

SCHEDULES

SCHEDULE 17

DISABLED PUPILS: ENFORCEMENT

PART 4

ADMISSIONS AND EXCLUSIONS

Admissions

- 13 (1) This paragraph applies if appeal arrangements have been made in relation to admissions decisions.
- (2) A claim that a responsible body has, because of a person's disability, contravened Chapter 1 of Part 6 in respect of an admissions 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.
- (4) Appeal arrangements are arrangements under—
- (a) section 94 of the [School Standards and Framework Act 1998](#), or
 - (b) an agreement between the responsible body for an Academy and the Secretary of State under section 482 of the [Education Act 1996](#), enabling an appeal to be made by the person's parent against the decision.
- (5) An admissions decision is—
- (a) a decision of a kind mentioned in section 94(1) or (2) of the [School Standards and Framework Act 1998](#);
 - (b) a decision as to the admission of a person to an Academy taken by the responsible body or on its behalf.

Exclusions

- 14 (1) This paragraph applies if appeal arrangements have been made in relation to exclusion decisions.
- (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.
- (4) Appeal arrangements are arrangements under—
- (a) section 52(3) of the [Education Act 2002](#), or

Status: This is the original version (as it was originally enacted).

- (b) an agreement between the responsible body for an Academy and the Secretary of State under section 482 of the [Education Act 1996](#), enabling an appeal to be made by the person’s parent against the decision.
- (5) An exclusion decision is—
 - (a) a decision of a kind mentioned in 52(3) of the [Education Act 2002](#);
 - (b) a decision taken by the responsible body or on its behalf not to reinstate a pupil who has been permanently excluded from an Academy by its head teacher.
- (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.