



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 10

#### SCHOOLS

### CHAPTER 3

#### INSPECTIONS

#### 225 Interim statements

- (1) The Education Act 2005 (c. 18) is amended as follows.
- (2) After section 10 insert—

#### **“10A Interim statements between inspections**

- (1) The Chief Inspector may make a statement (an “interim statement”) about a school in England to which section 5 applies.
- (2) An interim statement is a statement—
  - (a) that the Chief Inspector is of the opinion that it is not necessary for the school to be inspected under section 5 for at least a year after the date on which the statement is made,
  - (b) setting out the Chief Inspector's reasons for forming that opinion, and
  - (c) containing such other information (if any) as the Chief Inspector considers appropriate.
- (3) The Chief Inspector may arrange for an interim statement to be published in such manner as the Chief Inspector considers appropriate.

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*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 225 is up to date with all changes known to be in force on or before 14 September 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*

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- (4) Section 151 of the Education and Inspections Act 2006 (publication of inspection reports: privilege and electronic publication) applies in relation to an interim statement as it applies in relation to a report.”
- (3) In the italic heading before section 14 after “reports” insert “ and interim statements ”.
- (4) After section 14 insert—

**“14A Destination of interim statements: maintained schools**

- (1) The Chief Inspector must ensure that a copy of any interim statement about a maintained school is sent without delay to the appropriate authority for the school.
- (2) The Chief Inspector must ensure that copies of the statement are sent—
  - (a) to the head teacher of the school,
  - (b) to whichever of the [<sup>F1</sup>local authority] and the governing body are not the appropriate authority, and
  - (c) in the case of a school having foundation governors, to the person who appoints them and (if different) to the appropriate appointing authority.
- (3) If the school provides full-time education suitable to the requirements of pupils over compulsory school age, the Chief Inspector must ensure that a copy of the statement is also sent to the Young People's Learning Agency for England.
- (4) The appropriate authority must—
  - (a) make a copy of any statement sent to the authority under subsection (1) available for inspection by members of the public at such times and at such places as may be reasonable,
  - (b) provide one copy of the statement free of charge to any person who asks for one, and
  - (c) take such steps as are reasonably practicable to secure that every registered parent of a registered pupil at the school receives a copy of the statement within such period following receipt of the statement by the authority as may be prescribed.”
- (5) In the italic heading before section 16 after “reports” insert “ and interim statements ”.
- (6) After section 16 insert—

**“16A Destination of interim statements: non-maintained schools**

- (1) The Chief Inspector must ensure that a copy of any interim statement about a school other than a maintained school is sent without delay to the proprietor of the school.
- (2) In the case of a special school which is not a community or foundation special school, the proprietor must without delay send a copy of any interim statement sent to the proprietor under subsection (1) to any [<sup>F1</sup>local authority] that are paying fees in respect of the attendance of a registered pupil at the school.
- (3) The proprietor of the school must—

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- (a) make any statement sent to the proprietor under subsection (1) available for inspection by members of the public at such times and at such place as may be reasonable,
  - (b) provide one copy of the statement free of charge to any person who asks for one, and
  - (c) take such steps as are reasonably practicable to secure that every registered parent of a registered pupil at the school receives a copy of the statement within such period following receipt of the statement by the proprietor as may be prescribed.”
- (7) In section 18 (interpretation of Chapter) after the definition of “the Chief Inspector” insert—

““interim statement” means an interim statement under section 10A;”.

#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**

#### Commencement Information

- I1** S. 225 in force at 12.1.2010 for specified purposes by [S.I. 2009/3317](#), art. 2, **Sch.**
- I2** S. 225 in force at 1.4.2010 in so far as not already in force by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6