

*Status: Point in time view as at 01/04/2018.*

*Changes to legislation: Equality Act 2010, Cross Heading: Exclusions : Wales is up to date with all changes known to be in force on or before 28 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>F2</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>F3</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>F4</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**

- F2** 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**
- F3** 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**
- F4** 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**
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#### **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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