



# Education Act 2005

## 2005 CHAPTER 18

### PART 1

#### SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

### CHAPTER 2

#### PROCEDURE FOR INSPECTIONS UNDER CHAPTER 1

#### *Inspections and reports: all schools*

### 13 Duties of Chief Inspector where school causes or has caused concern

- (1) If, on completion of a section 5 inspection of a school, the Chief Inspector is of the opinion—
  - (a) that special measures are required to be taken in relation to the school, or
  - (b) that the school requires significant improvement,he must comply with subsections (2) and (3).
- (2) The Chief Inspector must—
  - (a) send a draft of the report of the inspection—
    - (i) in the case of a maintained school, to the governing body, and
    - (ii) in the case of any other school, to the proprietor of the school, and
  - (b) consider any comments on the draft that are made to him within the prescribed period by the governing body or proprietor, as the case may be.
- (3) If, after complying with subsection (2), the Chief Inspector is of the opinion that the case falls within paragraph (a) or (b) of subsection (1)—
  - (a) he must without delay give a notice in writing, stating that the case falls within paragraph (a) or (b) of subsection (1)—
    - (i) to the Secretary of State,

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Cross Heading: Inspections and reports: all schools. (See end of Document for details)*

- (ii) in the case of a maintained school, to the local education authority, and
- (iii) in the case of any other school, to the proprietor of the school, and
- (b) he must state his opinion in the report of the inspection.
- (4) If a report of a section 5 inspection is made in circumstances where—
- (a) in the latest report of an inspection of the school, the Chief Inspector stated that in his opinion special measures were required to be taken in relation to the school, but
- (b) the Chief Inspector is of the opinion that special measures are not required to be taken in relation to the school,
- he must state his opinion in the report (whether or not he is required by subsection (3) (b) also to state the opinion that the school requires significant improvement).
- (5) If a report of a section 5 inspection is made in circumstances where—
- (a) in the latest report of an inspection of the school, the Chief Inspector stated that in his opinion the school required significant improvement, but
- (b) the Chief Inspector is of the opinion that the school does not require significant improvement and that special measures are not required to be taken in relation to the school,
- he must state his opinion in the report.

**Modifications etc. (not altering text)**

- C1** S. 13(1)-(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, [Sch. 7 para. 7](#) (as substituted by [Education Act 2005 \(c. 18\)](#), ss. 46, 125, [Sch. 5 para. 3\(9\)](#)); S.I. 2005/2034, [art. 4](#); S.I. 2006/1338, [art. 3](#), [Sch. 1](#)
- C2** S. 13(1)-(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, [Sch. 7 para. 7](#) (as substituted by [Education Act 2005 \(c. 18\)](#), ss. 46, 125, [Sch. 5 para. 3\(9\)](#)); S.I. 2005/2034, [art. 4](#), S.I. 2006/1338, {art. 3}, Sch. 1
- C3** S. 13(1)-(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, [Sch. 7 para. 7](#) (as substituted by [Education Act 2005 \(c. 18\)](#), ss. 46, 125, [Sch. 5 para. 3\(9\)](#)); S.I. 2005/2034, [art. 4](#), S.I. 2006/1338, {art. 3}, Sch. 1

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