



# Education Act 2005

## 2005 CHAPTER 18

### PART 1

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

### CHAPTER 4

#### PROCEDURE FOR INSPECTIONS UNDER CHAPTER 3

#### *Destination of reports and measures required: non-maintained schools*

#### **41 Destination of reports: non-maintained schools**

- (1) In the case of a report of a section 28 inspection of a school other than a maintained school, the person making the report must without delay—
  - (a) send a copy of the report together with the summary of it—
    - (i) to the proprietor of the school, and
    - (ii) (unless the person making it is a member of the Inspectorate) to the Chief Inspector, and
  - (b) if the report states that the person making it is of the opinion that special measures are required to be taken in relation to the school or that the school requires significant improvement and either—
    - (i) that person is a member of the Inspectorate, or
    - (ii) the report states that the Chief Inspector agrees with his opinion,send a copy of the report and summary to the Assembly.
- (2) In a case where—
  - (a) a report of an inspection of a school other than a maintained school is made by a member of the Inspectorate, and

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Section 41. (See end of Document for details)*

- (b) he is required by section 35(1)(b) to state in the report that he is of the opinion that special measures are required to be taken in relation to the school or that the school requires significant improvement,
- he must send a copy of the report together with the summary of it to the proprietor of the school and to the Assembly.
- (3) In the case of a special school which is not a community <sup>F1</sup>... special school, the proprietor of the school must without delay send a copy of any report and summary sent to him under subsection (1) or (2) to any [<sup>F2</sup>local authority] that are paying fees in respect of the attendance of a registered pupil at the school.
- (4) The proprietor of the school must—
- (a) make any report and summary sent to him under subsection (1) or (2) available for inspection by members of the public at such times and at such place as may be reasonable,
  - (b) provide a copy of the report and summary, free of charge or in prescribed cases on payment of such fee as he thinks fit (not exceeding the cost of supply) to any person who asks for one, and
  - (c) take such steps as are reasonably practicable to secure that every registered parent of a registered pupil at the school receives a copy of the summary within such period following receipt of the report by the authority as may be prescribed.

#### **Textual Amendments**

- F1** Words in s. 41(3) omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 22\(4\)](#); S.I. 2013/1800, art. 3(j)
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 13\(2\)](#)

#### **Commencement Information**

- I1** S. 41 partly in force; s. 41 not in force at Royal Assent, see s. 125; s. 41 in force for certain purposes at 1.9.2006 by [S.I. 2006/1338](#), [art. 4\(1\)](#), [Sch. 2](#) (subject to [art. 4\(2\)](#))

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