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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 23 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 12 **E+W+S**

#### FURTHER AND HIGHER EDUCATION EXCEPTIONS

#### **PART 2** **E+W+S**

##### OTHER EXCEPTIONS

##### *Occupational requirements*

- 4 A person (P) does not contravene section 91(1) or (2) if P shows that P's treatment of another person relates only to training that would help fit that other person for work the offer of which the other person could be refused in reliance on Part 1 of Schedule 9.

##### *Institutions with a religious ethos*

- 5 (1) The responsible body of an institution which is designated for the purposes of this paragraph does not contravene section 91(1), so far as relating to religion or belief, if, in the admission of students to a course at the institution—
- (a) it gives preference to persons of a particular religion or belief,
  - (b) it does so to preserve the institution's religious ethos, and
  - (c) the course is not a course of vocational training.
- (2) A Minister of the Crown may by order designate an institution if satisfied that the institution has a religious ethos.

#### **Commencement Information**

- II** Sch. 12 para. 5 wholly in force; para. 5 not in force at Royal Assent see s. 216; para. 5 in force for certain purposes at 6.7.2010 by S.I. 2010/1736, art. 2, Sch.; Sch. 12 in force at 1.10.2010 in so far as not already in force by S.I. 2010/2317, art. 2(1)(6)(h) (with art. 15)

##### *Benefits dependent on marital status, etc.*

- 6 A person does not contravene section 91, so far as relating to sexual orientation, by providing married persons and civil partners (to the exclusion of all other persons) with access to a benefit, facility or service.

##### *Child care*

- 7 (1) A person does not contravene section 91(2)(b) or (d), so far as relating to age, only by providing, or making arrangements for or facilitating the provision of, care for children of a particular age group.

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- (2) Facilitating the provision of care for a child includes—
  - (a) paying for some or all of the cost of the provision;
  - (b) helping a parent of the child to find a suitable person to provide care for the child;
  - (c) enabling a parent of the child to spend more time providing care for the child or otherwise assisting the parent with respect to the care that the parent provides for the child.
- (3) A child is a person who has not attained the age of 17.
- (4) A reference to care includes a reference to supervision.

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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](#)