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Teaching and Higher Education Act 1998

1998 CHAPTER 30

PART IV

MISCELLANEOUS AND GENERAL

Inspection of vocational training, etc: Wales

[^{F2}34 Inspection of vocational training by [^{F1}Her Majesty's chief inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru].

- (1) This section applies to training leading to an external qualification which is provided in Wales in pursuance of arrangements made by the Secretary of State under section 2(2)(f) of the ^{M1}Employment and Training Act 1973.
- (2) The Chief Inspector shall, if requested to do so by the Secretary of State, arrange for any person providing training to which this section applies to be inspected under this section.
- (3) A request by the Secretary of State under this section may relate to one or more such persons, and shall specify—
 - (a) the person or persons concerned, and
 - (b) the form or forms of vocational training to which the inspection is to relate.
- (4) Before making any such request the Secretary of State shall consult the Chief Inspector as to the matters to be specified in the request in accordance with subsection (3).
- (5) Any inspection under this section shall be conducted by one or more of the following, namely—
 - (a) any of Her Majesty's Inspectors of Schools in Wales, or
 - (b) any additional inspector authorised under paragraph 2 of Schedule 1 to the ^{M2}School Inspections Act 1996;

but such an inspector or inspectors may be assisted by such other persons (whether or not members of the Chief Inspector's staff) as the Chief Inspector thinks fit.

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- (6) In conducting an inspection under this section, the inspector or inspectors shall act in accordance with any instructions or guidelines given from time to time by the Secretary of State.
- (7) Where an inspection under this section has been completed, the inspector or inspectors shall make a written report on the inspection, and shall send the report to the Secretary of State.
- (8) The Secretary of State may arrange for any report of an inspection under this section to be published in such manner as he considers appropriate; and section 42A(2) to (4) of the School Inspections Act 1996 shall apply in relation to the publication of any such report by the Secretary of State as they apply in relation to the publication of a report by the Chief Inspector under any of the provisions mentioned in section 42A(2).
- (9) In this section—
- “the Chief Inspector” means [^{F3}Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru];
- “external qualification” means a vocational qualification awarded or authenticated by such person or body as may be specified in or under regulations.]

Textual Amendments

- F1** S. 34: words in sidenote substituted (1.1.2001) by virtue of 2000 c. 21, s. 73(a); S.I. 2000/3230, art. 2, Sch.
- F2** S. 34 repealed (28.7.2000 for specified purposes and otherwise 1.4.2001 for W. and 1.9.2001 for E. in relation to Sch. 9 of the amending Act) by 2000 c. 21, ss. 149, 153, 154(5), Sch. 9 para. 76, Sch. 11; S.I. 2001/654, art. 2, Sch. Pt. III; S.I. 2001/1274, art. 2(1), Sch. Pt. I
- F3** Words in s. 34(9) substituted (1.1.2001) by 2000 c. 21, s. 73(a); S.I. 2000/3230, art. 2, Sch.

Marginal Citations

- M1** 1973 c. 50.
- M2** 1996 c. 57.

35 Inspection of careers services by [^{F4}Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru].

- (1) This section applies to relevant services provided in Wales in pursuance of arrangements made or directions given by the Secretary of State under section 10 of the ^{M3}Employment and Training Act 1973.
- (2) The Chief Inspector shall, if requested to do so by the Secretary of State, arrange for any person providing, or arranging for the provision of, relevant services in accordance with such arrangements or directions to be inspected under this section.
- (3) An inspection of any such person under this section shall consist of a review of the way in which he is discharging his responsibilities under or by virtue of the arrangements or directions in question, having regard to any guidance given by the Secretary of State with respect to the provision of relevant services.

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- (4) A request by the Secretary of State under this section may relate to one or more such persons, and shall specify both—
- (a) the person or persons concerned, and
 - (b) the relevant services to which the inspection is to relate.
- (5) Before making any such request the Secretary of State shall consult the Chief Inspector as to the matters to be specified in the request in accordance with subsection (4).
- [^{F5}(6) Any inspection under this section shall be conducted by one or more of the following—
- (a) any of Her Majesty’s Inspectors of Education and Training in Wales or Arolgwyr Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru, or
 - (b) any additional inspector authorised under paragraph 2 of Schedule 1 to the School Inspections Act 1996;
- but such an inspector or inspectors may be assisted by such other persons (whether or not members of the Chief Inspector’s staff) as the Chief Inspector thinks fit.
- (6A) In conducting an inspection under this section, the inspector or inspectors shall act in accordance with any instruction or guidelines given from time to time by the National Assembly for Wales.
- (6B) Where an inspection under this section has been completed, the inspector or inspectors shall make a written report on the inspection and shall send the report to the National Assembly for Wales.
- (6C) The National Assembly for Wales may arrange for any report of an inspection under this section to be published in such manner as the National Assembly for Wales considers appropriate; and section 42A(2) to (4) of the School Inspections Act 1996 shall apply in relation to the publication of any such report by the National Assembly for Wales as they apply to the publication of a report by the Chief Inspector under any of the provisions mentioned in section 42A(2).]
- (7) In this section— “the Chief Inspector” means [^{F6}Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru]; “relevant services” has the same meaning as in sections 8 and 9 of the ^{M4}Employment and Training Act 1973 (provision of careers services).

Textual Amendments

- F4** s. 35: words in sidenote substituted (1.1.2001) by 2000 c. 21, s. 73(a); S.I. 2000/3230, art. 2, Sch.
- F5** S. 35(6)-(6C) substituted for s. 35(6) (28.7.2000 for specified purposes and otherwise 1.4.2001 (W.) and 1.9.2001 (E.)) by 2000 c. 21, s. 149, Sch. 9 para. 77; S.I. 2001/654, art. 2, Sch. Pt. III; S.I. 2001/1274, art. 2(1), Sch. Pt. I
- F6** Words in s. 35(7) substituted (1.1.2001) by 2000 c. 21, s. 73(a); S.I. 2000/3230, art. 2, Sch.

Marginal Citations

- M3** 1973 c. 50.
- M4** 1973 c. 50.

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VALID FROM 01/04/2001

[^{F7}35A Inspection of other careers services etc. in Wales.

- (1) This section applies if a person (“A”) who provides a relevant service to which section 35(1) applies also provides education, training or an advisory service—
 - (a) in pursuance of arrangements made by the National Assembly for Wales under section 2 of the Employment and Training Act 1973; or
 - (b) with the assistance of a grant or loan made under section 12(1) of the Industrial Development Act 1982.
- (2) The Chief Inspector for Wales shall, if requested to do so by the National Assembly for Wales, arrange for A to be inspected under this section.
- (3) A request may relate to more than one person and shall specify—
 - (a) the person or persons concerned, and
 - (b) the education, training or advisory service to which the inspection is to relate.
- (4) An inspection under this section is to consist of a review of the way in which A is providing the education, training or advisory service specified in the request.
- (5) Before making a request, the National Assembly for Wales must consult the Chief Inspector for Wales as to the matters to be specified in the request.
- (6) Subsections (6) to (6C) of section 35 apply in relation to an inspection under this section as they apply in relation to an inspection under that section.
- (7) In this section “the Chief Inspector for Wales” means Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.]

Textual Amendments

F7 S. 35A inserted (1.4.2001 for W.) by 2000 c. 21, ss. 81, 154(2); S.I. 2001/1274, art. 2(1), Sch. Pt. 1

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