



Education Act 2011

2011 CHAPTER 21

PART 5

EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

Standards

43 Inspection of boarding accommodation

(1) Part 12 of the Children Act 1989 (miscellaneous and general) is amended as follows.

(2) In section 87 (welfare of children in boarding schools and colleges)—

(a) after subsection (1), insert—

“(1A) For the purposes of this section and sections 87A to 87D, a school or college provides accommodation for a child if—

(a) it provides accommodation for the child on its own premises,
or

(b) it arranges for accommodation for the child to be provided elsewhere (other than in connection with a residential trip away from the school).”;

(b) in subsection (3), for “he is accommodated” substitute “accommodation for the child is provided”;

(c) after subsection (3), insert—

“(3A) Where accommodation is provided for a child by a school or college in England, the Secretary of State may at any time (including a time when the duty under subsection (3) is suspended by virtue of section 87A) direct the Chief Inspector for England to take the steps referred to in subsection (3).

(3B) Where accommodation is provided for a child by a school or college in Wales, the Welsh Ministers may, at any time when the duty under

Status: This is the original version (as it was originally enacted).

subsection (3) is suspended by virtue of section 87A, take the steps referred to in subsection (3).”;

- (d) in subsection (5), for “its duty” substitute “any of its functions”;
- (e) in subsection (9A), for “he is accommodated” substitute “accommodation for the child is provided”.

(3) In section 87A (suspension of duty under section 87(3))—

- (a) in subsection (1)(b), for “they are accommodated” substitute “accommodation for the children is provided”;
- (b) after subsection (4) insert—

“(4A) The Secretary of State may by regulations specify matters that must be taken into account in deciding whether to appoint a person to be an inspector for the purposes of this section in relation to schools or colleges in England, or to terminate the appointment of such a person under subsection (4)(b).”

(4) After section 87B insert—

“87BA Quality assurance of inspectors under section 87A

- (1) The Chief Inspector for England must, at intervals of no more than a year, prepare and send to the Secretary of State a report about inspectors who are appointed under section 87A in relation to schools or colleges in England.
- (2) In preparing a report under this section the Chief Inspector for England must have regard to such matters as the Secretary of State may direct.
- (3) The Secretary of State may in particular give directions about—
 - (a) matters to be taken into account in preparing a report, and
 - (b) the form and contents of a report.”
- (5) In section 87C (boarding schools: national minimum standards), in subsection (1), for “in” substitute “by”.