

2003 No. 469

EDUCATION, ENGLAND

**The Education (Additional Functions of Her Majesty's Chief
Inspector of Schools in England) Order 2003**

Made - - - - - *25th February 2003*

Laid before Parliament *4th March 2003*

Coming into force - - - *25th March 2003*

In exercise of the powers conferred upon the Secretary of State by section 151(1) of the Education Act 2002(a), the Secretary of State for Education and Skills hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Education (Additional Functions of Her Majesty's Chief Inspector of Schools in England) Order 2003 and shall come into force on 25th March 2003.

(2) This Order applies in relation to England.

Interpretation

2. In this Order—

“the Chief Inspector” means Her Majesty's Chief Inspector of Schools in England(b);

“home child care provider” means a person approved in accordance with a Scheme;

“information”, in article 3(e), means such information as can, in the circumstances in which it is provided, be regarded as necessary or expedient in the interest of protecting children from potential harm or in assisting the obtaining of suitable home child care;

“Scheme” means a scheme made by the Secretary of State under section 12(5) of the Tax Credits Act 2002(c).

Additional functions of the Chief Inspector

3. The Chief Inspector, if specified by a Scheme, shall have the following functions—

- (a) in accordance with the Scheme, to approve persons to be home child care providers and to withdraw or suspend any approval given;
- (b) in accordance with the Scheme, to impose upon an approval any condition he thinks necessary or expedient and to vary or remove any such condition;
- (c) in accordance with the Scheme, to assess, by such means as he considers appropriate, the suitability or continued suitability of persons to be home child care providers;

(a) 2002 c.32.

(b) Her Majesty's Chief Inspector is appointed under section 1 of the Schools Inspections Act 1996 (c.57).

(c) 2002 c.21.

- (d) to keep the Secretary of State informed about the operation of the Scheme and about the quality and standards of home child care provided by persons approved under the Scheme and to advise the Secretary of State generally, and as required by him, about these and related matters;
- (e) to provide to the Secretary of State, to local authorities and to parents information relating to persons who have applied to be, are or have been home child care providers and which has been obtained by the Chief Inspector in the course of carrying out his functions under the Scheme;
- (f) to maintain a list of home child care providers; and
- (g) to do such other things as are necessary to give full effect to the requirements of the Scheme or which are incidental to the functions referred to in paragraphs (a) to (f).

Catherine Ashton
Parliamentary Under Secretary of State
Department for Education and Skills

25th February 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers on Her Majesty's Chief Inspector of Schools in England those functions which are necessary or expedient to enable the Chief Inspector to approve persons in accordance with criteria determined by or under a scheme made under section 12(5) of the Tax Credits Act 2002 for the approval of persons who are to be regarded as providing child care for the purposes of working tax credit.

Article 3 of the Order provides for the Chief Inspector—

- (a) to give, withdraw or suspend approvals and to attach conditions thereto;
- (b) to assess the suitability of persons to be home child care providers;
- (c) to inform the Secretary of State about the Scheme and related matters;
- (d) to provide specified information to specified persons;
- (e) to maintain a list of approved home child carers; and
- (f) to carry out incidental functions.

This Order applies only in relation to England.

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E0297 03/2003 130469 19585

