
STATUTORY INSTRUMENTS

2012 No. 1033

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

PART 2

Maintained schools

[^{F1}Cancellation of exclusion of a pupil

8A.—(1) Subject to paragraphs (2) and (3), if a head teacher decided to exclude a pupil, the head teacher 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 head teacher may not cancel an exclusion under paragraph (1) if, by the time the head teacher comes to make the decision to cancel an exclusion, the pupil—

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

(3) In cases where regulation 5(3) applies by virtue of regulation 5(2), a head teacher may not cancel an exclusion under paragraph (1) if, by the time the head teacher comes to make the decision to cancel an exclusion, the governing body has commenced a meeting for the purpose of making a decision under regulation 6(2) regarding reinstatement of the pupil.

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

- (a) the head teacher must, without delay—
 - (i) inform the relevant person, the governing body, 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 governing body are not required to consider reinstatement of the pupil under regulation 6.]

F1 Reg. 8A 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), 7 (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 8A.