
STATUTORY INSTRUMENTS

2022 No. 788

The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment) Regulations 2022

PART 1

General

Citation, commencement and extent

1.—(1) These Regulations may be cited as the School Discipline (Pupil Exclusions and Reviews) (England) (Amendment) Regulations 2022.

(2) These Regulations come into force on 1st September 2022.

(3) These Regulations extend to England and Wales.

Interpretation

2. In these Regulations, “2012 Regulations” means the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012⁽¹⁾.

Exclusions to which these Regulations apply

3.—(1) These Regulations apply to exclusions under the 2012 Regulations which occur on or after 1st September 2022.

(2) The 2012 Regulations, as unamended by these Regulations, continue to apply to exclusions under the 2012 Regulations which occur before 1st September 2022.

Amendment to regulation 2 of the 2012 Regulations: interpretation

4.—(1) Regulation 2 (interpretation) of the 2012 Regulations is amended as follows.

(2) After the definition of “SEN expert”, insert—

““social worker” means a registered social worker within the meaning of regulations 2(5) and (6) of the Social Workers Regulations 2018⁽²⁾ and a reference to a social worker in these Regulations is a reference to any social worker who is assigned to the pupil who is excluded from a maintained school, pupil referral unit or an Academy;”.

(3) At the end of the definition of “unit”, omit “and”.

(4) After the definition of “unit”, insert—

““virtual school head” means a person appointed under section 22(3B) (general duty of local authority in relation to children looked after by them) of the Children Act 1989⁽³⁾ and a

(1) S.I. 2012/1033, as amended by S.I. 2020/543, 2020/908, 2021/204 and 2021/953.

(2) S.I. 2018/893.

(3) 1989 (c. 41). Section 22(3B) was inserted by section 99 of the Children and Families Act 2014 (c. 6), and amended by S.I. 2016/413.

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reference to a virtual school head in these Regulations is to any virtual school head who has responsibility for the pupil who is excluded from a maintained school, pupil referral unit or an Academy; and”.