



# School Inspections Act 1996 (repealed)

## 1996 CHAPTER 57

### PART I

#### SCHOOL INSPECTIONS

### CHAPTER II

#### PROCEDURE FOR INSPECTIONS UNDER CHAPTER I

#### *Introductory*

#### **11 Application of provisions of Chapter II.**

- (1) Except as is otherwise provided in section 15, sections 13 to 15, in their application to—
  - (a) inspections under section 2(2)(b), 3(1), 5(2)(b) or 6(1) by a member of the Inspectorate, or
  - (b) inspections under section 10,apply irrespective of the nature of the schools inspected.
- (2) Except as is otherwise provided in section 18, sections 16 to 19, in their application to such inspections, apply with respect to [<sup>F1</sup>community, foundation or voluntary or community or foundation special schools.]
- (3) Sections 20 to 22, in their application to such inspections, apply with respect to schools not falling within subsection (2) above.
- (4) In this Chapter, in its application to an inspection of a school falling within subsection (2)—

“appropriate appointing authority means, in relation to any [<sup>F2</sup>voluntary aided]school—

  - (a) the appropriate diocesan authority, if it is a Church of England school, Church in Wales school or Roman Catholic Church school, and

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(b) in any other case, the person who appoints the foundation governors; and  
 [F3“appropriate authority means in relation to a community, foundation or voluntary or community or foundation special school, the school’s governing body or, if the school does not have a delegated budget within the meaning of section 49 of the School Standards and Framework Act 1998, the local education authority.]

(5) In this Chapter, in its application to an inspection of a school falling within subsection (3), “appropriate authority means—

- (a) in the case of a school falling within [F4paragraph (d), (e),] (f) [F5, (g) or (gg)] of section 10(3), the proprietor of the school;
- (b) in the case of a maintained nursery school [F6. . .], the local education authority; and
- (c) in any other case, the school’s governing body.

(6) In this Chapter “section 10 inspection means an inspection under section 10.

#### Textual Amendments

- F1** Words in s. 11(2) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 192(2)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F2** Words in definition of “appropriate appointing authority in s. 11(4) substituted (1.9.1999) by virtue of 1998 c. 31, s. 140(1), **Sch. 30 para. 192(3)(a)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F3** Definition of “appropriate authority in s. 11(4) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 192(3)(b)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F4** Words in s. 11(5)(a) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 192(4)(a)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F5** Words in s. 11(5)(a) substituted (26.7.2002) by Education Act 2002 (c. 32), ss. 65, 216(4), **Sch. 7 Pt. II para. 7(3)**(with ss. 210(8), 214(4)); S.I. 2002/2002, **art. 2**
- F6** Words in s. 11(5)(b) repealed (1.4.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 192(4)(b), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**

## 12 Inspections by members of the Inspectorate.

- (1) Where an inspection of a school is required under section 10 but the Chief Inspector is satisfied that it is not reasonably practicable to secure that the school is inspected by a suitable registered inspector, he shall secure that it is inspected by a member of the Inspectorate.
- (2) Where such an inspection is conducted by a member of the Inspectorate by virtue of this section, the following provisions, namely—
  - (a) section 10(1), (2) and (5) and Schedule 3, and
  - (b) section 13(1),
 shall (unless the context otherwise requires) have effect in relation to the inspection as if the member of the Inspectorate were a registered inspector.
- (3) If the Chief Inspector so elects in the case of any inspection of a school by a member of the Inspectorate under section 2(2)(b), 3(1), 5(2)(b) or 6(1), that inspection shall be treated for the purposes of the relevant provisions—
  - (a) as if it were an inspection under section 10, and

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- (b) in the case of sections 10(1) and (2) and 13(1), as if the member of the Inspectorate were a registered inspector.
- (4) In subsection (3) “the relevant provisions means sections 10(1) and (2), 13(1) and 14 and—
- (a) (in the case of an inspection of a school falling within section 11(2)) sections 16 to 19; and
  - (b) (in the case of an inspection of a school falling within section 11(3)) sections 20 to 22.

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