

LEARNER TRAVEL (WALES) MEASURE 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 13 – Enforcement of travel behaviour code: pupils at relevant schools

46. **Section 13** amends section 89 of the Education and Inspections Act 2006. Section 89 of the 2006 Act requires a head teacher to determine a school's behaviour policy. Subsection (2) of that section requires a head teacher when determining the measures for children's behaviour to follow a governing body's statement or guidance on school discipline. The new subsection (2A) of section 89 inserted by this section places a duty on head teachers to determine disciplinary measures which require pupils at relevant schools in Wales to comply with the travel behaviour code made by Welsh Ministers under section 12 of the Measure.
47. The new subsection (3A) of section 89 of the 2006 Act requires the head teacher to determine what standard of behaviour is acceptable in a school so far as that is not determined by the governing body or the Welsh Ministers (in relation to travel for the purpose of education and training). Section 89(5) of the 2006 Act allows a head teacher to determine measures to regulate the behaviour of pupils when they are not on school premises or under the control or charge of a member of the school staff. Subsection (6) provides that section 89(5) is not to apply in relation to Wales, but the same provision is made in the new subsection (5A) of section 89 but with a reference to the new subsection (2A) of section 89 inserted by this section.