



# Education Act 1997

## 1997 CHAPTER 44

### PART II **U.K.**

#### SCHOOL DISCIPLINE

#### *Responsibility for discipline*

**F1**2 ..... **E+W**

#### Textual Amendments

**F1** Ss. 2-3 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(a), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

**F2**3 ..... **E+W**

#### Textual Amendments

**F2** Ss. 2-3 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(a), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

#### *Power to restrain pupils*

**F3**4 **Power of members of staff to restrain pupils.** **U.K.**

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*Changes to legislation: Education Act 1997, Part II 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) View outstanding changes*

**Textual Amendments**

**F3** S. 4 repealed (1.4.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), **Sch. 18 Pt. 6**; S.I. 2007/935, art. 4(d); S.I. 2010/2543, art. 2(m)

*Detention*

**F4**<sup>5</sup> **Detention outside school hours lawful despite absence of parental consent.** **U.K.**

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**Textual Amendments**

**F4** S. 5 repealed (1.4.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), **Sch. 18 Pt. 6**; S.I. 2007/935, art. 4(d); S.I. 2010/2543, art. 2(m)

*Exclusion of pupils from school*

**F5**<sup>6</sup> ..... **E+W**

**Textual Amendments**

**F5** Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

**F6**<sup>7</sup> ..... **E+W**

**Textual Amendments**

**F6** Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

**F7**<sup>8</sup> ..... **E+W**

**Textual Amendments**

**F7** Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

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*LEA plans*

**F89**    **LEA plans relating to children with behavioural difficulties.** **U.K.**

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**Textual Amendments**

**F8**    S. 9 repealed (1.3.2005 for E., 1.9.2006 for W.) by [Children Act 2004 \(c. 31\)](#), [Sch. 5 Pt. 1](#); S.I. [2005/394](#), art. 2(1)(l); S.I. [2006/885](#), art. 3(b)

**Changes to legislation:**

Education Act 1997, Part II 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(2)(ga) inserted by [2008 c. 25 s. 161\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 24(2B)-(2D) inserted by [2008 c. 25 s. 9](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (31.5.2013) without ever being in force by 2009 c. 22 Sch. 16 Pt. 4; S.I. 2013/975, art. 2(c))
- s. 26A(1)(1A) substituted for s. 26A(1) by [2008 c. 25 s. 161\(11\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 26A(4)(5) inserted by [2008 c. 25 s. 161\(13\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 38(2B) inserted by [2022 asc 1 Sch. 4 para. 9\(3\)\(b\)](#)
- s. 39(1)(b)(c) substituted for s. 39(1)(b) by [2022 asc 1 Sch. 4 para. 9\(4\)\(b\)](#)
- s. 43(2ZA)(2ZB) inserted by [2009 c. 22 s. 250\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)