
STATUTORY INSTRUMENTS

2012 No. 1033

**The School Discipline (Pupil Exclusions
and Reviews) (England) Regulations 2012**

PART 4

Academies

[^{F1}Cancellation of exclusion of a pupil

26A.—(1) Subject to paragraphs (2) and (3), if a principal decided to exclude a pupil, the principal may cancel the exclusion—

- (a) either before or after it has begun; and
- (b) whether or not the pupil has been admitted to another school following their exclusion.

(2) A principal may not cancel an exclusion under paragraph (1) if, by the time the principal comes to make the decision to cancel an exclusion, the pupil—

- (a) has already been excluded for more than 45 days in any school year; or
- (b) would have been excluded for more than 45 days in any school year when the cancellation took effect.

(3) In cases where regulation 23(3) applies by virtue of regulation 23(2), a principal may not cancel an exclusion under paragraph (1) if, by the time the principal comes to make the decision to cancel an exclusion, the proprietor has commenced a meeting for the purpose of making a decision under regulation 24(2).

(4) Where an exclusion is cancelled in accordance with paragraph (1)—

- (a) the principal must, without delay—
 - (i) inform the relevant person, the proprietor, the local authority, the social worker and the virtual school head of the cancellation and the reasons for it in writing; and
 - (ii) reinstate the pupil;
- (b) the proprietor is not required to consider reinstatement of the pupil under regulation 24.]

F1 Reg. 26A inserted (1.9.2023) by [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) \(Amendment and Transitional Provision\) Regulations 2023 \(S.I. 2023/571\)](#), regs. 1(1), 13 (with regs. 1(3), 16) (as amended by [S.I. 2023/882](#), regs. 1(2), 4, 8 (with reg. 1(4)))

Changes to legislation:

There are currently no known outstanding effects for the The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, Section 26A.