



Equality Act 2010

2010 CHAPTER 15

PART 6 **E+W+S**

EDUCATION

CHAPTER 2 **E+W+S**

FURTHER AND HIGHER EDUCATION

92 Further and higher education courses **E+W+S**

- (1) The responsible body in relation to a course to which this section applies must not discriminate against a person—
 - (a) in the arrangements it makes for deciding who is enrolled on the course;
 - (b) as to the terms on which it offers to enrol the person on the course;
 - (c) by not accepting the person's application for enrolment.
- (2) The responsible body in relation to such a course must not discriminate against a person who is enrolled on the course in the services it provides or offers to provide.
- (3) The responsible body in relation to such a course must not harass a person who—
 - (a) seeks enrolment on the course;
 - (b) is enrolled on the course;
 - (c) is a user of services provided by the body in relation to the course.
- (4) The responsible body in relation to such a course must not victimise a person—
 - (a) in the arrangements it makes for deciding who is enrolled on the course;
 - (b) as to the terms on which it offers to enrol the person on the course;
 - (c) by not accepting the person's application for enrolment.
- (5) The responsible body in relation to such a course must not victimise a person who is enrolled on the course in the services it provides or offers to provide.

Changes to legislation: Equality Act 2010, Section 92 is up to date with all changes known to be in force on or before 25 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

- (6) A duty to make reasonable adjustments applies to the responsible body.
- (7) This section applies to—
- (a) a course of further or higher education secured by a responsible body in England or Wales;
 - (b) a course of education provided by the governing body of a maintained school under section 80 of the School Standards and Framework Act 1998;
 - (c) a course of further education secured by an education authority in Scotland.
- (8) A responsible body is—
- (a) a local authority in England or Wales, for the purposes of subsection (7)(a);
 - (b) the governing body of a maintained school, for the purposes of subsection (7)(b);
 - (c) an education authority in Scotland, for the purposes of subsection (7)(c).
- (9) In this section—
- “course”, in relation to further education, includes each component part of a course if there is no requirement imposed on persons registered for a component part of the course to register for another component part of the course;
 - “enrolment” includes registration for a component part of a course;
 - “maintained school” has the meaning given in section 20(7) of the School Standards and Framework Act 1998;
 - “services” means services of any description which are provided wholly or mainly for persons enrolled on a course to which this section applies.

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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](#)