



Education Act 2002

2002 CHAPTER 32

PART 10

INDEPENDENT SCHOOLS

CHAPTER 1

REGULATION OF INDEPENDENT SCHOOLS

Enforcement of standards after registration

164 Inspections: supplementary

- (1) This section applies to the inspection of a school which is conducted by the Chief Inspector or a registered inspector under section 163(1)(a).
- (2) If the inspection is conducted by a registered inspector—
 - (a) he may, by agreement with the Chief Inspector, be assisted by the Chief Inspector, and
 - (b) he may be assisted by such one or more persons enrolled in the list kept under paragraph 3A of Schedule 3 to the School Inspections Act 1996 (c. 57) as he may determine, subject to paragraph 3(5) of that Schedule and subsection (3) below.
- (3) If the Chief Inspector so requires, a registered inspector shall be assisted by at least one person enrolled in the list referred to in subsection (2)(b)—
 - (a) who is without personal experience in the management of any school or the provision of education in any school (otherwise than as a governor or in any other voluntary capacity, and disregarding any experience which it is reasonable to regard as insignificant), and
 - (b) whose primary function in the inspection is not that of providing financial or business expertise.

Status: This is the original version (as it was originally enacted).

- (4) If the inspection is conducted by a registered inspector, it may be monitored by the Chief Inspector.
- (5) The person conducting the inspection, any person assisting him pursuant to subsection (2) or (3) and any person monitoring the inspection shall have at all reasonable times—
 - (a) a right of entry to the premises of the school, and
 - (b) a right to inspect and take copies of any records kept by the school and any other documents containing information relating to the school which are required for the purposes of the inspection.
- (6) Section 42 of the School Inspections Act 1996 (c. 57) (computer records) applies in relation to the inspection of records or other documents under subsection (5)(b).
- (7) It is an offence wilfully to obstruct a person in the exercise of his functions in relation to the inspection.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (9) The proprietor of the school shall pay the Chief Inspector, in respect of the inspection, a fee of such amount, and by such time, as may be specified in or determined under regulations.
- (10) Where the proprietor fails to comply with subsection (9), the registration authority may remove the school from the register.
- (11) The Chief Inspector shall pay the amount of any fee received under subsection (9) into the Consolidated Fund.