



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

61 Responsibility of governing body and head teacher for discipline.

[^{F1}(1) The governing body of a maintained school shall ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued at the school.

(2) In particular, the governing body—

- (a) shall make, and from time to time review, a written statement of general principles to which the head teacher is to have regard in determining any measures under subsection (4); and
- (b) where they consider it desirable that any particular measures should be so determined by the head teacher or that he should have regard to any particular matters—
 - (i) shall notify him of those measures or matters, and
 - (ii) may give him such guidance as they consider appropriate;

and in exercising their functions under this subsection the governing body shall have regard to any guidance given from time to time by the Secretary of State.

Status: Point in time view as at 01/02/2008. This version of this provision has been superseded.

Changes to legislation: School Standards and Framework Act 1998, Section 61 is up to date with all changes known to be in force on or before 17 July 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)

- (3) Before making or revising the statement required by subsection (2)(a) the governing body shall consult (in such manner as appears to them to be appropriate)—
- (a) the head teacher; and
 - (b) parents of registered pupils at the school.
- (4) The head teacher shall determine measures (which may include the making of rules and provision for enforcing them) to be taken with a view to—
- (a) promoting, among pupils, self-discipline and proper regard for authority;
 - (b) encouraging good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils;
 - (c) securing that the standard of behaviour of pupils is acceptable; and
 - (d) otherwise regulating the conduct of pupils.
- (5) The head teacher shall in determining such measures—
- (a) act in accordance with the current statement made by the governing body under subsection (2)(a); and
 - (b) have regard to any notification or guidance given to him under subsection (2)(b).
- (6) The standard of behaviour which is to be regarded as acceptable at the school shall be determined by the head teacher, so far as it is not determined by the governing body.
- (7) The measures determined by the head teacher under subsection (4) shall be publicised by him in the form of a written document as follows—
- (a) he shall make the measures generally known within the school and to parents of registered pupils at the school; and
 - (b) he shall in particular, at least once in every school year, take steps to bring them to the attention of all such pupils and parents and all persons employed, or otherwise engaged to provide their services, at the school.

[^{F2}(8) In this section “maintained school” includes a maintained nursery school.]]

Textual Amendments

- F1** S. 61 repealed (1.4.2007 for E.) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 96(b), 188(3), [Sch. 18 Sch. 6](#); S.I. 2007/935, art. 4(a)(d)
- F2** S. 61(8) inserted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 102](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.

Modifications etc. (not altering text)

- C1** S. 61 applied with modifications (1.9.1999) by S.I. 1999/2262, [reg. 59](#).
- C2** S. 61 applied (with modifications) (10.7.2003) by [New Schools \(General\) \(England\) Regulations 2003 \(S.I. 2003/1558\)](#), [regs. 1, 31](#)
- C3** S. 61 modified (31.3.2004) by [The Blackburn with Darwen \(Maintained Nursery School Governance\) Order 2004 \(S.I. 2004/657\)](#), arts. 1(1), [3\(d\)](#)
- C4** S. 61 applied (with modifications) (E.) (1.9.2005) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(England\) Regulations 2005 \(S.I. 2005/2039\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 5](#)
- C5** S. 61 applied (with modifications) (W.) (31.10.2005) by [The New Maintained Schools \(Wales\) Regulations 2005 \(S.I. 2005/2912\)](#), [regs. 1\(1\), 30\(1\)](#) (with [reg. 30\(2\)](#))
- C6** S. 61 applied (with modifications) (23.4.2007) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(Wales\) Regulations 2007 \(S.I. 2007/1069\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 5](#)

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C7 S. 61 extended (with modifications) (1.9.1999) by [S.I. 1999/2243](#), **reg. 59**.

Status:

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