



# Equality Act 2010

## 2010 CHAPTER 15

### PART 1

#### SOCIO-ECONOMIC INEQUALITIES

#### **1 Public sector duty regarding socio-economic inequalities**

- (1) An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.
- (2) In deciding how to fulfil a duty to which it is subject under subsection (1), an authority must take into account any guidance issued [<sup>F1</sup>in accordance with subsection (2A)].

[<sup>F2</sup>(2A) The guidance to be taken into account under subsection (2) is—

- (a) in the case of a duty imposed on an authority in relation to devolved Scottish functions, guidance issued by the Scottish Ministers;
- [ in the case of a duty imposed on an authority in relation to devolved Welsh functions, guidance issued by the Welsh Ministers;]
- (b) in any other case, guidance issued by a Minister of the Crown.]

[<sup>F4</sup>(3) The authorities to which this section applies are—

- (a) the Scottish Ministers;
- (b) Food Standards Scotland;
- (c) Keeper of the Registers of Scotland;
- (d) National Records of Scotland;
- (e) Revenue Scotland;
- (f) Scottish Courts and Tribunals Service;
- (g) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
- (h) an integration joint board established under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014;

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- (i) a Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978;
- (j) a Special Health Board constituted under section 2(1)(b) of that Act;
- (k) Scottish Police Authority;
- (l) Highlands and Islands Enterprise;
- (m) Scottish Enterprise.]
- [<sup>F9</sup>(n) Scottish National Investment Bank p.l.c.;
- (o) South of Scotland Enterprise.]

[<sup>F10</sup>(3A) This section also applies to the following authorities—

- (a) the Welsh Ministers;
- (b) a county council or county borough council in Wales;
- (c) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006;
- (d) an NHS Trust established under section 18 of the National Health Service (Wales) Act 2006;
- (e) a Special Health Authority established under section 22 of the National Health Service (Wales) Act 2006 other than a cross-border Special Health Authority (within the meaning of section 8A(5) of the National Health Service (Wales) Act 2006);
- (f) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales;
- (g) a National Park authority established by an order under section 63 of the Environment Act 1995 for an area in Wales;
- (h) the Welsh Revenue Authority or Awdurdod Cyllid Cymru.]

<sup>F11</sup>(4) .....

<sup>F12</sup>(5) .....

- (6) The reference to inequalities in subsection (1) does not include any inequalities experienced by a person as a result of being a person subject to immigration control within the meaning given by section 115(9) of the Immigration and Asylum Act 1999.

#### Textual Amendments

- F1** Words in s. 1(2) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\), ss. 38\(3\), 72\(7\)](#)
- F2** S. 1(2A) inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\), ss. 38\(4\), 72\(7\)](#)
- F3** S. 1(2A)(aa) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\), ss. 45\(2\), 71\(4\)](#) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179, reg. 3\(i\)](#)
- F4** S. 1(3) substituted (S.) (1.4.2018) by [The Equality Act 2010 \(Authorities subject to the Socio-economic Inequality Duty\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/101\), regs. 1, 2\(2\)](#)
- F5** S. 1(3)(h) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 55\(2\), Sch. 5 para. 181\(a\); S.I. 2013/160, art. 2\(2\)](#) (with arts. 7-9)
- F6** S. 1(3)(i) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 55\(2\), Sch. 5 para. 181\(b\); S.I. 2013/160, art. 2\(2\)](#) (with arts. 7-9)
- F7** S. 1(3)(j) repealed (1.7.2012 at 0.02 a.m.) by [Public Bodies Act 2011 \(c. 24\), s. 30\(3\), Sch. 6; S.I. 2012/1662, art. 2\(2\)\(b\)](#)
- F8** Words in s. 1(3)(k) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 99, Sch. 16 para. 381; S.I. 2012/2892, art. 2\(a\)\(i\)](#)

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- F9** S. 1(3)(n)(o) inserted (26.11.2020) by The Scottish National Investment Bank p.l.c. and South of Scotland Enterprise (Miscellaneous Listings) Regulations 2020 (S.S.I. 2020/403), regs. 1, **2(2)**
- F10** S. 1(3A) inserted (E.W.) (30.3.2021) by The Equality Act 2010 (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 (S.I. 2021/295), regs. 1, **2**
- F11** S. 1(4) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), **ss. 100(2)(g), 115(3)(k)**
- F12** S. 1(5) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), **ss. 100(2)(g), 115(3)(k)**

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**Commencement Information**

- I1** S. 1(1)-(3)(6) in force at 1.4.2018 for S. by S.S.I. 2017/403, **art. 2(1)(a)(2)** [Editorial note: art. 2(2) of the commencement order provides that, for the avoidance of doubt, s. 1(3) is commenced as originally enacted]

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