
STATUTORY INSTRUMENTS

2021 No. 1124

**The Non-Maintained Special Schools (England) and
Independent School Standards (Amendment) Regulations 2021**

Amendments to the Education (Independent School Standards) Regulations 2014

3.—(1) The Education (Independent School Standards) Regulations 2014⁽¹⁾ are amended as follows.

(2) In paragraph 20 of Part 4 of the Schedule (suitability of staff, supply staff, and proprietors)—

(a) in sub-paragraph (3)—

(i) omit paragraph (b)(ii);

(ii) at the end of paragraph (b)(iii) omit “and”;

(iii) after paragraph (c) insert—

“(d) before the school is entered in the register or, in the case of a registered school, before or as soon as practicable after the individual takes over as proprietor—

(i) the Secretary of State makes checks confirming the individual’s identity; or

(ii) the Secretary of State requests the individual or another person that checks are made for the purposes of confirming the individual’s identity and following that request—

(aa) evidence is provided to the satisfaction of the Secretary of State that the individual is in fact the person with the particular identity that the individual claims to have; and

(bb) the Secretary of the State notifies the individual that the Secretary of State is satisfied that the individual’s identity has been confirmed;

(e) before the school is entered in the register or, in the case of a registered school, before or as soon as practicable after the individual takes over as proprietor—

(i) the Secretary of State makes checks confirming that the individual has the right to work in the United Kingdom; or

(ii) the Secretary of State requests the individual or another person that checks are made for the purposes of confirming that the individual has the right to work in the United Kingdom and following that request—

(aa) evidence is provided to the satisfaction of the Secretary of State that the individual has that right; and

⁽¹⁾ S.I. 2014/3283, amended by S.I. 2020/542; there are other amending instruments but none is relevant.

- (bb) the Secretary of State notifies the individual that the Secretary of State is satisfied that the individual has that right.”;
- (b) in sub-paragraph (5)—
 - (i) omit paragraph (b)(ii);
 - (ii) at the end of paragraph (b)(iii) omit “and”;
 - (iii) after paragraph (c) insert—
 - “(d) subject to sub-paragraphs (7) to (8)—
 - (i) the Secretary of State makes checks confirming the individual’s identity; or
 - (ii) the Secretary of State requests the individual or another person that checks are made for the purposes of confirming the individual’s identity and following that request—
 - (aa) evidence is provided to the satisfaction of the Secretary of State that the individual is in fact the person with the particular identity that the individual claims to have; and
 - (bb) the Secretary of State notifies the proprietor of the school that the Secretary of State is satisfied that the individual’s identity has been confirmed; and
 - (e) subject to sub-paragraphs (7) to (8)—
 - (i) the Secretary of State makes checks confirming that the individual has the right to work in the United Kingdom; or
 - (ii) the Secretary of State requests the individual or another person that checks are made for the purposes of confirming that the individual has the right to work in the United Kingdom and following that request—
 - (aa) evidence is provided to the satisfaction of the Secretary of State that the individual has that right; and
 - (bb) the Secretary of State notifies the proprietor of the school that the Secretary of State is satisfied that the individual has that right.”;
- (c) in sub-paragraph (7), after “(5)(c)” where it first appears insert “, (5)(d)(i), (5)(e)(i)”;
- (d) in sub-paragraph (7), after “(5)(c)” where it second appears insert “, (5)(d), (5)(e)”;
- (e) after sub-paragraph (8)(a) insert—
 - “(aa) sub-paragraph (5)(d) is met where the checks referred to in paragraph (d)(i) are completed, or notification is given by the Secretary of State to the proprietor of the school as referred to in paragraph (d)(ii)(bb), before or as soon as reasonably practicable after the Chair of the school starts acting as such;
 - (ab) sub-paragraph (5)(e) is met where the checks referred to in paragraph (e)(i) are completed, or notification is given by the Secretary of State to the proprietor of the school as referred to in paragraph (e)(ii)(bb), before or as soon as reasonably practicable after the Chair of the school starts acting as such.”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
