



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

#### CHAPTER V

##### STAFFING AND CONDUCT OF SCHOOLS

##### *Discipline: general*

#### **62 LEA's reserve power to prevent a breakdown of discipline**

- (1) The local education authority may, in the circumstances mentioned in subsection (2) or where subsection (3) applies, take such steps in relation to a maintained school as they consider are required to prevent the breakdown, or continuing breakdown, of discipline at the school.
- (2) The circumstances are that—
  - (a) in the opinion of the authority—
    - (i) the behaviour of registered pupils at the school, or
    - (ii) any action taken by such pupils or their parents,is such that the education of any registered pupils at the school is (or is likely in the immediate future to become) severely prejudiced; and
  - (b) the governing body have been informed in writing of the authority's opinion.
- (3) This subsection applies where—
  - (a) a warning notice has been given in accordance with section 15(2) referring to the safety of pupils or staff at the school being threatened by a breakdown of discipline at the school,

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*Status: This is the original version (as it was originally enacted).*

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- (b) the governing body have failed to comply, or secure compliance, with the notice to the authority's satisfaction within the compliance period, and
- (c) the authority have given reasonable notice in writing to the governing body that they propose to exercise their powers under subsection (1) of this section (whether or not in conjunction with exercising their powers under either or both of sections 16 and 17);

and a notice under paragraph (c) of this subsection may be combined with a notice under section 15(1)(c).

- (4) Steps taken by a local education authority under subsection (1) may include the giving of any direction to the governing body or head teacher.