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STATUTORY INSTRUMENTS

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**1995 No. 2089**

**The Education (Pupil Registration) Regulations 1995**

**Deletions from Admission Register**

9.—(1) The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

- (a) where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local education authority for that named in the order or the order is revoked by the local education authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school;
- (b) except as provided in regulation 10, in a case not falling within sub-paragraph (a) of this paragraph, that he has been registered as a pupil of another school;
- (c) in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school;
- (d) except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered;
- (e) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday in accordance with regulation 8(3), that the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted, and the proprietor is not satisfied that the pupil is unable to attend the school by reason of sickness or any unavoidable cause;
- (f) that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age;
- (g) that he has been continuously absent from school for a period of not less than four weeks and both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to locate the pupil;
- (h) that the pupil has died;
- (i) that he will cease to be of compulsory school age before the school next meets and intends to cease to attend the school;
- (j) in the case of a pupil at a school other than a maintained school, that he has ceased to be a pupil of the school;
- (k) where the pupil is registered at a maintained school, that he has been permanently excluded from the school; or
- (l) where the pupil has been admitted to the school to receive nursery education, he has not on completing such education transferred to a reception class at the school.

(2) In a case not covered by paragraph (1)(a), (h) or (k), or regulation 10, the name of a child who has under arrangements made by a local education authority become a registered pupil at a special

school shall not be removed from the admission register of that school without the consent of that authority or, if that authority refuse to give consent, without a direction of the Secretary of State.

(3) The following are prescribed as the grounds on which the name of a pupil not of compulsory school age is to be deleted from the admission register—

- (a) that he has ceased to attend the school, or, in the case of a boarder, that he has ceased to be a pupil of the school;
- (b) that he has been continuously absent from the school for a period of not less than four weeks and the proprietor of the school has failed, after reasonable enquiry, to locate the pupil;
- (c) that the pupil has died;
- (d) where the pupil has been admitted to the school to receive nursery education, he has not on completing such education transferred to a reception class at the school; or
- (e) where the pupil is registered at a maintained school, that he has been permanently excluded from the school.

(4) For the purposes of this regulation—

- (a) a pupil shall be treated as ordinarily residing at a place where the pupil is habitually and normally resident apart from temporary or occasional absences;
- (b) “reception class” means a class in which education is provided which is suitable to the requirements of pupils aged five and any pupils under or over that age whom it is expedient to educate together with pupils of that age;
- (c) children are to be regarded as having been admitted to a school to receive nursery education if they were placed on admission in a nursery class; and
- (d) the permanent exclusion of a pupil does not take effect until—
  - (i) any review under the articles of government for the school of the decision to exclude him has been completed, and
  - (ii) any time for appealing under section 26 of the Education (No. 2) Act 1986<sup>(1)</sup> or those articles has expired without such an appeal being made, such an appeal has been finally concluded or the parents have given notice in writing that they do not intend to appeal.

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(1) 1986 c. 61.