



Education Act 1997

1997 CHAPTER 44

PART VI

INSPECTION OF LOCAL EDUCATION AUTHORITIES AND SCHOOL INSPECTIONS

CHAPTER I

INSPECTION OF LOCAL EDUCATION AUTHORITIES

38 Inspection of LEAs.

- (1) The Chief Inspector—
 - (a) may, and
 - (b) if requested to do so by the Secretary of State, shall, arrange for any local education authority to be inspected under this section.
- (2) An inspection of a local education authority under this section shall consist of a review of the way in which the authority are performing any function of theirs (of whatever nature) which relates to the provision of education—
 - (a) for persons of compulsory school age (whether at school or otherwise), or
 - (b) for persons of any age above or below that age who are registered as pupils at schools maintained by the authority.
- (3) A request by the Secretary of State under this section may relate to one or more local education authorities, and shall specify both—
 - (a) the local education authority or authorities concerned, and
 - (b) the functions of theirs to which the inspection is to relate.
- (4) Before making any such request the Secretary of State shall consult the Chief Inspector as to the matters to be specified in the request in accordance with subsection (3).
- (5) Any inspection under this section shall be conducted—

Status: Point in time view as at 01/02/1999. This version of this provision has been superseded.

Changes to legislation: Education Act 1997, Section 38 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) by one of Her Majesty’s Inspectors of Schools in England or (as the case may require) Wales, or
- (b) by any additional inspector authorised under paragraph 2 of Schedule 1 to the ^{M1}School Inspections Act 1996;

but he may be assisted by such other persons (whether or not members of the Chief Inspector’s staff) as the Chief Inspector thinks fit.

- (6) For the purposes of this section a local education authority shall provide the Chief Inspector with such information as may be prescribed, and shall do so in such form and—

- (a) within such period following a request made by the Chief Inspector in any prescribed circumstances, or
- (b) at such other times,

as regulations may provide.

- (7) In this section and sections 39 to 41 “the Chief Inspector” means—

- (a) in relation to a local education authority in England, Her Majesty’s Chief Inspector of Schools in England; and
- (b) in relation to a local education authority in Wales, Her Majesty’s Chief Inspector of Schools in Wales;

and in those sections references to “the inspector” in relation to an inspection under this section are references to the person conducting the inspection.

Marginal Citations

M1 1996 c. 57.

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