minister must consult—
- (a) the Welsh Ministers,
  - (b) the Scottish Ministers, and
  - (c) such other persons as the Minister thinks appropriate.

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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](#)