
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (S.I. 2012/1033) (the ‘2012 Regulations’). The 2012 Regulations set out procedures in relation to exclusions under section 51A of the Education Act 2002, from maintained schools, pupil referral units and academies (Academy schools and alternative provision Academies) in England.

Regulation 2 of these Regulations amends the definition of “relevant” exclusions in the 2012 Regulations by extending the date by which an exclusion must have taken place, in order to be a relevant exclusion, from 25th March 2021 to 25th September 2021. This has the effect of extending the range of exclusions that are covered by provisions of the 2012 Regulations which enable certain meetings at which an exclusion will be considered to be held by remote access if certain conditions apply, and which extend various time limits including for when certain action relating to the exclusion must be taken by the governing body, management committee or proprietor (as the case may be), for applying for a review of a decision not to reinstate a pupil and by when a review must be held.

The amendment made by regulation 2 is required, by regulation 3, to be kept under review during the period starting with 25th March 2021 and ending with 24th September 2021.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An explanatory memorandum is published alongside these Regulations on www.legislation.gov.uk. Hard copies are available from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT .