



Education and Inspections Act 2006

2006 CHAPTER 40

PART 8

INSPECTIONS

CHAPTER 6

FURTHER PROVISIONS RELATING TO FUNCTIONS OF CHIEF INSPECTOR

Functions

146 Inspection of secure training centres [^{F1} and secure colleges]

- (1) The Chief Inspector and the Secretary of State may make arrangements for the Chief Inspector to conduct inspections of secure training centres [^{F2} and secure colleges] in England.
- (2) Inspections under this section shall be on such terms, including terms as to payments to be made to the Chief Inspector in respect of such inspections, as the Chief Inspector and the Secretary of State may agree in the arrangements.

^{F3}(3)

Textual Amendments

- F1** Words in s. 146 heading inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 22\(2\)](#); S.I. 2015/778, art. 2(1)(c)
- F2** Words in s. 146(1) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 22\(3\)](#); S.I. 2015/778, art. 2(1)(c)
- F3** S. 146(3) omitted (20.3.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 22\(4\)](#); S.I. 2015/778, art. 2(1)(c)

Changes to legislation: *Education and Inspections Act 2006, Chapter 6 is up to date with all changes known to be in force on or before 14 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*

Commencement Information

I1 S. 146 in force at 1.4.2007 by [S.I. 2007/935, art. 5\(u\)](#)

147 Inspection of premises in connection with adoption and fostering functions

- (1) The Secretary of State may by regulations require the Chief Inspector to arrange for premises which are used by a local authority in England in their performance of relevant functions to be inspected on such occasions or at such intervals as may be specified in the regulations.
- (2) An inspection under this section is to be regarded for all purposes as undertaken under section 136.
- (3) In this section “relevant functions”, in relation to a local authority, has the same meaning as in Part 3 of the Care Standards Act 2000 (c. 14).

Commencement Information

- I2** S. 147 partly in force; s. 147 in force at 8.11.2006 in so far as it confers power to make subordinate legislation see s. 188(1)
- I3** S. 147 in force at 1.4.2007 in so far as not already in force by [S.I. 2007/935, art. 5\(u\)](#)

148 Transfer of certain CSCI functions to the Chief Inspector

- (1) The functions of the CSCI under Part 2 of the Care Standards Act 2000 (registration and standards) as the registration authority in relation to—
 - (a) children's homes,
 - (b) residential family centres,
 - (c) fostering agencies,
 - (d) voluntary adoption agencies, and
 - (e) adoption support agencies,
 are transferred to the Chief Inspector.
- (2) The Chief Inspector shall make available to the public information about services of the kind provided by persons for whom he is [^{F4}(in accordance with subsection (1))] the registration authority under Part 2 of the Care Standards Act 2000.
- (3) The functions of the CSCI under sections 65 and 87 to 87D of the Children Act 1989 (c. 41) (functions relating to children's homes, boarding schools and colleges) are transferred to the Chief Inspector.
- (4) In this section “the CSCI” means the Commission for Social Care Inspection.

Textual Amendments

- F4** Words in s. 148(2) repealed (1.4.2011 for E.) by [Children and Young Persons Act 2008 \(c. 23\)](#), ss. 4(4), 44(4), [Sch. 4](#) (with s. 6); [S.I. 2010/2981, art. 4\(1\)](#)

Commencement Information

I4 S. 148 in force at 1.4.2007 by [S.I. 2007/935, art. 5\(u\)](#)

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149 Interaction with other authorities

Schedule 13 contains provisions authorising or requiring the Chief Inspector to take certain action in relation to other authorities, including the carrying out of inspections under arrangements with them.

Commencement Information

I5 S. 149 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(u\)](#)

General provisions

150 Evidence of authority

- (1) This section applies to any person exercising (in accordance with paragraph 9 of Schedule 12)—
 - (a) any power of entry conferred on the Chief Inspector by virtue of any enactment,
 - (b) any power to inspect documents so conferred, or
 - (c) any power so conferred in connection with the inspection of documents.
- (2) Any such person must, if so required, produce a duly authenticated document showing his authority to exercise the power concerned.
- (3) Nothing in this section applies in relation to any exercise of the power conferred by section 141(1).

Commencement Information

I6 S. 150 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(u\)](#)

151 Publication of inspection reports

- (1) For the purposes of the law of defamation, a report made by the Chief Inspector which—
 - (a) is published under any enactment, or
 - (b) is not so published but is made in pursuance of his functions under any enactment,is privileged unless its publication is shown to have been made with malice.
- (2) Where by virtue of any enactment the Chief Inspector has power to arrange for a report made by him to be published in a manner determined by him, he may (if he considers it appropriate to do so) arrange for the report to be published by electronic means only.
- (3) Nothing in this section—
 - (a) limits any privilege subsisting apart from subsection (1), or
 - (b) prejudices the generality of any power of the Chief Inspector subsisting apart from subsection (2).

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Modifications etc. (not altering text)

- C1** S. 151 applied by 2005 c. 18, s. 10A(4) (as inserted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 225(2)**, 269(4); S.I. 2009/3317, **art. 2**, Sch.)

Commencement Information

- I7** S. 151 in force at 1.4.2007 by [S.I. 2007/935](#), **art. 5(u)**

152 Combined reports

- (1) Nothing in any enactment prevents the Chief Inspector from—
- (a) combining in a single document two or more reports which are required to be made by him under any enactment or enactments, or
 - (b) combining in a single document one or more such reports and one or more reports which are required to be made by one or more other persons under any enactment or enactments,
- and (in either case) combining the substantive reports to such extent as he considers appropriate.
- (2) In this section such a document is referred to as a “combined report”.
- (3) Where a combined report is made, any reference in any enactment—
- (a) to the publication of a report, or
 - (b) to the giving or making available to any person of a copy of a report,
- is to be read, so far as necessary, as a reference to the publication of the combined report, or to the giving or making available to that person of a copy of the combined report.
- (4) The Chief Inspector may arrange for a combined report to be published in any manner he considers appropriate, but this subsection does not limit any duty as to publication imposed by any enactment.
- (5) The provisions of section 151 apply to a combined report (whether or not they would otherwise so apply).

Commencement Information

- I8** S. 152 in force at 1.4.2007 by [S.I. 2007/935](#), **art. 5(u)**

153 Use of information

Information obtained by the Chief Inspector in connection with any of his functions may be used by him in connection with any of his other functions.

Commencement Information

- I9** S. 153 in force at 1.4.2007 by [S.I. 2007/935](#), **art. 5(u)**

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

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. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)