



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *School and nursery inspections*

#### **134 Publication of inspection reports**

(1) After section 42 of the School Inspections Act 1996 there shall be inserted—

##### *“Publication of reports*

#### **42A Publication of inspection reports**

- (1) The Chief Inspector may in the case of—
- (a) any report by a member of the Inspectorate of an inspection carried out by him under any provision of this Act (whether the report is required by any such provision or is otherwise made in pursuance of his functions under that provision), or
  - (b) any report of an inspection under section 10 (other than one made by a member of the Inspectorate),
- arrange for the report to be published in such manner as the Chief Inspector considers appropriate.
- (2) Without prejudice to the generality of—
- (a) section 2(7)(c) or 5(7)(c), or
  - (b) subsection (1) above,
- the Chief Inspector may arrange for a report to which that provision applies to be published by electronic means.

- (3) For the purposes of the law of defamation any report published by the Chief Inspector under any of those provisions shall be privileged unless the publication is shown to be made with malice.
- (4) Nothing in subsection (3) shall be construed as limiting any privilege subsisting apart from that subsection.”
- (2) In Schedule 1 to the Nursery Education and Grant-Maintained Schools Act 1996 (inspections of nursery education), at the end of paragraph 13 (reports of inspections) there shall be added—
- “(3) Section 42A(2) to (4) of the School Inspections Act 1996 shall apply in relation to the publication of any such report as they apply in relation to the publication of a report under any of the provisions mentioned in section 42A(2).”
- (3) In section 39 of the Education Act 1997 (reports of inspections of local education authorities), at the end of subsection (4) (publication of such reports) there shall be added “; and section 42A(2) to (4) of the School Inspections Act 1996 shall apply in relation to the publication of any such report as they apply in relation to the publication of a report under any of the provisions mentioned in section 42A(2).”

### **135 Miscellaneous amendments relating to school and nursery inspections**

Schedule 28 (which contains amendments relating to inspections under the School Inspections Act 1996 and the Nursery Education and Grant-Maintained Schools Act 1996) shall have effect.