

Disability Equality Duty

The Disability Equality Duty for public authorities came into force on 4th December 2006. This general duty placed a requirement upon public authorities to tackle discrimination and ensure that they build disability equality into everything that they do. Section 49A of the Act says public authorities must, when carrying out their functions, have regard to the need to:

- Promote equality of opportunity between disabled and other people.
- Remove discrimination that is unlawful under the Act.
- Remove harassment of disabled people that is related to their disability.
- Promote positive attitudes towards disabled people.
- Encourage more participation by disabled people in public life.
- Take steps to meet disabled peoples' needs.

From September 2006, there was a radical overhaul of the Post 16 education provision and the DDA. The amendments to the Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006 relate to vocational training in the further and higher education sector. The main changes are:

- a new direct discrimination duty
- the removal of the justification defence for a failure to make reasonable adjustments
- a new harassment duty
- the reversal of burden of proof
- a new duty prohibiting discriminatory advertisements
- a new duty prohibiting instructions or pressure to discriminate
- new specific duties that apply after the relationship between the student and education provider has ended
- new specific provisions in relation to qualifications
- the introduction of competence standards.