



Exclusion Addendum

The DfE has made some temporary changes to the exclusion process in light of COVID-19.

The changes are:

- Making specific provision for governing body board meetings and independent reviews to take place via audio or video link, if not reasonably practicable in person due to COVID-19;

Where meetings are held under the 2012 Regulations to scrutinise school exclusions, the Amendment Regulations 2020 make provision for those meetings to be held virtually (for example via a videoconference) for reasons related to the incidence or transmission of coronavirus.

- They also make provision for the applicable time limits to be extended where it has not been reasonably practicable to hold a meeting, and extend the application window during which a parent can apply for an independent review of a decision not to reinstate a permanently excluded pupil.
- There will be extensions for governing body board meetings for any Disciplinary hearings and independent review panel (IRP) consultations, where necessary;
- An extension to the time limit for application for an independent review has also been included in the changes

If the Amendment Regulations 2020 had complied with the 21-day rule, there would have been a chance that some pupils whose permanent exclusion had not yet been considered by a responsible body or independent review panel would not be able to return to their school or begin a permanent placement elsewhere until mid-June or later. This would reduce the time that such children were able to spend in school this academic year, and deny them the educational and wellbeing benefits which follow from regular school attendance, which are particularly important for younger children, pupils at transition points in their education, and vulnerable children. We have therefore decided that it is best in this case to bring the changes into force from 1 June 2020 and to publish guidance ahead of that date, so that those involved in the school exclusion process can quickly understand the temporary arrangements and take steps to minimise delays for pupils.

- The changes will apply to exclusions occurring between 1 June and 24 September (inclusive of those dates) as well as to exclusions that occur before June 1 which are still 'live'. Guidance describing the new arrangements can be found on the link below
- [Changes to Exclusions: complete document](#)

These amendments apply to exclusions occurring from the coming into force date of 1 June 2020 to 24 September 2020 (inclusive of those dates), as well as to some exclusions occurring before 1 June for which the scrutiny procedures have not yet been exhausted.

This guidance is about processes – it does not change powers to exclude.