
STATUTORY INSTRUMENTS

2022 No. 788

The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment) Regulations 2022

PART 2

Maintained schools

Amendment to regulation 5 of the 2012 Regulations: exclusion of pupils: head teacher’s duty to inform relevant person, governing body and local authority

5.—(1) Regulation 5 (exclusion of pupils: head teacher’s duty to inform relevant person, governing body and local authority) of the 2012 Regulations is amended as follows.

(2) In the heading, for “and local authority” substitute “, local authority, social worker and virtual school head”.

(3) In paragraph (1)(a), after “person”, insert “, the local authority, the social worker and the virtual school head”.

(4) In paragraph (3)(a)—

(a) for “and the local authority” substitute “, the local authority”;

(b) after “home local authority”, insert “, the social worker and the virtual school head”.

(5) In the opening words of paragraph (5), omit “and the local authority”.

Amendment to regulation 6 of the 2012 Regulations: functions of the governing body in relation to excluded pupils

6.—(1) Regulation 6 (functions of the governing body in relation to excluded pupils) of the 2012 Regulations is amended as follows.

(2) In paragraph (3)(b), for “or the local authority”, substitute “, the local authority, the social worker or the virtual school head”.

(3) In paragraph (3)(c), after paragraph (i) insert—

“(ia) the social worker;

(ib) the virtual school head;”.

(4) After paragraph (3B), insert—

“(3C) A social worker or virtual school head who has been invited to attend the meeting referred to in paragraph (3)(c) but is unable to do so may nominate another person as their representative to attend the meeting and make representations about the exclusion.”.

(5) In paragraphs (4)(b) and (6)(a)—

(a) for “and the local authority” substitute “, the local authority”;

(b) after “home local authority”, insert “, the social worker and the virtual school head”.

Amendment to regulation 7 of the 2012 Regulations: review of permanent exclusion of a pupil

7.—(1) Regulation 7 (review of permanent exclusion of a pupil) of the 2012 Regulations is amended as follows.

(2) In paragraph (6), for “and the local authority” substitute “, the local authority, the social worker and the virtual school head”.

Amendment to regulation 8 of the 2012 Regulations: reconsideration by governing body following a review

8.—(1) Regulation 8 (reconsideration by governing body following a review) of the 2012 Regulations is amended as follows.

(2) In paragraph (2)—

(a) for “and the local authority” substitute “, the local authority”;

(b) after “home local authority”, insert “, the social worker and the virtual school head”.

Amendment to regulation 9 of the 2012 Regulations: exclusions of pupils: guidance

9.—(1) Regulation 9 (exclusions of pupils: guidance) of the 2012 Regulations is amended as follows.

(2) After paragraph (a), insert—

“(aa) the social worker;

(ab) the virtual school head;”.