



Education and Inspections Act 2006

2006 CHAPTER 40

PART 7

DISCIPLINE, BEHAVIOUR AND EXCLUSION

CHAPTER 2

PARENTAL RESPONSIBILITIES AND EXCLUDED PUPILS

Excluded pupils

100 Duty of governing body or proprietor where pupil excluded for fixed period

- (1) Except in prescribed cases, the governing body of a relevant school in England must make arrangements for the provision of suitable full-time education for pupils of compulsory school age who are excluded from the school for a fixed period on disciplinary grounds.
- (2) The education referred to in subsection (1) must be provided from a day that, in relation to the pupil concerned, is determined in accordance with regulations.
- (3) The education must not be provided at the school unless it is provided there in pursuance of arrangements which—
 - (a) are made jointly with the governing body of at least one other relevant school, and
 - (b) make provision for the education of pupils excluded on disciplinary grounds from any of the schools that are parties to the arrangements.
- (4) In determining what arrangements to make under subsection (1) in the case of any pupil, a governing body must have regard to any guidance given from time to time by the Secretary of State.
- (5) In this section—

Changes to legislation: Education and Inspections Act 2006, Section 100 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“governing body”, in relation to a relevant school which is an [^{F1}Academy school, an alternative provision Academy,] a city technology college or a city college for the technology of the arts, means proprietor;

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Secretary of State;

“relevant school” does not include a pupil referral unit;

“suitable full-time education”, in relation to a pupil, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.

Textual Amendments

- F1** Words in s. 100(5) substituted (1.4.2012) by Education Act 2011 (c. 21), s. 82(3), **Sch. 13 para. 16(3)**; S.I. 2012/924, art. 2
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Commencement Information

- I1** S. 100 in force at 1.9.2007 by S.I. 2007/1801, art. 4(g)

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)