



Education Act 1997

1997 CHAPTER 44

PART II

SCHOOL DISCIPLINE

Responsibility for discipline

F12

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F1 Ss. 2-3 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(a), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F23

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F2 Ss. 2-3 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(a), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**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

F34 **Power of members of staff to restrain pupils.**

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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 14 May 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F3 S. 4 repealed (1.4.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), **Sch. 18 Pt. 6**; S.I. 2007/935, art. 4(d); S.I.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 5 Detention outside school hours lawful despite absence of parental consent.

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F4 S. 5 repealed (1.4.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), **Sch. 18 Pt. 6**; S.I. 2007/935, art. 4(d); S.I.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

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F5 Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**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 7

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F6 Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**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

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F7 Ss. 6-8 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 208(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

Changes to legislation: Education Act 1997, Part II is up to date with all changes known to be in force on or before 14 May 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

LEA plans

F89 LEA plans relating to children with behavioural difficulties.

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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 14 May 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)