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# Teaching and Higher Education Act 1998

## 1998 CHAPTER 30

### PART I

#### THE TEACHING PROFESSION

#### CHAPTER III

#### TEACHER TRAINING

##### *Inspection of teacher training institutions*

#### **20 Inspection of institutions training teachers for schools.**

After section 18 of the <sup>M1</sup>Education Act 1994 there shall be inserted—

##### **“18A Inspection of institutions training teachers for schools.**

- (1) The Chief Inspector may inspect and report on—
  - (a) any initial training of teachers, or of specialist teaching assistants, for schools, or
  - (b) any in-service training of such teachers or assistants, which is provided by a relevant institution.
- (2) When asked to do so by the Secretary of State, the Chief Inspector shall—
  - (a) give advice to the Secretary of State on such matters connected with training falling within subsection (1)(a) or (b) as may be specified in the Secretary of State’s request;
  - (b) inspect and report on such one or more relevant institutions as may be so specified.
- (3) The Chief Inspector may at any time give advice to—
  - (a) the Secretary of State,

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- (b) a funding agency,
- (c) the General Teaching Council for England, or
- (d) the General Teaching Council for Wales,

on any matter connected with training falling within subsection (1)(a) or (b).

(4) The Chief Inspector may—

- (a) make such reports of inspections carried out by him under this section as he considers appropriate, and
- (b) arrange for any such report to be published in such manner as he considers appropriate,

and section 42A(2) to (4) of the <sup>M2</sup>School Inspections Act 1996 (publication of inspection reports) shall apply in relation to the publication of any such report as they apply in relation to the publication of a report under any of the provisions mentioned in section 42A(2).

(5) When inspecting a relevant institution under this section, the Chief Inspector shall have at all reasonable times—

- (a) a right of entry to the premises of the institution, and
- (b) a right to inspect, and take copies of, any records kept by the institution, and any other documents containing information relating to the institution, which he considers relevant to the exercise of his functions under this section;

and section 42 of the School Inspections Act 1996 (inspection of computer records for purposes of Part I of that Act) shall apply for the purposes of this section as it applies for the purposes of Part I of that Act.

(6) Without prejudice to subsection (5), a relevant institution to which an inspection under this section relates—

- (a) shall give the Chief Inspector all assistance in connection with the exercise of his functions under this section which it is reasonably able to give; and
- (b) shall secure that all such assistance is also given by persons who work for the institution.

(7) The Chief Inspector shall not carry out any inspection under subsection (1) unless—

- (a) at least eight weeks previously, he has given notice of his intention to carry out the inspection—
  - (i) to the relevant institution concerned, or
  - (ii) where that institution is a partnership or association of eligible institutions, to one of those institutions; or
- (b) with the agreement of that institution or (as the case may be) one of those institutions, he has given it shorter notice of that intention.

(8) Any notice under subsection (7)—

- (a) shall be given in writing, and
- (b) may be sent by post;

and any such notice may (without prejudice to any other lawful method of giving it) be addressed to an institution at any address which the institution has notified to a funding agency as its address.

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- (9) Nothing in this section confers any right or imposes any duty, whether as regards the carrying out of any inspection or otherwise, in relation to any course which consists of instruction given wholly or mainly for purposes other than training falling within subsection (1)(a) or (b).
- (10) In this section—
- (a) “the Chief Inspector” means—
    - (i) in relation to England, Her Majesty’s Chief Inspector of Schools in England, and
    - (ii) in relation to Wales, Her Majesty’s Chief Inspector of Schools in Wales;
  - (b) “relevant institution” means—
    - (i) any eligible institution, or
    - (ii) any other institution, body or person designated by the Secretary of State as being in receipt of public funding in respect of the provision of training falling within subsection (1)(a) or (b);
  - (c) “in-service training” includes any training provided to a teacher serving an induction period (within the meaning of section 19 of the Teaching and Higher Education Act 1998); and
  - (d) “document” and “records” each include information recorded in any form.
- (11) Any reference in this section to the Chief Inspector shall be read, in relation to any inspection which he is authorised or required to carry out under this section, as including a reference to any person authorised to act on his behalf under sub-paragraph (1) or (2) of paragraph 5 of Schedule 1 to the<sup>M3</sup>School Inspections Act 1996.
- (12) Nothing in this section shall be taken as prejudicing the generality of section 2 or 5 of that Act or of paragraph 5(1) or (2) of Schedule 1 to that Act.”

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**Marginal Citations**

- M1** 1994 c. 30.  
**M2** 1996 c. 57.  
**M3** 1996 c. 57.

## 21 Inspection of institutions training teachers for schools: Scotland.

In section 66 of the<sup>M4</sup>Education (Scotland) Act 1980 (inspection of educational establishments), after subsection (1A) there shall be inserted—

“(1B) Notwithstanding subsection (1) above, the Secretary of State shall have power to cause inspection to be made of the education and training, wherever it is carried out, provided by institutions within the higher education sector (within the meaning of the<sup>M5</sup>Further and Higher Education (Scotland) Act 1992) wholly or mainly for persons preparing to be, or persons who are, teachers in schools, and such inspections shall be made by Her Majesty’s Inspectors or other persons appointed by the Secretary of State for the purpose.”

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#### **Marginal Citations**

**M4** 1980 c. 44.

**M5** 1992 c. 37.

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