



Education Act 2002

2002 CHAPTER 32

PART 10

INDEPENDENT SCHOOLS

CHAPTER 1

REGULATION OF INDEPENDENT SCHOOLS

Registration procedure

160 Applications for registration

- (1) An application to enter an independent school in the register must—
 - (a) contain the prescribed information, and
 - (b) be made to the registration authority by the proprietor of the school in the prescribed manner.
- (2) The information prescribed under subsection (1)(a) shall include information as to the following matters relating to the school—
 - (a) the age range of pupils;
 - (b) the maximum number of pupils;
 - (c) whether the school is for male or female pupils or both;
 - (d) whether the school provides accommodation for pupils;
 - [^{F1}(e) the type or types of additional learning provision made by the school for pupils with additional learning needs (if any).]
- (3) Where the proprietor of an independent school makes an application to the registration authority under this section, the authority shall notify the Chief Inspector.

Changes to legislation: Education Act 2002, Cross Heading: Registration procedure is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) The Chief Inspector shall then inspect the school and report to the registration authority on the extent to which the independent school standards are met, and are likely to continue to be met, in relation to the school.

Textual Amendments

- F1** S. 160(2)(e) substituted (2.11.2020 for specified purposes, 1.9.2021 in so far as not already in force) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\), ss. 54\(3\), 100\(3\)](#); [S.I. 2020/1182, reg. 3\(1\)\(e\)](#); [S.I. 2021/373, art. 8\(c\)](#)

Commencement Information

- I1** S. 160 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667, art. 4](#)
I2 S. 160 in force at 1.1.2004 for W. by [S.I. 2003/2961, art. 6, Sch. Pt. III](#)

161 Determination of applications for registration

- (1) Where a school has been inspected under section 160, the registration authority shall, taking into account—
- (a) the report of the Chief Inspector under that section, and
 - (b) any other evidence relating to the independent school standards,
- determine whether those standards are met, and are likely to continue to be met, in relation to the school.
- (2) The registration authority shall notify the proprietor of a school of any determination made by the authority under this section in relation to the school.
- (3) If the registration authority determines under this section that the independent school standards are met, and are likely to continue to be met, in relation to a school, the authority shall enter the school in the register.
- (4) An entry in the register for a school shall include —
- (a) the name and address of the school,
 - (b) the name of the proprietor of the school, and
 - (c) the information supplied pursuant to section 160(2)(a) to (e).

Commencement Information

- I3** S. 161 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667, art. 4](#)
I4 S. 161 in force at 1.1.2004 for W. by [S.I. 2003/2961, art. 6, Sch. Pt. III](#)

Changes to legislation:

Education Act 2002, Cross Heading: Registration procedure is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)