

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 16: Schools: reduction of burdens

Responsibility for discipline

782. *Paragraph 1* amends sections 88 and 89 of the Education and Inspections Act 2006 (the “EIA 2006”). Sections 88 and 89 of the EIA 2006 set out the requirements for governing bodies and head teachers in relation to discipline.
783. The effect of these amendments is to limit to Wales the application of the requirement on governing bodies of relevant schools¹ to make and review a statement of general principles that the head teacher is to have regard to when formulating the behaviour policy. Governing bodies of relevant schools in Wales will remain required to ensure that a behaviour policy is pursued at the school.
784. *Paragraph 1* provides that governing bodies of relevant schools in England will be under a duty to ensure that the head teacher determines the behaviour policy under section 89(1). Section 89 is amended consequentially so that head teachers of relevant schools in England will not be required to act in accordance with the governing bodies’ written statement of general principles.
785. Sections 88 and 89 of the EIA 2006 form part of the law of, and apply to, England and Wales. The amendments made by paragraph 1 preserve the current position for Wales and alter the position for relevant schools in England. They come into force on a day to be appointed by the Secretary of State in a commencement order.

¹ Section 88(5) defines “relevant school” as a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school, a pupil referral unit or a non-maintained special school.