

2007 No. 1868

EDUCATION, ENGLAND

**The Education (Reintegration Interview) (England) Regulations
2007**

Made - - - - - *27th June 2007*

Laid before Parliament *6th July 2007*

Coming into force - - - *1st September 2007*

The Secretary of State for Education and Skills, in exercise of the powers conferred by sections 102 and 181 of the Education and Inspections Act 2006(a) makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Reintegration Interview) (England) Regulations 2007 and come into force on 1st September 2007.

(2) These Regulations apply only in relation to relevant schools(b) in England.

(3) These Regulations only apply to a temporary exclusion imposed on or after 1st September 2007.

Interpretation

2.—(1) In these Regulations—

“school day” means a day on which the school meets,

“school year” means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July.

(2) For the purposes of these Regulations—

(a) where a pupil is excluded during the course of a school day but before the beginning of any afternoon session on that day, that day is to be treated for these purposes as the first day to which the exclusion relates,

(b) a school which provides both primary and secondary education is regarded as a primary school if the temporarily excluded pupil receives primary education and otherwise as a secondary school.

(a) 2006 c. 40. For the meaning of “prescribed” and “regulations”, see section 102(4).

(b) Section 111 defines a “relevant school” as a maintained school, an Academy, a city technology college or a city college for the technology of the arts. “Maintained school” is defined in the same section.

Duty to request a reintegration interview

3.—(1) The head teacher of a relevant school must request a parent of a temporarily excluded pupil, being an individual who resides with the pupil, to attend a reintegration interview in the cases prescribed by paragraph (2).

(2) Subject to paragraph (3), the cases prescribed are where a pupil of compulsory school age is temporarily excluded on disciplinary grounds from—

- (a) a primary school for any fixed period, or
- (b) a secondary school for any fixed period of six or more school days.

(3) A case is not prescribed where—

- (a) the first day to which the exclusion relates falls within the last ten school days of the last term in any school year, or
- (b) the head teacher expects the pupil to cease to attend the school within the period described in regulation 4(2) for a reason unconnected with his behaviour.

Form of request and timing of interview

4.—(1) Where the duty in regulation 3 applies the head teacher must give notice in writing to the parent of the following matters—

- (a) the date, time and duration of the reintegration interview,
- (b) the purpose of the interview, and
- (c) the duty of the court, in deciding whether to make a parenting order in respect of a parent under section 20 of the Anti-social Behaviour Act 2003(a), to take into account a failure by the parent without reasonable excuse to attend a reintegration interview when requested to do so in accordance with these Regulations.

(2) Subject to paragraph (4), the interview must be held on a school day within the period—

- (a) beginning with the first day to which the exclusion relates, and
- (b) ending with the fifteenth school day falling after the last day to which the exclusion relates (whether or not that school day falls in the same term).

(3) Before giving the notice the head teacher must use reasonable endeavours to arrange the interview for a date and time (within the period) suggested by the parent.

(4) The interview may be held on a day within the period referred to in paragraph (2) which is not a school day if the head teacher and parent so agree.

(5) The notice must be given no later than six school days before the date of the reintegration interview.

Combination of notices

5. A notice relating to a reintegration interview given pursuant to regulation 4 may be combined with a notice given to the parent—

- (a) under section 104 of the Education and Inspections Act 2006 (notice to parent in respect of excluded pupil), or
- (b) in accordance with Regulations made under section 52(3)(a) of the Education Act 2002 (prescribed persons to be given information relating to any exclusion), or a notice with a similar purpose given to the parent on exclusion of the pupil from a relevant school other than a maintained school.

(a) 2003 c 38; as amended by section 99 of 2006 c. 40.

27th June 2007

Jim Knight
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the circumstances in which a head teacher must request the parents of an excluded pupil of compulsory school age to attend a reintegration interview under section 102 of the Education and Inspections Act 2006 (“the 2006 Act”), and the procedure by which the interview must be arranged.

Regulation 3 requires the head teacher to request an interview with a parent of a pupil of compulsory school age who has been excluded from a primary school for any fixed period, or from a secondary school for a fixed period of six or more school days. The parent must be an individual who resides with the child. The head teacher need not make such a request if the exclusion starts within ten days of the end of the summer term or the pupil is expected to leave the school for a reason other than his behaviour (for example he is moving to a school in a different area).

Regulation 4 requires that the request is made by a notice in writing and specifies what information must be contained in that notice. It prescribes a period within which the interview must take place and requires the interview to take place on a school day within that period, though it may take place on a non-school day within that period if the parent and head teacher agree. The head teacher must use reasonable endeavours to arrange the interview for a date and time within the period, suggested by the parent. The notice must be given no later than six days before the interview is to take place.

Regulation 5 allows a notice from a head teacher under these Regulations to be combined with one or both of the notice to a parent informing him of his duty to ensure his excluded child is not found in a public place without reasonable justification during the first five days of exclusion (section 104 of the 2006 Act) or the notice informing the parent of the exclusion (under regulations made under section 52(3)(a) of the Education Act 2002, or a similar notice given by an academy, city technology college or city college for the technology of the arts).

Section 572 of the Education Act 1996 makes provision for how the notice may be given. It may be delivered to the parent, left at his usual or last known address, or sent in a prepaid properly addressed letter. It may be sent by e-mail if the parent has agreed to use e-mail to receive notices.

A full regulatory impact assessment has not been produced for this instrument as it has not impact on the costs of business.

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