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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Educational Provision for Improving Behaviour) Regulations 2010 (“the Principal Regulations”) which impose requirements relating to the exercise of the powers of governing bodies of maintained schools, to require pupils to attend provision away from the school premises for the purpose of receiving education to improve the pupil’s behaviour (“off-site provision”) under section 29A(1) of the Education Act 2002.

The Principal Regulations provide that a pupil may only be required to attend off-site provision until the end of the academic year in which the requirement is imposed. Additionally they provide that the requirement to attend off-site provision must be reviewed by the governing body at least every thirty days.

The Regulations amend the Principal Regulations to provide that the requirement to attend off-site provision may continue beyond the academic year in which the requirement was imposed, and the governing body must hold review meetings at such intervals as they, having regard to the needs of the pupil, consider appropriate, rather than specifically every thirty days. The parent (or pupil who has attained the age of 18), and the local authority where a statement of special educational needs is maintained for the pupil will be able to request (in writing) a review meeting. Governing bodies will be required to comply with a request if a review meeting has not taken place in the previous 10 weeks.

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has no impact on the public sector.