



Equality Act 2010

2010 CHAPTER 15

PART 6

EDUCATION

CHAPTER 2

FURTHER AND HIGHER EDUCATION

92 Further and higher education courses

- (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.

Status: This is the original version (as it was originally enacted).

- (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.