

2021 No. 204

EDUCATION, ENGLAND

**The School Discipline (Pupil Exclusions and Reviews)
(England) (Coronavirus) (Amendment) Regulations 2021**

<i>Made</i>	- - - -	<i>25th February 2021</i>
<i>Laid before Parliament</i>		<i>1st March 2021</i>
<i>Coming into force</i>	- -	<i>25th March 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 51A(3) and (12) and 210(7) of the Education Act 2002(a).

Citation and commencement

1. These Regulations may be cited as the School Discipline (Pupil Exclusions and Reviews) (England) (Coronavirus) (Amendment) Regulations 2021 and come into force on 25th March 2021.

Amendment of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

2. In the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012(b) in regulation 2(1), in the definition of “relevant exclusion”, in paragraph (a) for “but before 25th March 2021” substitute “but before 25th September 2021”.

Review of amendment made by regulation 2

3. The Secretary of State must review the effectiveness of the amendment made by regulation 2 during the period starting with 25th March 2021 and ending with 24th September 2021.

25th February 2021

Nick Gibb
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (S.I. 2012/1033) (the ‘2012 Regulations’). The 2012 Regulations set out procedures in relation to exclusions under section 51A of the Education Act 2002, from

(a) 2002 c. 32. Section 51A was inserted by section 4 of the Education Act 2011 (c. 21). See section 212 of the 2002 Act for the definitions of “prescribed” and “regulations”.

(b) S.I. 2012/1033 was amended by S.I. 2020/543 and 908.

maintained schools, pupil referral units and academies (Academy schools and alternative provision Academies) in England.

Regulation 2 of these Regulations amends the definition of “relevant” exclusions in the 2012 Regulations by extending the date by which an exclusion must have taken place, in order to be a relevant exclusion, from 25th March 2021 to 25th September 2021. This has the effect of extending the range of exclusions that are covered by provisions of the 2012 Regulations which enable certain meetings at which an exclusion will be considered to be held by remote access if certain conditions apply, and which extend various time limits including for when certain action relating to the exclusion must be taken by the governing body, management committee or proprietor (as the case may be), for applying for a review of a decision not to reinstate a pupil and by when a review must be held.

The amendment made by regulation 2 is required, by regulation 3, to be kept under review during the period starting with 25th March 2021 and ending with 24th September 2021.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An explanatory memorandum is published alongside these Regulations on www.legislation.gov.uk. Hard copies are available from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT .

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