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Changes to legislation: Education and Inspections Act 2006, Cross Heading: Certain schools required to have behaviour policy is up to date with all changes known to be in force on or before 31 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)



Education and Inspections Act 2006

2006 CHAPTER 40

PART 7

DISCIPLINE, BEHAVIOUR AND EXCLUSION

CHAPTER 1

SCHOOL DISCIPLINE

VALID FROM 01/04/2007

Certain schools required to have behaviour policy

88 Responsibility of governing body for discipline

- (1) The governing body of a relevant school must 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) must 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 section 89(1), 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.
- (3) Before making or revising the statement required by subsection (2)(a) the governing body must consult (in such manner as appears to them to be appropriate)—

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- (a) the head teacher,
 - (b) such other persons who work at the school (whether or not for payment) as it appears to the governing body to be appropriate to consult,
 - (c) parents of registered pupils at the school, and
 - (d) registered pupils at the school.
- (4) In exercising their functions under subsection (2) the governing body must have regard to any guidance given from time to time—
- (a) in relation to England, by the Secretary of State, and
 - (b) in relation to Wales, by the Assembly.
- (5) In this section and section 89—
- “relevant school” means—
- (a) a community, foundation or voluntary school,
 - (b) a community or foundation special school,
 - (c) a maintained nursery school,
 - (d) a pupil referral unit, or
 - (e) a school approved by the Secretary of State or the Assembly under section 342 of EA 1996 (approval of non-maintained special schools);
- “governing body”, in relation to a school approved by the Secretary of State or the Assembly under section 342 of EA 1996, means the proprietor of the school.

89 Determination by head teacher of behaviour policy

- (1) The head teacher of a relevant school must determine measures 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,
 - (d) securing that pupils complete any tasks reasonably assigned to them in connection with their education, and
 - (e) otherwise regulating the conduct of pupils.
- (2) The head teacher must in determining such measures—
- (a) act in accordance with the current statement made by the governing body under section 88(2)(a), and
 - (b) have regard to any notification or guidance given to him under section 88(2)(b).
- (3) The standard of behaviour which is to be regarded as acceptable must be determined by the head teacher, so far as it is not determined by the governing body.
- (4) The measures which the head teacher determines under subsection (1) must include the making of rules and provision for disciplinary penalties (as defined by section 90).
- (5) The measures which the head teacher determines under subsection (1) may, to such extent as is reasonable, include measures to be taken with a view to regulating the

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conduct of pupils at a time when they are not on the premises of the school and are not under the lawful control or charge of a member of the staff of the school.

- (6) The measures determined by the head teacher under subsection (1) must be publicised by him in the form of a written document as follows—
- (a) he must make the measures generally known within the school and to parents of registered pupils at the school, and
 - (b) he must 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 who work at the school (whether or not for payment).

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