



Education and Inspections Act 2006

2006 CHAPTER 40

PART 8

INSPECTIONS

CHAPTER 1

THE OFFICE AND THE CHIEF INSPECTOR

Functions: the Office

117 Performance of Office's functions

- (1) The Office is to perform its functions for the general purpose of encouraging—
 - (a) the improvement of activities within the Chief Inspector's remit,
 - (b) the carrying on of such activities as user-focused activities, and
 - (c) the efficient and effective use of resources in the carrying on of such activities.
- (2) In performing its functions the Office is to have regard to—
 - (a) the need to safeguard and promote the rights and welfare of children;
 - [^{F1}(aa) any matters raised by the Children's Commissioner with the Office or the Chief Inspector;]
 - (b) views expressed by relevant persons about activities within the Chief Inspector's remit;
 - (c) levels of satisfaction with such activities on the part of relevant persons;
 - (d) the need to promote the efficient and effective use of resources in the carrying on of such activities;
 - (e) the need to ensure that action by the Chief Inspector in relation to such activities is proportionate to the risks against which it would afford safeguards;
 - (f) any developments in approaches to inspection or regulatory action; and

Changes to legislation: Education and Inspections Act 2006, Section 117 is up to date with all changes known to be in force on or before 22 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

- (g) best practice amongst persons performing functions comparable to those of the Chief Inspector.
- (3) In performing its functions the Office must also have regard to such aspects of government policy as the Secretary of State may direct.
- (4) In this section—
 - (a) “children” means persons under the age of 18;
 - (b) “relevant persons”, in relation to activities within the Chief Inspector's remit, means persons who have an interest in such activities, whether—
 - (i) as persons for whose benefit they are carried on, or
 - (ii) as parents (if they are carried on for the benefit of children), or
 - (iii) as employers;
 - (c) “parents” includes persons—
 - (i) who are not parents of children but have parental responsibility for them (within the meaning of the Children Act 1989 (c. 41)), or
 - (ii) who have care of children.
- (5) Subsection (6) provides for the interpretation, for the purposes of this Part, of references to activities within the Chief Inspector's remit and related expressions.
- (6) For those purposes—
 - (a) “activities” includes—
 - (i) the provision of any form of education, training or care,
 - (ii) the provision of any form of services or facilities, and
 - (iii) the performance of any function;
 - (b) activities are within the Chief Inspector's remit—
 - (i) if he exercises any inspection function in relation to them, or
 - (ii) if they are services of the kind provided by persons in respect of whom he is the registration authority by virtue of any enactment; and
 - (c) references to persons for whose benefit activities are carried on are, in relation to activities within paragraph (a)(i) or (ii), references to persons for whom the education, training or care is provided, or (as the case may be) for whom the services or facilities are provided.

Textual Amendments

F1 S. 117(2)(aa) inserted (1.4.2014) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 116(2)(a)**, 139(5)

Commencement Information

II S. 117 in force at 12.12.2006 by [S.I. 2006/2990](#), **art. 2(e)**

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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\(a\)](#)