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STATUTORY INSTRUMENTS

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**2015 No. 170**

**EDUCATION, ENGLAND**

**The Education (School Inspection)  
(England) (Amendment) Regulations 2015**

<i>Made</i>	- - - -	<i>6th February 2015</i>
<i>Laid before Parliament</i>		<i>11th February 2015</i>
<i>Coming into force</i>	- -	<i>1st September 2015</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 5(1)(a) and 120(1) and (2)(a) and (b) of the Education Act 2005<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Education (School Inspection) (England) (Amendment) Regulations 2015 and come into force on 1st September 2015.

**Amendment of the Education (School Inspection) (England) Regulations 2005**

2.—(1) The Education (School Inspection) (England) Regulations 2005<sup>(2)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) in the definition of “inspection”, omit the words from “in Part 2” to “the 2005 Act and”; and
- (b) after the definition of “school year” insert—

““section 5 inspection” means an inspection of a school under section 5 of the 2005 Act;”.

(3) For regulation 3(3) (intervals for inspection) substitute—

**“Intervals for inspection**

3.—(1) This regulation prescribes the interval between inspections of a school for the purposes of section 5(1)(a) of the 2005 Act (duty to inspect certain schools at prescribed intervals).

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(1) 2005 c.18. See section 12 for the meaning of “prescribed” and “regulations”.

(2) S.I. 2005/2038; relevant amending instruments are S.I. 2009/1564, 2010/1172, 2012/956.

(3) Regulation 3 was substituted by S.I. 2009/1564.

(2) In this regulation, “the earlier section 5 inspection” means the earlier of the inspections mentioned in paragraph (1).

(3) Paragraph (4) applies where—

- (a) the school is not awarded a grade of “good” or better in the earlier section 5 inspection for the quality of education it provides; or
- (b) the school is awarded such a grade in that inspection, and no relevant section 8 inspection is subsequently carried out.

(4) The interval is a period not exceeding 5 years after the end of the school year in which the earlier section 5 inspection was carried out.

(5) Paragraph (6) applies where the school is awarded a grade of “good” or better in the earlier section 5 inspection for the quality of education it provides, and one or more relevant section 8 inspections are subsequently carried out.

(6) The interval is a period not exceeding 5 years after the end of the school year in which the latest of the inspections mentioned in paragraph (5) was carried out.

(7) In this regulation, “relevant section 8 inspection” means an inspection of a school carried out under section 8(2) of the 2005 Act (other inspections) in relation to which the following two conditions are met.

(8) The first condition is that the inspection is carried out within the period of 5 years beginning with—

- (a) the end of the school year in which the earlier section 5 inspection was carried out; or
- (b) if one or more relevant section 8 inspections have already been carried out, the end of the school year in which the most recent of those inspections was carried out.

(9) The second condition is that the Chief Inspector—

- (a) carries out the inspection for the purposes of determining whether the school would be likely to achieve a grade of “good” or better for the quality of education it provides if a section 5 inspection were carried out; and
- (b) having carried out the inspection, is satisfied that the evidence does not suggest that the school would not achieve such a grade if a section 5 inspection were carried out.

(10) For the purposes of this regulation, an inspection is treated as being carried out at the time at which it is begun.”

(4) In regulations 4(1)(4) and 6 for “an inspection” substitute “a section 5 inspection”.

6th February 2015

*David Laws*  
Minister of State  
Department for Education

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Education (School Inspection) (England) Regulations 2005 to prescribe the intervals at which schools which are judged to be “good” must be inspected.

An Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sectors is foreseen.