



Education (Schools) Act 1992

1992 CHAPTER 38

Inspections by registered inspectors

9 Inspection of certain schools

- (1) It shall be the duty of the Chief Inspector for England to secure that every school in England to which this section applies is inspected, at such intervals as may be prescribed, by an inspector registered under section 10(1).
- (2) It shall be the duty of the Chief Inspector for Wales to secure that every school in Wales to which this section applies is inspected, at such intervals as may be prescribed, by an inspector registered under section 10(2).
- (3) The schools to which this section applies are—
 - (a) county schools;
 - (b) voluntary schools;
 - (c) special schools;
 - (d) grant-maintained schools;
 - (e) independent schools approved by the Secretary of State under section 11(3)(a) of the Education Act 1981 (schools suitable for children for whom statements are maintained under section 7 of that Act);
 - (f) city technology colleges;
 - (g) city colleges for the technology of the arts;
 - (h) maintained nursery schools.
- (4) It shall be the general duty of any registered inspector conducting an inspection under this section to report on—
 - (a) the quality of the education provided by the school;
 - (b) the educational standards achieved in the school;
 - (c) whether the financial resources made available to the school are managed efficiently; and
 - (d) the spiritual, moral, social and cultural development of pupils at the school.

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- (5) In prescribing the intervals mentioned in subsections (1) and (2) the Secretary of State may make provision as to the period within which the first inspection of a school under this section is to begin.
- (6) An inspection which is required under this section shall not extend to denominational education.
- (7) Part I of Schedule 2 makes further provision with respect to inspections under this section.

10 Registration of inspectors

- (1) No person shall conduct an inspection of any school in England under section 9(1) unless he is registered as an inspector in a register kept by the Chief Inspector for England for the purposes of this Act.
- (2) No person shall conduct an inspection of any school in Wales under section 9(2) unless he is registered as an inspector in a register kept by the Chief Inspector for Wales for the purposes of this Act.
- (3) The Chief Inspector shall not register a person under this section unless, having regard to any conditions that he proposes to impose under subsection (5)(c), it appears to him that that person—
 - (a) is a fit and proper person for discharging the functions of a registered inspector; and
 - (b) will be capable of conducting inspections under this Act competently and effectively.
- (4) An application for registration under this section—
 - (a) shall be made in such manner, and be accompanied by such particulars, as the Chief Inspector may direct; and
 - (b) shall be accompanied by the prescribed fee.
- (5) On an application duly made under this section the Chief Inspector may—
 - (a) register the applicant;
 - (b) refuse to register him; or
 - (c) register him subject to such conditions as the Chief Inspector considers it appropriate to impose.
- (6) Conditions imposed under subsection (5)(c) may be conditions applying generally in relation to all cases, or particular classes of case, or such conditions together with specific conditions applying in the particular case.
- (7) Where a person is registered subject to conditions imposed under subsection (5)(c), he shall be taken to be authorised to act as a registered inspector only so far as those conditions permit.
- (8) The period for which any registration is to have effect shall be determined by the Chief Inspector and shall be entered in the register kept by him.
- (9) Nothing in subsection (8) is to be taken as preventing a registered inspector from applying for a fresh registration to take effect immediately on the expiry of his current registration.

11 Removal from register and imposition or variation of conditions

- (1) If the Chief Inspector is satisfied that any of the conditions mentioned in subsection (2) is satisfied with respect to an inspector registered in his register, he may remove the name of that inspector from that register.
- (2) The conditions are that—
 - (a) he is no longer a fit and proper person for discharging the functions of a registered inspector under this Act;
 - (b) he is no longer capable of conducting inspections under this Act competently and effectively;
 - (c) there has been a significant failure on his part to comply with any condition imposed under section 10(5)(c) and subject to which his registration has effect;
 - (d) he has knowingly or recklessly produced a report of an inspection which is, in whole or in part, seriously misleading.
- (3) If the Chief Inspector is satisfied—
 - (a) that he is authorised by subsection (2) to remove the name of an inspector from his register, or
 - (b) that it would otherwise be in the public interest to act under this subsection, he may vary any condition subject to which the registration of that inspector has effect or vary that registration by imposing a condition subject to which it will have effect.
- (4) Either Chief Inspector may, in exercising his functions under this section with respect to a registered inspector, have regard to any action taken by the other Chief Inspector with respect to that registered inspector.

12 Appeals in relation to registration

- (1) Any person who is aggrieved by—
 - (a) the refusal of the Chief Inspector to renew his registration under section 10,
 - (b) the imposition or variation of any condition subject to which he is registered under that section,
 - (c) the removal of his name from the relevant register under section 11,may appeal against the Chief Inspector's decision to a tribunal constituted in accordance with Schedule 3.
- (2) No such decision of the Chief Inspector shall have effect until—
 - (a) the disposal of any appeal against it which is duly made under this section; or
 - (b) the period within which an appeal may be made has expired without an appeal having been made.
- (3) Subsection (2) shall not apply where the Chief Inspector—
 - (a) is satisfied that the circumstances of the case are exceptional and justify the decision in question taking effect immediately, or earlier than would otherwise be the case; and
 - (b) notifies the person concerned to that effect.
- (4) On determining any appeal under this section, the tribunal may—
 - (a) confirm, reverse or vary the decision appealed against; or

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(b) remit the case to the Chief Inspector with directions as to the action to be taken by him.

(5) Schedule 3 shall have effect with respect to the tribunals.

13 Religious education

(1) This section applies to—

- (a) any voluntary school, and
- (b) any grant-maintained school,

in which denominational education is given to any pupils.

(2) In this section “denominational education” means religious education given otherwise than in accordance with an agreed syllabus.

(3) The school’s governing body shall secure that the school’s denominational education is inspected under this section.

(4) An inspection under this section shall be conducted by a person chosen by—

- (a) the foundation governors, in the case of a controlled school; and
- (b) the governing body, in any other case.

(5) The person chosen need not be a registered inspector.

(6) Inspections under this section shall be carried out at such intervals as may be prescribed; and in prescribing the intervals the Secretary of State may make provision as to the period within which the first inspection under this section with respect to a school is to begin.

(7) It shall be the general duty of a person conducting an inspection under this section to report on the quality of the denominational education provided by the school for pupils to whom denominational education is given by the school.

(8) A person conducting an inspection under this section may do so with the assistance of such other persons chosen by him as are in his opinion fit and proper persons for carrying out the inspection.

(9) Part II of Schedule 2 makes further provision with respect to inspections under this section.

14 Provision of inspection services by local education authorities

(1) Any local education authority may provide a school inspection service for schools within their area.

(2) In this section “school inspection service”, in relation to any local education authority, means a service providing for the inspection of schools under section 9 or 13 by officers of the authority.

(3) Any school inspection service provided by a local education authority may, in addition to providing for the inspection of schools which are maintained by them, provide for the inspection of schools which are not maintained by them.

(4) Any school inspection service provided by a local education authority shall be operated by the authority in such a way as can reasonably be expected to secure that the

full cost of providing the service is recovered by way of charges made by the authority to those using the service.

- (5) The Secretary of State may by regulations—
- (a) make provision as to the making of tenders by local education authorities (as required by paragraph 2 of Schedule 2);
 - (b) make provision with respect to the accounts to be kept by local education authorities in connection with any school inspection services provided by them; and
 - (c) make such incidental and supplemental provision with respect to school inspection services provided by local education authorities as the Secretary of State considers appropriate.

15 Power of local education authority to inspect maintained school for specific purpose

- (1) Where—
- (a) a local education authority require information about any matter in connection with a school which is maintained by them, for the purpose of enabling them to exercise any function of theirs, and
 - (b) it is not reasonably practicable for them to obtain it in any other manner,
- they may cause an inspection of the school to be made by one or more of their officers for the purpose of obtaining that information.
- (2) Any officer of a local education authority inspecting a school under this section shall have at all reasonable times a right of entry to the premises of the school.