



Disability Discrimination Act 1995

1995 CHAPTER 50

PART IV

EDUCATION

[^{F1}CHAPTER 1

SCHOOLS]

Textual Amendments

- F1** Pt. IV: Chapter heading, cross-heading and s. 28A inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 11\(1\)](#) (with s. 43(13)); S.I. 2002/2217, art. 3, [Sch. 1 Pt. 1](#)

[^{F2}Duties of responsible bodies]

Textual Amendments

- F2** Pt. IV Ch. 1: Cross-heading and s. 28A inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 11\(1\)](#) (with s. 43(13)); S.I. 2002/2217, art. 3, [Sch. 1 Pt. 1](#)

28A Discrimination against disabled pupils and prospective pupils

F3

Textual Amendments

- F3** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I.

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said **S.I. 2010/2279, art. 16**); **S.I. 2010/2317, art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); **S.I. 2011/1066, art. 2(h)**

28B Meaning of “discrimination”

F4

Textual Amendments

F4 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by **S.I. 2010/2279, Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said **S.I. 2010/2279, art. 16**); **S.I. 2010/2317, art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); **S.I. 2011/1066, art. 2(h)**

28C Disabled pupils not to be substantially disadvantaged

F5

Textual Amendments

F5 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by **S.I. 2010/2279, Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said **S.I. 2010/2279, art. 16**); **S.I. 2010/2317, art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); **S.I. 2011/1066, art. 2(h)**

Modifications etc. (not altering text)

C1 **S. 28C:** Functions of a local education authority made exercisable by authorised persons (1.4.2002) by **S.I. 2002/928, art. 3, Sch. 3** para. (q)

28D Accessibility strategies and plans

F6

Textual Amendments

F6 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by **S.I. 2010/2279, Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said **S.I. 2010/2279, art. 16**); **S.I. 2010/2317, art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); **S.I. 2011/1066, art. 2(h)**

28E Accessibility strategies and plans: procedure

F7

Textual Amendments

F7 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by **S.I.**

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

[^{F8}Residual duty of education authorities]

Textual Amendments

F8 Pt. IV Ch. 1: Cross-heading and ss. 28F, 28G inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 16 (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**

28F Duty of education authorities not to discriminate

^{F9}

Textual Amendments

F9 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

28G Residual duty: supplementary provisions

^{F10}

Textual Amendments

F10 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

[^{F11}Enforcement: England and Wales]

Textual Amendments

F11 Pt. IV Ch. 1: Cross-heading and s. 28H inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 17(1) (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**

28H [^{F12}Tribunals]

^{F13}

Textual Amendments

F12 S. 28H heading substituted (31.3.2003 for certain purposes otherwise 1.9.2003) by 2002 c. 32, s. 195, **Sch. 18 para. 8(2)** (with ss. 210(8), 214(4), Sch. 18 para. 17); S.I. 2002/3185, arts. 5, 6, Sch. Pt. II, **III**

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

F13 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28I Jurisdiction and powers of the Tribunal ^{F14}- England and Wales]

F15

Textual Amendments

F14 [S. 28I](#): words in heading inserted (W.) (prosp.) by Education (Wales) Measure 2009 (nawm 5), [ss. 9\(1\), 26](#)

F15 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28IA Jurisdiction and powers of the Tribunal – Wales

F16

Textual Amendments

F16 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

PROSPECTIVE

28IB Case friends — Wales

F17

Textual Amendments

F17 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28IC Advice and information — Wales

F18

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

Textual Amendments

F18 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

28ID Resolution of disputes — Wales

F19

Textual Amendments

F19 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

28IE Independent advocacy services — Wales

F20

Textual Amendments

F20 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

28J Procedure

F21

Textual Amendments

F21 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

[^{F22}28JA Appeal from the Welsh Tribunal to the Upper Tribunal

F23]

Textual Amendments

F22 [S. 28JA](#) inserted (E.W.S.) (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 9\(1\)](#), [Sch. 3 para. 118](#)

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

F23 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28K Admissions

F24

Textual Amendments

F24 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28L Exclusions

F25

Textual Amendments

F25 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

28M Roles of the Secretary of State and the ^{F26}Welsh Ministers]

F27

Textual Amendments

F26 [S. 28M](#): words in heading substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1, 3, [Sch. 1 para. 54\(2\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the [Government of Wales Act 2006](#).

F27 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

[^{F28}Enforcement: Scotland]

Textual Amendments

F28 Pt. IV Ch. 1: Cross-heading and s. 28N inserted (1.9.2002) by 2001 c. 10, s. 23 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

28N Civil proceedings

F29

Textual Amendments

F29 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F30}Agreements relating to enforcement]

Textual Amendments

F30 Pt. IV Ch. 1: Cross-heading and s. 28P inserted (1.9.2002) by 2001 c. 10, s. 24 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

28P Validity and revision of agreements of responsible bodies

F31

Textual Amendments

F31 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F32}Interpretation of Chapter 1]

Textual Amendments

F32 Pt. IV Ch. 1: Cross-heading and s. 28Q inserted (1.9.2002) by 2001 c. 10, s. 25 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

28Q Interpretation

F33

Status: Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1. (See end of Document for details)

Textual Amendments

- F33** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Status:

Point in time view as at 01/10/2010. This version of this chapter contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Chapter 1.