
WELSH STATUTORY INSTRUMENTS

2024 No. 316

The Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) (Amendment) Regulations 2024

Amendments to regulation 7 of the 2003 PRU Regulations

6.—(1) Regulation 7 (functions of local authority in relation to pupils excluded for a fixed period) of the 2003 PRU Regulations is amended as follows.

(2) In the heading—

- (a) for “local authority” substitute “management committee”;
- (b) for “pupils excluded for a fixed period” substitute “excluded pupils”.

(3) For paragraph (1) substitute—

“(1) Paragraphs (2) to (6) apply where the management committee is informed under regulation 5(3) of—

- (a) the permanent exclusion of a pupil,
- (b) a decision that any exclusion of a pupil should be made permanent, or
- (c) the exclusion of any pupil, and the circumstances are that the pupil would, as a result of the exclusion—
 - (i) be excluded from the pupil referral unit for a total of more than 15 school days in any one term, or
 - (ii) lose an opportunity to take a public examination.”

(4) In paragraph (2)—

(a) in the words before sub-paragraph (a), for “local authority” substitute “management committee”;

(b) in sub-paragraph (b)—

- (i) in the words before sub-paragraph (b)(i), for “local authority” substitute “management committee”;
- (ii) at the end of paragraph (ii) omit “and”;
- (iii) at the end of paragraph (iii), for “;” substitute “, and”;
- (iv) after paragraph (iii) insert—

“(iv) by the local authority;”;

(c) in sub-paragraph (c)—

- (i) at the beginning insert “convene a meeting and”;
- (ii) at the end of paragraph (ii) omit “and”;
- (iii) after paragraph (iii) insert—

“and

 - (iv) an officer of the local authority nominated by the authority;”;
- (iv) for “a meeting with the local authority” substitute “that meeting”.

- (5) In paragraph (3)—
 - (a) for “local authority” substitute “management committee”;
 - (b) in the English language text, for “he or she” substitute “the pupil”.
- (6) In paragraph (4)—
 - (a) in the words before sub-paragraph (a) for “local authority” substitute “management committee”;
 - (b) in sub-paragraph (b), after “relevant person” insert “and the local authority”.
- (7) In paragraph (5), for “local authority” substitute “management committee”.
- (8) In paragraph (6)—
 - (a) for “local authority” substitute “management committee”;
 - (b) for the words from “without delay” to the end substitute—
 - “without delay—
 - (a) inform the relevant person, the teacher in charge and the local authority of their decision, and
 - (b) in addition, in the case of a pupil who is permanently excluded, give the relevant person notice in writing referring to that decision and stating the following matters—
 - (i) the reasons for the decision,
 - (ii) the relevant person’s right to appeal against the decision,
 - (iii) the person to whom the relevant person should give any notice of appeal,
 - (iv) that any notice of appeal must contain the grounds of appeal, and
 - (v) the last date on which an appeal may be made.”
- (9) In paragraph (7)(b), for “local authority” substitute “management committee”.
- (10) In paragraph (8)—
 - (a) for “local authority” substitute “management committee”;
 - (b) in sub-paragraph (b), after “in the case of” insert “a permanent exclusion or”;
 - (c) in the words after sub-paragraph (c), for “5(2)” substitute “5(3)”.
- (11) In paragraph (9)—
 - (a) omit “for a fixed period”;
 - (b) in the English language text, for “he or she” substitute “the pupil”;
 - (c) for “local authority” substitute “management committee”.
- (12) In paragraph (10), for “local authority” substitute “management committee”.
- (13) After paragraph (10) insert—
 - “(11) The notice in writing referred to in paragraph (6)(b) may be given either—
 - (a) by delivering it by hand to the relevant person’s last known address, or
 - (b) by sending it by first class post in a properly addressed, pre-paid envelope to the relevant person’s last known address.”