

# Covid-19 exclusions temporary changes extended

The amended guidance and Regulations extend the existing Covid changes for exclusions through to 24 September 2021. Read on for a reminder of these changes.

17 March 2021

**Please note: the information contained in this legal update is correct as at 14 September 2021.**

The Department for Education has updated its supplementary statutory guidance and released new amendment Regulations to the exclusions process in England due to Covid-19.

In essence, the amended guidance and Regulations simply extend the existing Covid changes for exclusions through to 24 March 2022. As a reminder, these changes are:

- allowing remote hearings of both the governing body and an independent review panel where:
  - it is not reasonably practicable for the meeting to take place in person due to Covid-19; and
- the governing body or the arranging authority for the IRP is satisfied that:
  - all participants agree to the meeting being remote;
  - all have the technology to participate;
  - all participants will be able to put their points across; and
  - it is fair.

When considering whether to hold a meeting remotely, consideration will need to be given to the facts and circumstances of the case, as well as the needs of the participants and the relevant public health advice in place at the time.

All other procedures and timescales apply as set out in the Exclusions Statutory Guidance. Note that in the supplementary statutory guidance, the DfE refers to fixed-term exclusions as 'suspensions' and permanent exclusions as 'expulsions' as they indicated they would following the Timpson review. This may indicate that new exclusions statutory guidance will be coming in the next few months.

If you need any advice in relation to an exclusion or want to know how we can assist your board, please do get in contact.

## Contact



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