



Education and Inspections Act 2006

CHAPTER 40

EDUCATION AND INSPECTIONS ACT 2006

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- 4 In section 508 (functions in respect of facilities for recreation...
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- 6 In section 547 (nuisance or disturbance on school premises), in...

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- 1 Local Government Act 1972 (c. 70)
- 2 Local Government Act 1974 (c. 7)
- 3 Sex Discrimination Act 1975 (c. 65)
- 4 Diocesan Boards of Education Measure 1991 (No. 2)
- 5 (1) Section 7 of the Diocesan Boards of Education Measure...
- 6 Further and Higher Education Act 1992 (c. 13)
- 7 Education Act 1996 (c. 56)
- 8 In section 332B of EA 1996 (resolution of disputes), in...
- 9 (1) Section 394 of EA 1996 (determination of cases in...
- 10 (1) Section 529 of EA 1996 (power to accept gifts...
- 11 (1) Section 530 of EA 1996 (compulsory purchase of land)...
- 12 (1) In Schedule 35A to EA 1996 (Academies: land) paragraph...
- 13 School Standards and Framework Act 1998 (c. 31)
- 14 In section 21 of SSFA 1998 (kinds of foundation and...
- 15 In section 22 of SSFA 1998 (maintenance and other funding...

- 16 In section 25 of SSFA 1998 (adjudicators), in subsection (2),...
- 17 Omit section 27 of SSFA 1998 (power to require committees...
- 18 (1) Section 28 of SSFA 1998 (proposals for establishment or...
- 19 Omit section 28A of SSFA 1998 (proposals for establishment of...
- 20 (1) Section 29 of SSFA 1998 (proposals for discontinuance of...
- 21 In section 30 of SSFA 1998 (notice by governing body...
- 22 In the italic heading before section 31 of SSFA 1998,...
- 23 (1) Section 31 of SSFA 1998 (proposals for establishment, alteration...
- 24 (1) Section 32 of SSFA 1998 (direction requiring discontinuance of...
- 25 (1) Section 33 of SSFA 1998 (further provisions relating to...
- 26 (1) Section 35 of SSFA 1998 (school changing from one...
- 27 (1) Section 79 of SSFA 1998 (stamp duty) is amended...
- 28 In section 82 of SSFA 1998 (modification of trust deeds),...
- 29 (1) Section 109 of SSFA 1998 (proposals by governing body...
- 30 In section 143 of SSFA 1998 (index)—
- 31 (1) Schedule 3 to SSFA 1998 (funding of foundation, voluntary...
- 32 In Schedule 5 to SSFA 1998 (adjudicators), in paragraph 5(1)...
- 33 (1) Schedule 6 to SSFA 1998 (statutory proposals: procedure and...
- 34 In Schedule 8 to SSFA 1998 (changes of category of...
- 35 Learning and Skills Act 2000 (c. 21)
- 36 In section 113A of the Learning and Skills Act 2000...
- 37 Schedule 7 to the Learning and Skills Act 2000 (sixth...
- 38 For paragraph 17 substitute — The Council shall send a copy of the published proposals—...
- 39 For paragraph 25 substitute — The Council shall send a copy of the published proposals—...
- 40 (1) Paragraph 32 is amended as follows.
- 41 In paragraph 33(b), for “school organisation committee” substitute “local education...
- 42 In paragraph 34, for “school organisation committee” substitute “local education...
- 43 (1) Paragraph 35 is amended as follows.
- 44 In paragraph 36, in sub-paragraphs (2) and (3), for “school...
- 45 For paragraph 37 substitute— (1) The local education authority— (a) may, if they think...
- 46 In Schedule 7A to the Learning and Skills Act 2000,...
- 47 Education Act 2002 (c. 32)
- 48 In Schedule 1 to EA 2002 (incorporation and powers of...
- 49 Education Act 2005 (c. 18)
- 50 (1) Section 68 of EA 2005 (proposals for establishment of...
- 51 In section 69 of EA 2005 (LEA not to establish...
- 52 Omit section 73 of EA 2005 (interpretation of Part 2)....
- 53 Omit Schedules 10 and 11 to EA 2005 (which relate...

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- 1 Schedule 22 to SSFA 1998 (disposal of land by foundation,...
- 2 Before Part 1 of the Schedule insert— Part A1 Foundation,...
- 3 In the heading to Part 1 of the Schedule after...
- 4 (1) Paragraph 1 is amended as follows.
- 5 (1) Paragraph 2 is amended as follows.
- 6 (1) Paragraph 2A is amended as follows.
- 7 (1) Paragraph 3 is amended as follows.

- 8 (1) Paragraph 4 is amended as follows.
- 9 (1) Paragraph 5 is amended as follows.
- 10 (1) Paragraph 6 is amended as follows.
- 11 In paragraph 7, in sub-paragraphs (2)(ii), (3)(c) and (6), for...
- 12 In paragraph 8(2)— (a) for “Secretary of State” substitute
“appropriate...”
- 13 After paragraph 8 insert— Part 2A Maintained school: transfer of...
- 14 In paragraph 9(1)— (a) after “paragraph” insert “A5, A11, A17,...
- 15 (1) Paragraph 10 is amended as follows.
- 16 (1) Paragraph 11 is amended as follows.
- 17 After paragraph 11 insert— (1) For the purposes of paragraph 11(1)(a),
“proper accounting practices”,...
- Part 2 — AMENDMENTS TO SECTION 77 OF SSFA 1998
- 18 (1) Section 77 of SSFA 1998 (control of disposals or...
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- 19 In section 75(2) of SSFA 1998 (transfer of land by...
- 20 In section 79(1)(b) of SSFA 1998 (stamp duty exemption for...
- 21 In section 138 of SSFA 1998 (orders and regulations), in...
- 22 In Schedule 3 to SSFA 1998 (funding of foundation, voluntary...
- 23 In Schedule 32 to SSFA 1998 (transitional provisions and savings),...

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- 1 In section 17(6) of SSFA 1998 (power of LEA to...
- 2 (1) Section 47A of SSFA 1998 (schools forums) is amended...
- 3 (1) Section 48 of SSFA 1998 (local education authorities' financial...
- 4 In section 49 of SSFA 1998 (maintained schools to have...
- 5 (1) Schedule 14 to SSFA 1998 (approval, imposition and revision...
- 6 In Schedule 15 to SSFA 1998 (suspension of financial delegation),...

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- 2 Governing body to consist of members appointed by appropriate
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- 3 Effect of notice under section 65(1) or 69(1)
- 4 Interim executive members
- 5 (1) Every appointment of an interim executive member must be...
- 6 Duty of appropriate authority to inform other persons
- 7 Power to specify duration of interim period
- 8 Chairman
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- 10 Duty of interim executive board
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- 12 Effect on suspension of delegated budget
- 13 Exclusion of certain statutory provisions
- 14 During the interim period— (a) the local education authority may...
- 15 Closure of school
- 16 (1) Where during the interim period— (a) the Secretary of...
- 17 Notice of resumption of government by normally constituted governing
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- 18 Time when interim executive members cease to hold office
- 19 Establishment of normally constituted governing body

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- 3 School Standards and Framework Act 1998 (c. 31)
- 4 (1) Section 14 of SSFA 1998 (powers of intervention exercisable...)
- 5 (1) Section 15 of SSFA 1998 (cases where LEA may...)
- 6 (1) Section 16 of SSFA 1998 (power of LEA to...)
- 7 (1) Section 16A of SSFA 1998 (power of LEA to...)
- 8 (1) Section 17 of SSFA 1998 (power of LEA to...)
- 9 In the italic heading immediately preceding section 18 of SSFA...
- 10 (1) Section 18 of SSFA 1998 (power of Secretary of...)
- 11 In section 18A of SSFA 1998 (power of Secretary of...)
- 12 (1) Section 19 of SSFA 1998 (power of Secretary of...)
- 13 In section 19A of SSFA 1998 (governing bodies consisting of...)
- 14 (1) Section 62 of SSFA 1998 (LEA's reserve power to...)
- 15 In section 142 of SSFA 1998 (interpretation), in subsection (4)—...
- 16 In section 143 of SSFA 1998 (index) in the entry...
- 17 In Schedule 1A to SSFA 1998, for “Secretary of State”...
- 18 Learning and Skills Act 2000 (c. 21)
- 19 Education Act 2002 (c. 32)
- 20 After section 62 of EA 2002 insert— Power to require...
- 21 (1) Section 63 of EA 2002 (power to require LEA...)
- 22 (1) Section 64 (provisions supplementary to section 63) is amended...
- 23 Education Act 2005 (c. 18)
- 24 In section 18 of EA 2005 (interpretation of Chapter 2...

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- 1 Public Passenger Vehicles Act 1981 (c. 14)
- 2 Transport Act 1985 (c. 67)
- 3 Education Act 1996 (c. 56)
- 4 (1) Section 509 of EA 1996 (provision of transport etc)...
- 5 In section 509AB of EA 1996 (further provision about transport...

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- 3 A person appointed as chairman or appointed member—
- 4 The previous appointment of a person as chairman or appointed...
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- 1 Public Records Act 1958 (c. 51)
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Superannuation Act 1972 (c. 11)
- 4 Employment and Training Act 1973 (c. 50)
- 5 House of Commons Disqualification Act 1975 (c. 24)
- 6 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 7 Race Relations Act 1976 (c. 74)
- 8 Education Reform Act 1988 (c. 40)
- 9 Children Act 1989 (c. 41)
- 10 Omit section 26ZA (representations: further consideration).
- 11 In section 26A(2A) (advocacy services) omit "26ZA or".
- 12 In section 65(6)(a) (persons disqualified from carrying on, or being...
- 13 In section 79B(1) (other definitions etc.) for "Her Majesty's Chief...
- 14 In section 79N (general functions of Chief Inspector) omit subsections...
- 15 In section 79R (reports of inspections) omit subsection (4).
- 16 (1) Section 87 (welfare of children in boarding schools and...
- 17 In Schedule 2 (local authority support for children and families)...
- 18 Further and Higher Education Act 1992 (c. 13)

- 19 Education Act 1994 (c. 30)
- 20 Education Act 1997 (c. 44)
- 21 In section 26(2) (supplementary provisions relating to discharge by Authority...
- 22 (1) Section 38 (inspection of LEAs) is amended as follows....
- 23 In section 39(4) (reports of inspections under s. 38 etc.)—...
- 24 Omit section 41 (inspections involving collaboration of Audit Commission).
- 25 In Schedule 4 (the Qualifications and Curriculum Authority), in paragraph...
- 26 Audit Commission Act 1998 (c. 18)
- 27 In section 33(6) (consultation before studies for improving economy etc....
- 28 In section 34(6) (consultation before studies as to impact of...
- 29 (1) Section 37 (assistance to CHAI and CSCI) is amended...
- 30 In section 49(1) (restriction on disclosure of information) after paragraph...
- 31 In Schedule 1 (the Audit Commission) omit paragraph 8(2)(e).
- 32 Data Protection Act 1998 (c. 29)
- 33 School Standards and Framework Act 1998 (c. 31)
- 34 In section 139(2)(b) (payments into Consolidated Fund) omit “Her Majesty’s...
- 35 (1) Schedule 26 (inspection of nursery education) is amended as...
- 36 Protection of Children Act 1999 (c. 14)
- 37 Local Government Act 1999 (c. 27)
- 38 Care Standards Act 2000 (c. 14)
- 39 In section 5(1) (registration authorities) for paragraph (a)(ii) substitute —
- 40 (1) Section 8 (general functions of the Assembly) is amended...
- 41 In section 10(6) (inquiries relating to exercise of functions by...
- 42 In section 11(4) (keeping of registers) for “or the CSCI”...
- 43 In section 12(2) (applications for registration) for “or the CSCI”...
- 44 In section 15(3)(a) (fees for applications by registered persons) for...
- 45 In section 16(3)(a) (annual fee payable by persons registered under...
- 46 In section 22(7)(i)(i) (fees in respect of notifications) for “or...
- 47 In section 29(1)(a) (proceedings for offences) for “or the CSCI”...
- 48 In section 31(7) (requirement to arrange for inspection of premises)...
- 49 In section 36A (voluntary adoption agencies: distribution of functions) for...
- 50 In section 42(5) (power to extend application of Part 2)...
- 51 Omit section 45(4) (inspection of premises used in discharge of...
- 52 In section 55(3)(e) (persons who may be treated as social...
- 53 (1) Section 113A (fees payable under Part 2) is amended...
- 54 In section 121(13) (interpretation), at the appropriate place in the...
- 55 Learning and Skills Act 2000 (c. 21)
- 56 Omit sections 52 to 72 (inspections in England).
- 57 (1) Section 82 (inspections of education and training provided under...
- 58 Omit— (a) section 90 (preliminary transfers: FEFC for England), and...
- 59 In section 94(2) (stamp duty) for “section 90 or 92”...
- 60 In section 95(1)(b) (contracts of employment) for “section 90 or...
- 61 In section 113A(1)(a) (restructuring of sixth-form education) for “section 65”...
- 62 In section 118(1) (inspection)— (a) for “Her Majesty’s Chief Inspector...

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- 63 In section 150(4)(a) (Wales) omit “90.”
- 64 Omit section 151(2) (transitional provisions).
- 65 Omit Schedule 6 (the Adult Learning Inspectorate).
- 66 (1) Schedule 7 (sixth forms requiring significant improvement) is amended...
- 67 Omit Part 3 of Schedule 10 (transitional provisions).
- 68 Regulation of Investigatory Powers Act 2000 (c. 23)
- 69 Freedom of Information Act 2000 (c. 36)
- 70 Education Act 2002 (c. 32)
- 71 In section 1(3) (purpose and interpretation of Chapter 1) for...
- 72 In section 151 (childcare functions of HM Chief Inspector and...
- 73 (1) Section 162A (power to inspect registered schools in England)...
- 74 In section 162B (inspections under section 162A: supplementary) omit subsection...
- 75 In section 171 (interpretation of Chapter 1), in the definition...
- 76 Adoption and Children Act 2002 (c. 38)
- 77 Courts Act 2003 (c. 39)
- 78 In section 58 (inspectors of court administration etc.) omit subsection...
- 79 (1) Section 59 (functions of inspectors) is amended as follows....
- 80 In section 60 (functions of Chief Inspector) for subsection (4)...
- 81 In section 61 (rights of entry and inspection) for subsections...
- 82 Health and Social Care (Community Health and Standards) Act 2003 (c. 43)
- 83 In section 76(2) (matters to which the CSCI is to...
- 84 Omit section 77(3) (advice as to standards prepared and published...
- 85 (1) Section 79 (annual reviews) is amended as follows.
- 86 Omit section 80(5) (duty to take into account standards prepared...
- 87 In section 81(2) (duties of the CSCI on awarding lowest...
- 88 For section 96 substitute— Additional functions (1) The Assembly shall have such additional functions in relation...
- 89 Omit section 110 (transfer to the CSCI of functions under...
- 90 Omit section 112 (inspection of secure training centres by the...
- 91 (1) Section 120 (co-operation etc.) is amended as follows.
- 92 In section 133(1)(a) (failure in discharge of functions: CSCI) omit...
- 93 (1) Section 148 (interpretation of Part 2) is amended as...
- 94 In Schedule 7 (CSCI: supplementary) omit paragraph 5(2).
- 95 Children Act 2004 (c. 31)
- 96 (1) Section 20 (joint area reviews) is amended as follows....
- 97 In section 23 (sections 20 to 22: interpretation) for subsection...
- 98 Education Act 2005 (c. 18)
- 99 Omit sections 1 to 4 (appointment and functions of Her...
- 100 For section 8 substitute— Other inspections (1) If requested to do so by the Secretary of...
- 101 In section 9 (power of Chief Inspector to treat other...
- 102 In section 11 (publication of inspection reports) omit subsections (2)...
- 103 In section 12 (interpretation of Chapter 1) for “Her Majesty’s...
- 104 In section 18 (interpretation of Chapter 2) for “Her Majesty’s...
- 105 (1) Section 59 (combined reports) is amended as follows.
- 106 In section 100(1) (interpretation of Part 3) in the definition...
- 107 Omit Schedule 1 (provisions relating to HM Chief Inspector of...
- 108 Childcare Act 2006 (c. 21)
- 109 Omit section 14 (inspection).
- 110 Omit section 31 (general functions of Chief Inspector).

- 111 In section 50 (report of inspections) omit subsection (4).
- 112 In section 61 (report of inspections) omit subsection (4).
- 113 (1) Section 77 (powers of entry) is amended as follows....
- 114 (1) Section 79 (power of constable to assist in exercise...
- 115 Omit section 80 (combined reports).
- 116 Omit section 81 (information to be included in annual reports)....
- 117 In section 98(1) (interpretation of Part 3), in the definition...

SCHEDULE 15 — Transitional provisions and savings relating to Part 8

- 1 Staff transfer schemes
- 2 Property transfer schemes
- 3 Continuity of exercise of functions etc.
- 4 (1) A scheme made by the Secretary of State may...
- 5 Schemes: supplementary
- 6 Saving for previous transfer schemes
- 7 Preparation for performance of functions by the new Chief Inspector
- 8 First annual report of the new Chief Inspector
- 9 Interpretation

SCHEDULE 16 — Powers to facilitate innovation

Part 1 — AMENDMENTS OF CHAPTER 1 OF PART 1 OF EA 2002

- 1 (1) Section 1 of EA 2002 (purpose and interpretation of...
- 2 (1) Section 2 of EA 2002 (power to suspend statutory...
- 3 (1) Section 4 of EA 2002 (applications for orders under...

Part 2 — CONSEQUENTIAL AMENDMENT

- 4 In section 24 of the Anti-social Behaviour Act 2003 (c....

SCHEDULE 17 — Miscellaneous amendments relating to Wales

- 1 Schools in Wales causing concern: warning notice by local education authority
- 2 LEA's reserve power to prevent breakdown of discipline
- 3 Orders and regulations made by Assembly under SSFA 1998
- 4 Meaning of "the Assembly" in SSFA 1998
- 5 In section 143 of SSFA 1998 (index), after the entry...
- 6 Power of Assembly to require LEA to obtain advisory services

SCHEDULE 18 — Repeals

Part 1 — REPEALS COMING INTO FORCE ON ROYAL ASSENT

Part 2 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 188(2)

Part 3 — SCHOOL ORGANISATION

Part 4 — SCHOOLS CAUSING CONCERN

Part 5 — INSPECTIONS

Part 6 — OTHER REPEALS