

SCHEDULE

Regulation 8

MODIFICATIONS OF THE SCHEDULE TO THE EDUCATION (PUPIL EXCLUSIONS AND APPEALS) (MAINTAINED SCHOOLS) (WALES) REGULATIONS 2003

1. For paragraph 1(1) there is substituted —

“1.—(1) No appeal under regulation 8(1) against a decision to permanently exclude a pupil may be made after the fifteenth school day after the day on which the relevant person is given notice in writing under regulation 5(3)(b).”

2. In paragraph 1(3) for the words “not to reinstate” there is substituted the words “to permanently exclude”.

3. For “regulation 7(1)” in each place where it occurs, there is substituted “regulation 8(1)”.

4. For paragraph 2(7) there is substituted —

“(7) The following persons are disqualified for membership of an appeal panel —

- (a) any member of the local education authority or of the management committee (where one exists) of the pupil referral unit in question;
- (b) the teacher in charge of, or any teacher at, the pupil referral unit in question or any person who has held any such position within the previous five years;
- (c) any person employed by the local education authority, other than a person employed as a head teacher or a teacher;
- (d) any person who has, or at any time has had, any connection with —
 - (i) the local education authority or the pupil referral unit, or with any person within paragraph (b) or (c), or
 - (ii) the pupil in question or the incident leading to his or her exclusion, of a kind which might reasonably be taken to raise doubts about his or her ability to act impartially.”.

5. For paragraph 10(2) there is substituted —

“(2) The panel must also allow —

- (a) the teacher in charge to make written representations, to be represented and to appear and make oral representations, and
- (b) the local education authority to make written representations in addition to the statement the authority is required to submit to the panel under sub-paragraph (1), to be represented and to appear and make oral representations.”.

6. In paragraph 14(a) “, the governing body” is omitted.