

Status: Point in time view as at 01/09/1999.

Changes to legislation: Education Act 1996, Cross Heading: Power to restrain pupils is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Education Act 1996

1996 CHAPTER 56

PART X

MISCELLANEOUS AND GENERAL

CHAPTER II

[^{F1} PUNISHMENT AND RESTRAINT OF PUPILS]

[^{F1} Power to restrain pupils]

Textual Amendments

F1 S. 550A and cross-heading inserted (1.9.1998) by 1997 c. 44, s. 4 (with s. 57(3)); S.I. 1998/386, art. 2(4), Sch. 1 Pt. IV

[^{F2}550A Power of members of staff to restrain pupils.

- (1) A member of the staff of a school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely—
 - (a) committing any offence,
 - (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
 - (c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.
- (2) Subsection (1) applies where a member of the staff of a school is—
 - (a) on the premises of the school, or

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- (b) elsewhere at a time when, as a member of its staff, he has lawful control or charge of the pupil concerned;
- but it does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548.
- (3) Subsection (1) shall not be taken to prevent any person from relying on any defence available to him otherwise than by virtue of this section.
- (4) In this section—
- “member of the staff”, in relation to a school, means any teacher who works at the school and any other person who, with the authority of the head teacher, has lawful control or charge of pupils at the school;
- “offence” includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.]

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