



# Tertiary Education and Research (Wales) Act 2022

2022 asc 1

## PART 2 **E+W**

### REGISTRATION AND REGULATION OF TERTIARY EDUCATION PROVIDERS

## CHAPTER 2 **E+W**

### QUALITY ASSURANCE AND IMPROVING QUALITY

*Inspection of further education or training etc.*

#### **63** Area inspections **E+W**

- (1) The Chief Inspector may inspect—
  - (a) the quality and availability of a description of education or training, in a specified area in Wales, for persons who are aged 15 or over,
  - (b) the standards achieved by those receiving that education or training, and
  - (c) whether the financial resources made available to those providing that education or training are managed efficiently and used in a way which provides value for money.
- (2) The Chief Inspector must carry out an inspection of the type described in subsection (1) (“an area inspection”) if requested to do so by—
  - (a) the Commission;
  - (b) the Welsh Ministers.
- (3) The education or training that may be made the subject of an area inspection is any education or training described in section 57 or within the remit of the Chief Inspector as a result of any other enactment.

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*Changes to legislation: There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Section 63. (See end of Document for details)*

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- (4) But the power to require the Chief Inspector to carry out an area inspection may only be exercised—
- (a) in the case of the Commission, in respect of a description of education or training funded or otherwise secured by the Commission;
  - (b) in the case of the Welsh Ministers, in respect of a description of education or training other than education or training funded or otherwise secured by the Commission.
- (5) An area inspection may extend to considering—
- (a) the manner in which any financial resources have been applied by a person described in subsection (6) in respect of the education or training inspected, and
  - (b) whether any such financial resources have been applied in a way which provides value for money.
- (6) The persons mentioned in subsection (5) are—
- (a) the Commission;
  - (b) the Welsh Ministers;
  - (c) a local authority.
- (7) The following persons must provide such information as the Chief Inspector may reasonably require in connection with the inspection—
- (a) persons responsible for the management of any provider of education or training which is the subject of an area inspection;
  - (b) any local authority within the area which is the subject of an area inspection;
  - (c) the Commission;
  - (d) the Welsh Ministers.
- (8) On completing an area inspection, the Chief Inspector must publish a report.
- (9) The Welsh Ministers may, by regulations—
- (a) make further provision with respect to the duty to provide information imposed by this section;
  - (b) require reports under subsection (8) to be published before the end of a period specified in the regulations.
- (10) For provision on reporting on sixth forms found to be causing concern in an area inspection, see sections 44C and 44E of the [Education Act 2005 \(c. 18\)](#).
- (11) In subsection (1)—
- “persons who are aged 15” (*“personau sy’n 15 oed”*) includes persons for whom education is being provided at a school who will attain that age in the current school year;
- “specified” (*“penodedig”*) means—
- (a) in the case of an area inspection requested under subsection (2), specified in the request;
  - (b) in the case of an area inspection carried out by the Chief Inspector other than by request, specified by the Chief Inspector.

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**Changes to legislation:** There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Section 63. (See end of Document for details)

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#### Commencement Information

- I1** S. 63 not in force at Royal Assent, see [s. 148\(2\)](#)
- I2** [S. 63](#) in force at 1.11.2023 for specified purposes by [S.I. 2023/1106](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Section 63.