



School Standards and Framework Act 1998

1998 CHAPTER 31

PART IV

OTHER PROVISIONS ABOUT SCHOOL EDUCATION

Home-school agreements

110 Home-school agreements

- (1) The governing body of a school which is—
 - (a) a maintained school, or
 - (b) a city technology college or a city college for the technology of the arts,shall adopt a home-school agreement for the school, together with a parental declaration to be used in connection with the agreement.
- (2) For the purposes of this section and section 111 a “home-school agreement” is a statement specifying—
 - (a) the school’s aims and values;
 - (b) the school’s responsibilities, namely the responsibilities which the school intends to discharge in connection with the education of pupils at the school who are of compulsory school age;
 - (c) the parental responsibilities, namely the responsibilities which the parents of such pupils are expected to discharge in connection with the education of their children while they are registered pupils at the school; and
 - (d) the school’s expectations of its pupils, namely the expectations of the school as regards the conduct of such pupils while they are registered pupils there;and “parental declaration” means a document to be used by qualifying parents for recording that they take note of the school’s aims and values and its responsibilities and that they acknowledge and accept the parental responsibilities and the school’s expectations of its pupils.

Status: This is the original version (as it was originally enacted).

- (3) The governing body shall take reasonable steps to secure that the parental declaration is signed by every qualifying parent.
- (4) Subsection (3) does not, however, require the governing body to seek the signature of a qualifying parent if, having regard to any special circumstances relating to the parent or the pupil in question, they consider that it would be inappropriate to do so.
- (5) Where the governing body consider that a registered pupil at the school has a sufficient understanding of the home-school agreement as it relates to him, they may invite the pupil to sign the parental declaration as an indication that he acknowledges and accepts the school's expectations of its pupils.
- (6) The governing body shall discharge their duty under subsection (3), and (where they decide to exercise it) shall exercise their power under subsection (5), as follows—
 - (a) in the case of a pupil attending the school on the relevant date, as soon after that date as is reasonably practicable; and
 - (b) in the case of a pupil admitted to the school after the relevant date, as soon after the date of his admission as is reasonably practicable.
- (7) The governing body shall from time to time review the home-school agreement.
- (8) Where the home-school agreement is revised by the governing body following such a review, subsections (3) to (6) shall, in the case of pupils admitted to the school after the revision takes effect, accordingly apply in relation to the revised agreement.
- (9) Before adopting the home-school agreement or parental declaration, or revising that agreement, the governing body shall consult—
 - (a) all qualifying parents, and
 - (b) such other persons as may be prescribed.
- (10) In this section—
 - “qualifying parent” means a registered parent of a pupil at the school who is of compulsory school age;
 - “the relevant date” means such date as the Secretary of State may by order appoint or such later date as he may determine in the case of the school in question.

111 Supplementary provisions about home-school agreements

- (1) In discharging any function under section 110 the governing body of a school shall have regard to any guidance given from time to time by the Secretary of State.
- (2) If the Secretary of State by order so provides, the governing body of a school to which subsection (1) of that section applies shall ensure that any form of words—
 - (a) specified in the order, or
 - (b) having such effect as is so specified,
 is not used in a home-school agreement or (as the case may be) in a parental declaration.
- (3) An order under subsection (2) may apply—
 - (a) to any school specified in the order, or
 - (b) to any description of school so specified.

- (4) Neither the governing body of a school to which section 110(1) applies nor the local education authority where it is the admission authority for such a school shall—
- (a) invite any person to sign the parental declaration at a time when the child in question has not been admitted to the school;
 - (b) make it a condition of a child being admitted to the school that the parental declaration is signed in respect of the child; or
 - (c) make any decision as to whether or not to admit a child to the school by reference to whether any such declaration is or is not likely to be signed in respect of the child;
- and in this subsection “admission authority” has the meaning given by section 88(1).
- (5) No person shall be excluded from such a school or suffer any other adverse consequences on account of any failure to comply with any invitation to sign the parental declaration.
- (6) A home-school agreement shall not be capable of creating any obligation in respect of whose breach any liability arises in contract or in tort.