



# School Inspections Act 1996 (repealed)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][<sup>F2</sup>or maintained nursery 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>F3</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  
 [F4“appropriate authority means in relation to a community, foundation or voluntary or community or foundation special school [F5or a maintained nursery 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 [F6paragraph (d), F7 ...,] (f) [F8, (g) or (gg)] of section 10(3), the proprietor of the school; [F9and ]
- (b) [F10in the case of a maintained nursery school F11. . . , 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. art. 2(1), Sch. 1
- F2** Words in s. 11(2) inserted (1.9.2003 for E., 31.10.2005 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 21 para. 60(2)** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F3** 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**
- F4** 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**
- F5** Words in s. 11(4) inserted (1.9.2003 for E., 31.10.2005 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 21 para. 60(3)** (with ss. 210(8), 214(4) and (31.10.2005) (W.) The Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2005 (S.I. 2005/2913), regs. 1(1), 21); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F6** 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**
- F7** Word in s. 11(5)(a) 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. 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**
- F9** Word in s. 11(5)(a) inserted (1.9.2003 for E., 31.10.2005 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 21 para. 60(4)(a)** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F10** S. 11(5)(b) repealed (1.9.2003 for E., 31.10.2005 for W.) by Education Act 2002 (c. 32), s. 216(4), Sch. 21 para. 60(4)(b), **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. 2005/2910, art. 4, Sch.
- F11** 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**

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

- C1** S. 11 modified (31.3.2004) by [The Blackburn with Darwen \(Maintained Nursery School Governance\) Order 2004 \(S.I. 2004/657\)](#), arts. 1(1), **3(b)**

## **12 Inspections by members of the Inspectorate.**

- [<sup>F12</sup>(1) In any case where, by virtue of section 10, an inspection of a school is required to be carried out by a registered inspector, the Chief Inspector may, if he considers it expedient to do so, secure that the school is instead 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
  - (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.

#### **Textual Amendments**

- F12** S. 12(1) substituted (19.12.2002 for W., 1.9.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), Sch. 16 para. 4 (with ss. 210(8), 214(4)); [S.I. 2002/3185](#), art. 4, Sch. Pt. 1; [S.I. 2003/1667](#), art. 4

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