Background to the Equality Act 2010

The Equality Bill received royal assent in April 2010 to become the Equality Act 2010, bringing together and extending existing equality legislation. As different sections of the Act are gradually brought into force, the Act will replace all existing equality legislation.

The drivers for the Equality Act were to harmonise discrimination law, and to strengthen the law to support progress on equality.

Since 1970 with the Equal Pay Act, which came into effect in 1975, anti-discrimination and equality law in Great Britain has been introduced to outlaw discrimination on the grounds of sex, race, disability, age, sexual orientation and religion and belief. More recent laws have been enacted as a result of European Union directives (age, sexual orientation and religion and belief) and pre-existing anti-discrimination laws on sex and race have needed to be amended and updated to make them compliant with later directives on these areas. The resulting mix of anti-discrimination and equality laws was therefore one of the drivers behind the Equality Act 2010 (the Act), which aims to streamline and simplify existing protection into one place. A second driver behind the Act was the perceived lack of progress in Great Britain on equality generally, and in particular on achieving equality in pay between men and women.

The Act covers England and Wales, and Scotland with the exception of a couple of sections relating to improvements to let dwelling houses and family property. Despite some concern that the Coalition Government would not implement the Act, it was announced in July 2010 that they would begin implementing the Act according to the original timetable.

Phases of the Act

The Act came into force in 3 phases:

1) October 2010: Main provisions relate to employment, equal pay and services, public functions and associations, education (further and higher education), and replaced relevant sections of current anti-discrimination legislation covering these areas.

action relating to recruitment or promotion also came into force on 6th April 2011.

3) April 2012: The ban on age discrimination in provision of goods, facilities, services and public functions came into effect. Guidance was published in December 2011 with a draft code of practice laid before Parliament in January 2012.