
Status: Point in time view as at 31/05/2005. This version of this schedule contains provisions that are prospective.
Changes to legislation: School Standards and Framework Act 1998, SCHEDULE 28 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 28

Section 135.

AMENDMENTS RELATING TO SCHOOL AND NURSERY INSPECTIONS

PART I

SCHOOL INSPECTIONS

Commencement Information

- II** Sch. 28 Pt. I partly in force; Sch. 28 Pt. I not in force at Royal Assent see s. 145(3); Sch. 28 Pt. I except para. 4(1) in force at 1.10.1998 by [S.I. 1998/2212](#), art. 2, [Sch. 1 Pt. I](#)

Introductory

- 1 In this Part of this Schedule “the 1996 Act” means the ^{M1}School Inspections Act 1996.

Marginal Citations

- M1** 1996 c. 57.

Persons who may be registered inspectors

- 2 In section 7(3) of the 1996 Act (registration of inspectors), at the end there shall be added—
“and no person shall be so registered if he falls within a category of persons prescribed for the purposes of this subsection.”

Decisions of Chief Inspector having immediate effect

- 3 In section 9(3)(a) of the 1996 Act (circumstances where Chief Inspector’s decision to revoke registration may take immediate effect), the words “are exceptional and” shall be omitted.

Enrolment of persons to act as team members

- 4 (1) ^{F1}For paragraph 3(1) of Schedule 3 to the 1996 Act (inspection teams) there shall be substituted—

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“(1) Every inspection shall be conducted by a registered inspector with the assistance of a team (an “inspection team”) consisting of persons who are enrolled in the list kept by the Chief Inspector under paragraph 3A.”]

(2) After paragraph 3 of that Schedule there shall be inserted—

“ Enrolment of persons to act as team members

- 3A (1) The Chief Inspector shall keep a list of persons who may act as members of an inspection team (“the list”); and no person shall act as a member of an inspection team unless he is enrolled in the list.
- (2) The Chief Inspector shall not enrol any person in the list unless, having regard to any conditions that he proposes to impose under section 7(5)(c) (as it applies in accordance with sub-paragraph (4) below), it appears to him that that person—
- (a) is a fit and proper person for carrying out an inspection, and
 - (b) will be capable of assisting in an inspection competently and effectively.
- (3) An application for enrolment in the list shall (except in such circumstances as may be prescribed) be accompanied by the prescribed fee.
- (4) Subsections (5) to (9) of section 7 shall apply in relation to the enrolment of a person in the list and to acting as a member of an inspection team as they apply in relation to the registration of a person under subsection (1) or (2) of that section and to acting as a registered inspector.
- (5) Sections 8 and 9 and Schedule 2 shall (with any necessary modifications) apply in relation to enrolment in the list and to a person so enrolled as they apply in relation to registration under section 7(1) or (2) and to a person so registered.
- (6) In its application to an enrolled person in accordance with sub-paragraph (5) above, section 8 shall have effect as if the conditions mentioned in subsection (2) of that section were that—
- (a) that person is no longer a fit and proper person to act as a member of an inspection team;
 - (b) he is no longer capable of assisting in an inspection competently and effectively;
 - (c) there has been a significant failure on his part to comply with any condition imposed under section 7(5)(c) (as it applies in accordance with sub-paragraph (4) above).
- (7) Without prejudice to the generality of paragraph 2(1) of Schedule 2, regulations under that provision may provide that, where a person is appealing simultaneously—
- (a) against a decision of the Chief Inspector relating to that person’s registration, and
 - (b) against a decision of the Chief Inspector relating to that person’s enrolment in the list,
- both appeals are to be heard at the same time.”

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Textual Amendments

- F1** Sch. 28 Pt. I para. 4(1) repealed (1.10.2002 for E. otherwise prosp.) by [Education Act 2002 \(c. 32\)](#), ss. 215(2), 216, [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4)); S.I. 2002/2439, [art. 3](#) (with Sch.)

Commencement Information

- I2** Sch. 28 Pt. I para. 4 partly in force; Sch. 28 Pt. I para. 4 not in force at Royal Assent see s. 145(3); Sch. 28 Pt. I except para. 4(1) in force at 1.10.1998 by [S.I. 1998/2212](#), [art. 2](#), [Sch. 1 Pt. I](#); Sch. 28 Pt. I para. 4(1) in force for certain purposes at 1.1.2000 by [S.I. 1999/2323](#), [art. 2\(3\)](#), [Sch. 3](#) (with arts. 3-5, [Schs. 5-7](#)); Sch. 28 Pt. I para. 4(1) in force for certain purposes at 1.8.2000 by [S.I. 1999/2323](#), [art. 2\(4\)](#), [Sch. 4](#) (with arts. 3-5, [Schs. 5-7](#)).

PROSPECTIVE

Replacement of inspectors

F25

Textual Amendments

- F2** [Sch. 28 Pt. 1](#) repealed (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 19 Pt. 1](#); S.I. 2005/2034, [art. 4](#); S.I. 2006/1338, [art. 3](#), [Sch. 1](#) (with Sch. 4 para. 6)

F3 PART II

Textual Amendments

- F3** Sch. 28 Pt. II repealed (1.4.2003 for E., 31.5.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4)); S.I. 2003/124, [art. 4](#); S.I. 2005/1395, [art. 4](#), Sch.

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