



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Provision of information by proprietors

123 Provision of information by proprietors

- (1) Regulations may make provision for requiring the proprietor of a registered independent educational institution to provide the Secretary of State, on request, with such particulars relating to the institution as may be prescribed.
- (2) Regulations under this section may in particular—
 - (a) require the provision of such information as is needed by the local authority in whose area the institution is situated for the purpose of determining whether the institution is a children's home within the meaning of the Care Standards Act 2000 (c. 14) (see section 1 of that Act);
 - (b) provide for the Secretary of State to remove from the register any institution in respect of which any requirement imposed by or under the regulations is not complied with;
 - (c) provide that a person who fails to comply with any specified provision of the regulations is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) In subsection (2) "specified" means specified in regulations under this section.
- (4) Regulations that include provision by virtue of subsection (2)(b) must include the provision required by subsections (5) and (6).

Status: *This is the original version (as it was originally enacted).*

- (5) The regulations must require the Secretary of State to notify the proprietor of an institution of any decision to remove the institution from the register by virtue of subsection (2)(b).
- (6) The regulations must provide that a decision by the Secretary of State to remove an institution from the register by virtue of subsection (2)(b) does not have effect during the period in which—
 - (a) an appeal may be brought under section 124 against the decision, or
 - (b) where such an appeal has been brought, the appeal has not been determined, withdrawn or otherwise disposed of.