
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make various amendments to the Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003 and the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) Regulations 2003.

Regulations 3 and 4 add the excluded pupil's date of birth to the range of information on each exclusion that the governing body of a maintained school and the teacher in charge of a pupil referral unit must provide to the local education authority each term.

Regulation 5 amends the Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003 to correct an error in the Welsh language version of those Regulations and to provide that the governing body must consider whether or not the pupil should be reinstated and where they consider that the pupil should be reinstated, in addition consider whether the pupil should be reinstated immediately or reinstated by a particular date and whether it would not be practical for the head teacher to comply with a direction requiring the reinstatement of the pupil. Regulation 6 makes a similar amendment to the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) Regulations 2003.

Regulation 7 amends the Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003 to provide that the head teacher, governing body or appeal panel must establish facts on a balance of probabilities. Regulation 8 makes a similar amendment to the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) Regulations 2003.