

2014 No. 2158

EDUCATION, ENGLAND

**The Independent Inspectorates (Education and Boarding
Accommodation) Regulations 2014**

<i>Made</i>	- - - -	<i>11th August 2014</i>
<i>Laid before Parliament</i>		<i>14th August 2014</i>
<i>Coming into force</i>	- -	<i>8th September 2014</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 87A(4A) of the Children Act 1989^(a) and 106(4) of the Education and Skills Act 2008^(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Independent Inspectorates (Education and Boarding Accommodation) Regulations 2014 and come into force on 8th September 2014.

(2) In these Regulations—

“the 1989 Act” means the Children Act 1989;

“the 2008 Act” means the Education and Skills Act 2008;

“independent inspectorate” means the person to be appointed or appointed as an inspector under section 87A of the 1989 Act or the body to be approved or approved to carry out inspections under section 106 of the 2008 Act.

Specified matters

2. The following matters are specified for the purposes of section 87A(4A) of the 1989 Act and section 106(4) of the 2008 Act—

- (a) the number and range of schools or colleges which the independent inspectorate inspects, or is to inspect;
- (b) the extent to which it is independent from the schools or colleges it inspects, or is to inspect;
- (c) the extent to which it is independent from the body which established it (if any);
- (d) its administrative, management, financial and insurance arrangements;
- (e) its procedure and selection criteria for appointing inspectors;

(a) 1989 c. 41. Subsection (4A) was inserted into section 87A by section 43(3)(b) of the Education Act 2011 (c. 21).
(b) 2008 c. 25.

- (f) the terms on which it appoints its inspectors;
- (g) the training which it provides, or will provide, to its inspectors;
- (h) the process it follows, or will follow, in carrying out and reporting on inspections;
- (i) the policy and procedures it has in place for the purpose of ensuring that inspectors carry out and report on inspections objectively;
- (j) the arrangements for the provision and publication of reports of inspections it carries out;
- (k) its complaints procedure;
- (l) any assessment made of it by the Chief Inspector^(a); and
- (m) the extent to which it has in place and operates arrangements to enable the Chief Inspector to carry out its functions under section 107 of the 2008 Act.

11th August 2014

John Nash
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify the matters which the Secretary of State must take into account in deciding whether to approve, or withdraw approval from, a body under section 106 of the Education and Skills Act 2008 and to appoint, or terminate the appointment of a person under section 87A of the Children Act 1989.

Section 106 of the Education and Skills Act 2008 enables the Secretary of State to approve, or withdraw approval from, a body to carry out inspections of independent educational institutions. Section 87A of the Children Act 1989 allows the Secretary of State to appoint, or terminate the appointment of a person to inspect whether the welfare of children provided with accommodation by schools or colleges is adequately safeguarded and promoted.

An impact assessment has not been produced for this instrument because no, or no significant impact on the private, voluntary or public sector is foreseen.

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^(a) See section 138(1) of the Education and Skills Act 2008 for the meaning of "Chief Inspector".

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