
STATUTORY INSTRUMENTS

2023 No. 571

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

PART 6

Transitional arrangements

Exclusion of pupils: remote meetings - transitional arrangements

16.—(1) Subject to paragraphs (3) and (4), this regulation applies to an exclusion of a pupil under—

- (a) section 51A(1) of the Education Act 2002⁽¹⁾ (in the case of a maintained school),
- (b) section 51A(2) of the Education Act 2002 (in the case of a pupil referral unit), or
- (c) section 51A(1) of the Education Act 2002 as modified by regulation 21 of the 2012 Regulations (in the case of an Academy),

which occurs before 1st September 2023, if scrutiny of the exclusion is or may be required and has not started before that date.

(2) In a case involving scrutiny of an exclusion as referred to [^{F1}in paragraph (a) of the definition of “scrutiny” in regulation 15], the head teacher (of a maintained school), the teacher in charge (of a pupil referral unit) or the principal (of an Academy) must, without delay on commencement of these Regulations, give the relevant person notice in writing of the following—

- (a) that the relevant person may, within 3 school days of notification, request that the meeting be held using remote access;
- (b) how and to whom the request should be made.

(3) In a case involving scrutiny of an exclusion as referred [^{F2}to in paragraph (b) of the definition of “scrutiny” in regulation 15], the governing body (of a maintained school), the management committee (of a pupil referral unit), or the proprietor (of an Academy) must, without delay on commencement of these Regulations, give the relevant person notice in writing of the following—

- (a) that the relevant person may, within 3 school days after notification, request that the meeting be held using remote access;
- (b) how and to whom the request should be made.

(4) A notice in writing referred to in this regulation—

- (a) may be given by—
 - (i) delivering it directly to the relevant person,
 - (ii) delivering it to the relevant person’s last known address, or

(1) 2002 c. 32. Section 51A was inserted by section 4(1) and (2) of the Education Act 2011 (c. 21).

- (iii) sending it by first class post to the relevant person's last known address;
- (b) unless the contrary is shown, will be taken to have been given—
 - (i) where first class post is used, on the second working day after the date of posting, or
 - (ii) where the notice is delivered, on the date of delivery.

Textual Amendments

- F1** Words in [reg. 16\(2\)](#) 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), **8(a)** (with [reg. 1\(4\)](#))
- F2** Words in [reg. 16\(2\)](#) 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), **8(b)** (with [reg. 1\(4\)](#))

Commencement Information

- I1** [Reg. 16](#) 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, Section 16.