



School Inspections Act 1996 (repealed)

1996 CHAPTER 57

PART I

SCHOOL INSPECTIONS

CHAPTER II

PROCEDURE FOR INSPECTIONS UNDER CHAPTER I

Destination of reports and special measures: schools within s. 11(3)

20 Destination of reports.

- (1) In the case of a report of a section 10 inspection of a school falling within section 11(3), the person making the report shall without delay—
 - (a) send a copy of the report together with the summary of it—
 - (i) to the appropriate authority for 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, 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 Secretary of State.
- (2) In a case where—
 - (a) a report of an inspection of a school falling within section 11(3) is made by a member of the Inspectorate, and
 - (b) he is required by section 14(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,

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the member of the Inspectorate shall send a copy of the report together with the summary of it to the appropriate authority for the school and to the Secretary of State.

(3) In the case of—

(a) a special school which is not [^{F1}a community or foundation special school],
^{F2} . . .

^{F2}(b)

the appropriate authority shall without delay send a copy of any report and summary sent to them under subsection (1) or (2) to ^{F3} . . . any local education authority, if the authority are paying fees in respect of the attendance of a registered pupil at the school.

(4) The appropriate authority shall—

- (a) make any report and summary sent to the authority 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 they think 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 [^{F4}within such period following receipt of the report by the authority as may be prescribed].

Textual Amendments

- F1** Words in s. 20(3)(a) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 197(a)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**
- F2** S. 20(3)(b) and word repealed (1.9.2003 for E., 1.1.2004 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4) and (W.) (19.11.2003) by The Education Act 2002 (Transitional Provisions and Consequential Amendments) (No.2) (Wales) Regulations 2003 (S.I. 2003/2959), regs. 1(1), 8(2)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III
- F3** Words in s. 20(3) repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), **Sch. 30 para. 197(b)**, **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F4** Words in s. 20(4)(c) substituted (1.9.1997) by 1997 c. 44, s. 42, **Sch. 6 para. 7**; 1997/1468, art. 2, Sch. 1 Pt. II

Modifications etc. (not altering text)

- C1** S. 20 functions of a local education authority made exercisable (E.) (1.4.2002) by authorised persons by Contracting Out (Local Education Authority Functions) (England) Order 2002, S.I. 2002/928, art. 3, **Sch. 3**

21 Special measures by appropriate authority.

(1) Where there is sent to the appropriate authority for a school falling within section 11(3) either—

- (a) a report of a section 10 inspection of the school, or
- (b) a report of an inspection of the school made by a member of the Inspectorate in which that person is required by section 14(1)(b) to state that he is of the opinion that special measures are required to be taken in relation to the school,

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the appropriate authority shall prepare a written statement of the action which they propose to take in the light of the report and the period within which they propose to take it.

(2) It is the duty of the appropriate authority to prepare the statement within the period allowed by this subsection, that is—

- (a) such period as may be prescribed, or
- (b) if—
 - (i) 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, and
 - (ii) either that person is a member of the Inspectorate or the report states that the Chief Inspector agrees with his opinion, and
 - (iii) the Secretary of State is of the opinion that the urgency of the case requires a shorter period,

such shorter period as the Secretary of State may direct;

but this subsection does not relieve the appropriate authority of any duty to prepare a statement which has not been performed within that period.

(3) Where such a statement has been prepared by the appropriate authority they shall, before the end of the prescribed period, send copies of it—

- (a) to the Chief Inspector;
- (b) to the Secretary of State, [^{F5}except in the case of a maintained nursery school]; and
- (c) in such circumstances as may be prescribed, to such other persons (if any) as may be prescribed.

(4) In the case of—

- (a) a special school which is not [^{F6}a community or foundation special school],
^{F7} ...
^{F7}

the appropriate authority shall, before the end of the prescribed period, send a copy of any such statement prepared by them to ^{F8} . . . any local education authority, if the authority are paying fees in respect of the attendance of a registered pupil at the school.

(5) The appropriate authority shall—

- (a) make any statement prepared by them under this section 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 statement, free of charge or in prescribed cases on payment of such fee as they think fit (not exceeding the cost of supply); 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 statement as soon as is reasonably practicable.

[^{F9}(6) The duty under subsection (5)(c) shall be taken to be satisfied by the appropriate authority if they—

- (a) take such steps as are reasonably practicable to secure that every registered parent of a registered pupil at the school receives, as soon as is reasonably practicable, a copy of a document prepared by them which—
 - (i) summarises the statement, and

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- (ii) contains a statement of the right to request a copy of it under paragraph (b) below, and
- (b) provide a copy of the statement to every registered parent of a registered pupil at the school who asks for one.]

Textual Amendments

- F5** Words in s. 21(3)(b) repealed (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 65](#), [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F6** Words in s. 21(4)(a) substituted (1.9.1999) by [1998 c. 31, s. 140\(1\)](#), [Sch. 30 para. 198\(a\)](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#)
- F7** S. 21(4)(b) and word repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4) and (W.)) (19.11.2003) by [The Education Act 2002 \(Transitional Provisions and Consequential Amendments\) \(No.2\) \(Wales\) Regulations 2003 \(S.I. 2003/2959\)](#), regs. 1(1), 8(2); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III
- F8** Words in s. 21(4) repealed (1.9.1999) by [1998 c. 31, s. 140\(1\)\(3\)](#), [1 Sch. 30 para. 198\(b\)](#), [Sch. 31](#) (with ss. 138(9), 144(6)); [S. I. 1999/2323](#), art. 2(1), [Sch. 1](#)
- F9** S. 21(6) inserted (4.4.1997) by [S.I. 1997/1142](#), [art. 3](#)

Modifications etc. (not altering text)

- C2** S. 21: functions of a local education authority made exercisable (E.) (1.4.2002) by authorised persons by Contracting Out) (Local Education Authority Functions) (England) Order 2002 ([S.I. 2002/928](#)), art. 3, {Sch. 3(e)}

22 Monitoring special measures.

- (1) This section applies in circumstances where—
- (a) in a report of an inspection of a school falling within section 11(3) the person who made it stated that in his opinion special measures were required to be taken in relation to the school; and
 - (b) either that person was a member of the Inspectorate or the report stated that the Chief Inspector agreed with his opinion; and
 - (c) either—
 - (i) a statement has been prepared under section 21 of this Act, or
 - (ii) the period prescribed for the purposes of subsection (3) of that section has expired, and
 - (d) if any registered inspector or member of the Inspectorate has made a later report of an inspection of the school, he did not in the report state that, in his opinion, special measures were not required to be taken in relation to the school.
- (2) Regulations may make provision with a view to securing that any measures taken by the appropriate authority for improving the standard of education at the school are monitored in accordance with the regulations by such persons as may be prescribed.
- (3) The regulations may, in particular, provide for reports to be made by such persons and at such intervals as may be prescribed.

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- (4) The regulations may authorise the Secretary of State to require the Chief Inspector to conduct further inspections of the school and prepare further reports of such inspections.
- (5) In respect of cases where—
- (a) any report prepared in pursuance of a requirement imposed by virtue of subsection (4) states that, in the opinion of the person who prepared it, special measures are required to be taken in relation to the school concerned, but the grounds for that opinion are substantially different from the grounds for the opinion in any preceding report by a registered inspector or member of the Inspectorate, or
 - (b) any report prepared in pursuance of any such requirement states that, in the opinion of the person who prepared it, special measures are not required to be taken in relation to the school concerned,
- the regulations may make provision corresponding to any of the provisions of this Chapter so far as it has effect in relation to schools falling within section 11(3).

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