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STATUTORY INSTRUMENTS

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**2023 No. 571**

**The School Discipline (Pupil Exclusions  
and Reviews) (England) (Amendment and  
Transitional Provision) Regulations 2023**

**PART 5**

**Constitution and procedure of review panels**

**Amendment of Schedule 1 to the 2012 Regulations**

**14.**—(1) Schedule 1 (constitution and procedure of review panels) is amended as follows.

(2) In paragraph 2, omit sub-paragraph (1A).

(3) In paragraph 9—

(a) after sub-paragraph (a), omit the “and”;

(b) after sub-paragraph (b) insert—

“; and

(c) may include a remote meeting request.”.

(4) In paragraph 10—

(a) for sub-paragraph (3) substitute—

“(3) Sub-paragraph (4) applies if a remote meeting request has been made.”;

(b) in sub-paragraph (4)—

(i) after “in sub-paragraph (1)”, for “may” substitute “must”;

(ii) omit paragraph (b);

(c) after sub-paragraph (4) insert—

“(4A) Sub-paragraph (4B) applies if—

(a) for a reason related to extraordinary events or unforeseen circumstances, it is not reasonably practicable for the meeting referred to in sub-paragraph (1) to be held in person; and

(b) the meeting is not already required to take place using remote access pursuant to sub-paragraph (4).

(4B) Where this sub-paragraph applies, the meeting referred to in sub-paragraph (1) may be held using remote access, provided the arranging authority is satisfied that the conditions referred to in sub-paragraph (4)(a), (c) and (d) are met.

(4C) Sub-paragraph (4D) applies where, immediately before the date determined by the arranging authority as referred to in sub-paragraph (2), the meeting referred to in sub-paragraph (1) has not been held because—

- (a) it has not been reasonably practicable to meet in person for a reason related to extraordinary events or unforeseen circumstances; and
- (b) it has not been reasonably practicable to meet by way of remote access for a reason related to the satisfaction of the conditions in sub-paragraph (4)(a), (c) and (d).

(4D) Where this sub-paragraph applies, the date determined by the arranging authority as referred to in sub-paragraph (2) is extended by such period as is reasonably necessary for a reason related to the extraordinary events or unforeseen circumstances.

(4E) Subject to the exception made for persons referred to in paragraph 12(4), a meeting referred to in sub-paragraph (1) must be held in person unless—

- (a) a remote meeting request is made; or
- (b) for a reason related to extraordinary events or unforeseen circumstances, it is not reasonably practicable for the meeting to be held in person, and the [<sup>F1</sup>arranging authority is] satisfied that the conditions in sub-paragraph (4)(a), (c) and (d) are met.”;

(d) omit sub-paragraphs (5) to (8).

(5) In paragraph 12, after sub-paragraph (3), insert—

“(4) Where a social worker, a virtual school head, a representative as referred to in sub-paragraph (1), or a representative as referred to in sub-paragraph (3) attends a meeting referred to in paragraph 10(1) which is taking place in person, they may do so using remote access provided the arranging authority is satisfied that the conditions referred to in paragraph 10(4)(a), (c) and (d) are met.”

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#### **Textual Amendments**

- F1** Words in [reg. 14\(4\)\(c\)](#) substituted (31.8.2023) by [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) \(Amendment and Transitional Provision\) \(No. 2\) Regulations 2023 \(S.I. 2023/882\)](#), [regs. 1\(2\), 7](#) (with [reg. 1\(4\)](#))
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#### **Commencement Information**

- I1** [Reg. 14](#) in force at 1.9.2023, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023, PART 5.