



Education and Inspections Act 2006

2006 CHAPTER 40

PART 8

INSPECTIONS

CHAPTER 3

INSPECTION OF FURTHER EDUCATION AND TRAINING ETC.

Inspection

124 Inspection of education and training to which this Chapter applies

- (1) The Chief Inspector must conduct—
 - (a) inspections of such education or training to which this Chapter applies as may be specified by the Secretary of State, and
 - (b) inspections of such class of education or training to which this Chapter applies as may be so specified.
- (2) The inspections are to be conducted at such intervals as may be specified by the Secretary of State.
- (3) On completing an inspection under this section, the Chief Inspector must make a written report on it.
- (4) The report—
 - (a) must state whether the Chief Inspector considers the education or training inspected to be of a quality adequate to meet the reasonable needs of those receiving it, and
 - (b) may deal with such other matters as he considers relevant.
- (5) The Chief Inspector must send copies of the report to—
 - (a) the Secretary of State,

Changes to legislation: *Education and Inspections Act 2006, Cross Heading: Inspection is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- ^{F1}[^{F2}(b)]
- ^{F3}(ba)
- (c) any [^{F4}local authority in England] providing funds for the education or training inspected, and
- (d) the provider of the education or training inspected.
- (6) Copies may also be sent to such other persons as the Chief Inspector considers appropriate.
- (7) The Chief Inspector must arrange for the report to be published in such manner as he considers appropriate.

Textual Amendments

- F1** S. 124(5)(b) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 16 para. 31](#); [S.I. 2012/924](#), art. 2
- F2** S. 124(5)(b)(ba) substituted for s. 124(5)(b) (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), [Sch. 1 para. 62](#) (with art. 2(3))
- F3** S. 124(5)(ba) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 52](#)
- F4** Words in s. 124(5)(c) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, [Sch. 2 para. 14\(7\)](#)

Commencement Information

- I1** S. 124 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(u\)](#)

125 Inspection of further education institutions

- (1) The Chief Inspector must inspect all institutions within the further education sector [^{F5}, and all 16 to 19 Academies,][^{F6}subject to subsection (1A)].
- [^{F7}(1A) The Secretary of State may by regulations provide that the duty of the Chief Inspector in subsection (1) does not apply to prescribed categories of institution in prescribed circumstances.
- (1B) An institution to which the duty in subsection (1) does not apply by virtue of regulations under subsection (1A) is an “exempt institution”.]
- (2) [^{F8}Inspections under subsection (1)] are to be conducted at such intervals as may be specified by the Secretary of State.
- (3) On completing an inspection under this section, the Chief Inspector must make a written report on it.
- (4) The report—
- (a) must state whether the Chief Inspector considers the education or training inspected to be of a quality adequate to meet the reasonable needs of those receiving it,
- [^{F9}(aa) must, in a case where it relates to an institution within the further education sector, comment on the careers guidance provided to relevant students at the institution,] and
- (b) may deal with such other matters as he considers relevant.

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- (5) The Chief Inspector must send copies of the report to—
- (a) the Secretary of State,
 - ^{F10}[^{F11}(b)]
 - (ba) ^{F12}... and
 - (c) the provider of the education or training inspected.
- (6) Copies may also be sent to such other persons as the Chief Inspector considers appropriate.
- (7) The Chief Inspector must arrange for the report to be published in such manner as he considers appropriate.
- ^{F13}(8) In this section—
- “careers guidance” includes guidance about undertaking any training, education, employment or occupation;
- “relevant student” means a student—
- (a) who is aged under 19, or
 - (b) who is aged 19 or over and is someone for whom an EHC plan is maintained.]

Textual Amendments

- F5** Words in s. 125(1) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 13 para. 16(7)**; [S.I. 2012/924](#), art. 2
- F6** Words in s. 125(1) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), **ss. 42(2)(a)**, 82(1)(d)
- F7** S. 125(1A)(1B) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), **ss. 42(2)(b)**, 82(1)(d)
- F8** Words in s. 125(2) substituted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), **ss. 42(2)(c)**, 82(1)(d)
- F9** S. 125(4)(aa) inserted (2.1.2018) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 41(2)**, 47(2); [S.I. 2017/1055](#), reg. 3(d)
- F10** S. 125(5)(b) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 32**; [S.I. 2012/924](#), art. 2
- F11** S. 125(5)(b)(ba) substituted for s. 125(5)(b) (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), **Sch. 1 para. 63** (with art. 2(3))
- F12** S. 125(5)(ba) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 53**
- F13** S. 125(8) inserted (2.1.2018) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 41(3)**, 47(2); [S.I. 2017/1055](#), reg. 3(d)

Commencement Information

- I2** S. 125 in force at 1.4.2007 by [S.I. 2007/935](#), art. 5(u)

126 Other inspections

- (1) The Chief Inspector may inspect any education or training to which this Chapter applies (in a case where he is not required to do so by virtue of any provision of this Chapter).
- ^{F14}(1A) The Chief Inspector must inspect an exempt institution if requested to do so by the Secretary of State.]

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- (2) The Chief Inspector may inspect any education or training to which this Chapter does not apply if—
- (a) it is further education (whether for persons aged 16 or over but under 19, or for persons aged 19 or over) or training for persons aged 16 or over, and
 - (b) he is requested to conduct the inspection by the provider of the education or training.
- [^{F15}(2A) On completing an inspection under subsection (1) or (1A) conducted in response to a request from the Secretary of State or any other person or body, the Chief Inspector must—
- (a) make a written report on the inspection;
 - (b) arrange for the report to be published in such manner as the Chief Inspector considers appropriate.]
- (3) On completing an inspection under this section [^{F16}conducted in any other case], the Chief Inspector may—
- (a) make a written report on it;
 - (b) arrange for the report to be published in such manner as he considers appropriate.
- (4) If the Chief Inspector makes a report of an inspection conducted under subsection (1) [^{F17}or (1A)], he must send copies of the report to—
- (a) the Secretary of State,
 - ^{F18}[^{F19}(b)]
^{F20}(ba)
 - (c) any [^{F21}local authority in England] providing funds for the education or training inspected, and
 - (d) the provider of the education or training inspected.
- (5) Copies may also be sent to such other persons as the Chief Inspector considers appropriate.
- [^{F22}(5A) In the case of an inspection conducted under subsection (1) in response to a request from the provider of the education or training concerned, the Chief Inspector may charge the provider for the cost of the inspection.]
- (6) In the case of an inspection conducted under subsection (2) the Chief Inspector may charge the provider of the education or training concerned for the cost of the inspection.
- (7) For the purposes of that subsection it is immaterial whether the education or training concerned is provided in the United Kingdom or elsewhere.
- [^{F23}(8) In this section “exempt institution” has the meaning given by section 125(1B).]

Textual Amendments

- F14** S. 126(1A) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), ss. **42(4)**, 82(1)(d)
- F15** S. 126(2A) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), ss. **42(5)**, 82(1)(d)
- F16** Words in s. 126(3) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), ss. **42(6)**, 82(1)(d)
- F17** Words in s. 126(4) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), ss. **42(7)**, 82(1)(d)
- F18** S. 126(4)(b) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 33**; [S.I. 2012/924](#), art. 2

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- F19** S. 126(4)(b)(ba) substituted for s. 126(4)(b) (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), **Sch. 1 para. 64** (with art. 2(3))
- F20** S. 126(4)(ba) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 54**
- F21** Words in s. 126(4)(c) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(7)**
- F22** S. 126(5A) inserted (1.2.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 42(8)**, 82(3); S.I. 2012/84, art. 3
- F23** S. 126(8) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), **ss. 42(9)**, 82(1)(d)

Commencement Information

- I3** S. 126 in force at 1.4.2007 by [S.I. 2007/935](#), **art. 5(u)**

127 Action plans

- (1) This section applies where the Chief Inspector publishes a report of an inspection conducted under section 124 or 125 or section 126(1) [^{F24}or (1A)].
- (2) The provider of the education or training which is the subject of the report must prepare a written statement of—
- the action which he proposes to take in the light of the report, and
 - the period within which he proposes to take that action.
- (3) That person must—
- publish the statement within such period, and in such manner, as may be prescribed by regulations made by the Secretary of State; and
 - send copies of it to such persons as may be so prescribed.
- (4) The requirements of subsection (2) may be waived by the Chief Inspector.

Textual Amendments

- F24** Words in s. 127(1) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), **ss. 42(10)**, 82(1)(d)

Commencement Information

- I4** S. 127 partly in force; s. 127 in force at 8.11.2006 in so far as it confers power to make subordinate legislation see s. 188(1)
- I5** S. 127 in force at 1.4.2007 in so far as not already in force by [S.I. 2007/935](#), **art. 5(u)**

128 Area inspections

- (1) If requested to do so by the Secretary of State, the Chief Inspector must inspect—
- the quality and availability of a specified description of education or training, in a specified area in England, for persons who are aged 15 or over but under 19;
 - the standards achieved by those receiving that education or training; and
 - whether the financial resources made available to those providing that education and training are managed efficiently and used in a way which provides value for money.
- (2) The Chief Inspector may conduct such an inspection without being requested to do so.

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- (3) Subsection (4) applies if financial resources have been applied by—
- ^{F25}(a) the ^{F26}[Secretary of State],
 - (aa) ^{F27}... or
 - (b) a ^{F28}[local authority in England],
- in respect of education or training which is being inspected under this section.
- (4) In such a case the inspection may extend to considering whether the application of those resources in that way—
- (a) constituted an efficient and effective use of the resources for the purpose of meeting the needs of persons within subsection (1)(a) as regards education or training of the kind in question, and
 - (b) was appropriate to secure value for money.
- (5) The education or training that may be made the subject of an inspection under this section (“an area inspection”) is—
- (a) any education or training to which this Chapter applies, or
 - (b) any other education or training within the scope of the Chief Inspector’s functions.
- (6) A provider of education or training which is the subject of an area inspection must provide the Chief Inspector with any information reasonably requested by him in connection with the inspection.
- (7) Any ^{F29}[local authority in England] whose area is wholly or partly within the area which is the subject of an area inspection must provide the Chief Inspector with any information reasonably requested by him in connection with the inspection.
- (8) In subsection (1)(a) the reference to persons who are aged 15 includes persons—
- (a) for whom education is being provided at a school, and
 - (b) who will attain that age in the current school year;
- and for this purpose “school” and “school year” have the same meanings as in EA 1996.

Textual Amendments

- F25** S. 128(3)(a)(aa) substituted for s. 128(3)(a) (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), **Sch. 1 para. 65** (with art. 2(3))
- F26** Words in s. 128(3)(a) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 34**; [S.I. 2012/924](#), art. 2
- F27** S. 128(3)(aa) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 55**
- F28** Words in s. 128(3)(b) substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(7)**
- F29** Words in s. 128(7) substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(7)**

Modifications etc. (not altering text)

- C1** S. 128(3)(4) applied (9.11.2015) by [The Children Act 2004 \(Joint Area Reviews\) Regulations 2015 \(S.I. 2015/1792\)](#), reg. 1(1), **Sch. para. 2**

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C2 S. 128(6)(7) applied (9.11.2015) by [The Children Act 2004 \(Joint Area Reviews\) Regulations 2015 \(S.I. 2015/1792\)](#), reg. 1(1), [Sch. para. 2](#)

Commencement Information

I6 S. 128 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(u\)](#)

129 Reports of area inspections

- (1) On completing an area inspection conducted under section 128, the Chief Inspector must make a written report on it.
- (2) The Chief Inspector must send copies of the report to—
 - (a) the Secretary of State,
 - ^{F30}[^{F31}(b)]
 - (ba) ^{F32}... and
 - (c) each [^{F33}local authority in England] whose area is wholly or partly within the area subject to the inspection.
- (3) Copies may also be sent to such other persons as the Chief Inspector considers appropriate.
- (4) The Chief Inspector must arrange for the report to be published in such manner as he considers appropriate.

Textual Amendments

F30 S. 129(2)(b) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 16 para. 35](#); [S.I. 2012/924](#), [art. 2](#)

F31 S. 129(2)(b)(ba) substituted for s. 129(2)(b) (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), [Sch. 1 para. 66](#) (with art. 2(3))

F32 S. 129(2)(ba) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 56](#)

F33 Words in s. 129(2)(c) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, [Sch. 2 para. 14\(7\)](#)

Commencement Information

I7 S. 129 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(u\)](#)

130 Action plans following area inspections

- (1) This section applies where the Chief Inspector publishes a report of an area inspection conducted under section 128.
- ^{F34}(2)
- (3) The Secretary of State may direct a [^{F35}local authority in England] whose area is wholly or partly within the area covered by the report to prepare a written statement of—
 - (a) the action which they propose to take in the light of the report, and
 - (b) the period within which they propose to take that action.

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- (4) In preparing a statement under subsection^{F36} ... (3)^{F37} ... the authority must consult such persons as the Secretary of State may direct.
- (5) The^{F38} ... authority must—
- (a) publish the statement within such period, and in such manner, as may be prescribed by regulations made by the Secretary of State; and
 - (b) send copies of it to such persons as may be so prescribed.

^{F39}(6)

Textual Amendments

- F34** S. 130(2) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 57(2)**
- F35** Words in s. 130(3) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(7)**
- F36** Words in s. 130(4) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 57(3)(a)**
- F37** Words in s. 130(4) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 57(3)(b)**
- F38** Words in s. 130(5) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 57(4)**
- F39** S. 130(6) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 36(4)**; [S.I. 2012/924](#), art. 2

Commencement Information

- I8** S. 130 partly in force; s. 130 in force at 8.11.2006 in so far as it confers power to make subordinate legislation see s. 188(1)
- I9** S. 130 in force at 1.4.2007 in so far as not already in force by [S.I. 2007/935](#), **art. 5(u)**

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)