

*Status: Point in time view as at 28/06/2013.*

*Changes to legislation: Equality Act 2010, Paragraph 14 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 17

#### DISABLED PUPILS: ENFORCEMENT

##### Modifications etc. (not altering text)

- C1** Sch. 17: power to amend or repeal conferred (10.2.2012) by Education (Wales) Measure 2009 (nawm 5), s. 18(2)(c) (as amended by S.I. 2011/1651, art. 12(b)); S.I. 2012/320, art. 2(g)

#### PART 4

##### ADMISSIONS AND EXCLUSIONS

##### *Exclusions* [<sup>F1</sup>: Wales]

##### Textual Amendments

- F1** Word in Sch. 17 para. 14 cross-heading inserted (1.9.2012) by Education Act 2011 (c. 21), s. 4(4), Sch. 1 para. 12; S.I. 2012/1087, art. 3

- 14 (1) This paragraph applies if appeal arrangements have been made in relation to exclusion decisions [<sup>F1</sup>that are made in relation to schools in Wales].
- (2) A claim that a responsible body has, because of a person's disability, contravened Chapter 1 of Part 6 in respect of an exclusion decision must be made under the appeal arrangements.
- (3) The body hearing the claim has the powers it has in relation to an appeal under the appeal arrangements.
- [<sup>F2</sup>(4) Appeal arrangements are arrangements under section 52(3) of the Education Act 2002 enabling an appeal to be made against an exclusion decision.]
- (5) An exclusion decision is—
- (a) a decision of a kind mentioned in 52(3) of the Education Act 2002;
- (b) <sup>F3</sup> .....
- (6) “Responsible body”, in relation to a maintained school, includes the discipline committee of the governing body if that committee is required to be established as a result of regulations made under section 19 of the Education Act 2002.
- (7) “Maintained school” has the meaning given in section 20(7) of the School Standards and Framework Act 1998.

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#### Textual Amendments

- F1** Words in Sch. 17 para. 14(1) inserted (1.9.2012) by Education Act 2011 (c. 21), s. 4(4), **Sch. 1 para. 13(a)**; S.I. 2012/1087, **art. 3**
- F2** Sch. 17 para. 14(4) substituted (1.9.2012) by Education Act 2011 (c. 21), s. 4(4), **Sch. 1 para. 13(b)**; S.I. 2012/1087, **art. 3**
- F3** Sch. 17 para. 14(5)(b) omitted (1.9.2012) by virtue of Education Act 2011 (c. 21), s. 4(4), **Sch. 1 para. 13(c)**; S.I. 2012/1087, **art. 3**

#### Commencement Information

- I1** Sch. 17 para. 14 wholly in force; Sch. 17 not in force at Royal Assent see s. 216; Sch. 17 Pt. 4 in force at 1.10.2010 by S.I. 2010/2317, **art. 2(1)(9)(k)(iii)** (with art. 15, and subject to transitional provision in art. 7)

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