

*Status: Point in time view as at 01/08/2004.*

*Changes to legislation: Education Act 2002, SCHEDULE 16 is up to date with all changes known to be in force on or before 15 June 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)*

## SCHEDULES

### SCHEDULE 16

Section 188

#### AMENDMENTS OF SCHOOL INSPECTIONS ACT 1996

##### *Duty to report on quality of management etc*

- 1 In section 2(1) of the School Inspections Act 1996 (c. 57) (matters of which the Chief Inspector for England is required to keep the Secretary of State informed) for paragraph (c) there is substituted—
- “(c) the quality of the leadership in and management of those schools, including whether the financial resources made available to those schools are managed efficiently;”.

##### **Commencement Information**

- I1** Sch. 16 para. 1 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667, art. 4](#)
- I2** Sch. 16 para. 1 in force at 1.12.2003 for W. by [S.I. 2003/2961, art. 4, Sch. Pt. I](#)

- 2 In section 5(1) of that Act (matters of which the Chief Inspector for Wales is required to keep the National Assembly informed) for paragraph (c) there is substituted—
- “(c) the quality of the leadership in and management of those schools, including whether the financial resources made available to those schools are managed efficiently;”.

##### **Commencement Information**

- I3** Sch. 16 para. 2 in force at 1.12.2003 for W. by [S.I. 2003/2961, art. 4, Sch. Pt. I](#)

- 3 In section 10(5) of that Act (matters on which a registered inspector conducting an inspection under that section must report) for paragraph (c) there is substituted—
- “(c) the quality of the leadership in and management of the school, including whether the financial resources made available to the school are managed efficiently;”.

##### **Commencement Information**

- I4** Sch. 16 para. 3 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667, art. 4](#)
- I5** Sch. 16 para. 3 in force at 1.12.2003 for W. by [S.I. 2003/2961, art. 4, Sch. Pt. I](#)

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

- 4 In section 12 of that Act (inspections by members of the Inspectorate) for subsection (1) there is substituted—

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“(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.”

**Commencement Information**

**I6** Sch. 16 para. 4 partly in force; Sch. 16 para. 4 not in force at Royal Assent, see s. 216; Sch. 16 para. 4 in force for W. at 19.12.2002 by [S.I. 2002/3185](#), [art. 4](#), [Sch. Pt. I](#)

**I7** Sch. 16 para. 4 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667](#), [art. 4](#)

5 In paragraph 3 of Schedule 3 to that Act (teams for assisting with inspections under section 10) for sub-paragraph (1) there is substituted—

“(1) Every inspection shall be conducted by a registered inspector with the assistance of a team (an “inspection team”); and no person shall act as a member of an inspection team unless—

- (a) he is enrolled in the list kept by the Chief Inspector under paragraph 3A; or
- (b) he is a member of the Inspectorate and (if he is not the Chief Inspector) is authorised so to act by the Chief Inspector.”

**Commencement Information**

**I8** Sch. 16 para. 5 partly in force; Sch. 16 para. 5 not in force at Royal Assent, see s. 216; Sch. 16 para. 5 in force for W. at 19.12.2002 by [S.I. 2002/3185](#), [art. 4](#), [Sch. Pt. I](#)

**I9** Sch. 16 para. 5 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667](#), [art. 4](#)

6 In paragraph 3A of that Schedule (enrolment of persons to act as team members) for sub-paragraph (1) there is substituted—

“(1) The Chief Inspector shall keep a list of persons who may act as members of an inspection team by virtue of paragraph 3(1)(a) (“the list”).”

**Commencement Information**

**I10** Sch. 16 para. 6 partly in force; Sch. 16 para. 6 not in force at Royal Assent, see s. 216; Sch. 16 para. 6 in force for W. at 19.12.2002 by [S.I. 2002/3185](#), [art. 4](#), [Sch. Pt. I](#)

**I11** Sch. 16 para. 6 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667](#), [art. 4](#)

*Destination of reports on inspections of maintained schools*

7 In section 16(3) of that Act (persons to whom reports must invariably be sent), after sub-paragraph (d) there is inserted “and

- (da) in such circumstances as may be prescribed, to such other persons (if any) as may be prescribed.”

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#### Commencement Information

**I12** Sch. 16 para. 7 wholly in force at 19.12.2002; Sch. 16 para. 7 not in force at Royal Assent, see s. 216; Sch. 16 para. 7 in force for E. at 1.10.2002 by S.I. 2002/2439, art. 3 (with transitional provisions and savings in art. 4, Sch.); Sch. 16 para. 7 in force for W. at 19.12.2002 by S.I. 2002/3185, art. 4, Sch. Pt. I

#### Action plans

- 8 In section 17 of that Act (special measures by appropriate authority)—
- (a) in subsection (3) (persons to whom action plan must be sent), at the beginning there is inserted “Subject to subsection (3A),”; and
  - (b) after that subsection there is inserted—
    - “(3A) Where the report in question is a report of a section 10 inspection of the school, subsection (3)(a) does not require a copy of the statement to be sent to the Chief Inspector unless the report states that the person making it is of the opinion—
    - (a) that special measures are required to be taken in relation to the school; or
    - (b) that the school had serious weaknesses (within the meaning of section 15(4) of the School Standards and Framework Act 1998).”

#### Commencement Information

**I13** Sch. 16 para. 8 wholly in force at 19.12.2002; Sch. 16 para. 8 not in force at Royal Assent, see s. 216; Sch. 16 para. 8 in force for E. at 1.10.2002 by S.I. 2002/2439, art. 3 (with transitional provisions and savings in art. 4, Sch.); Sch. 16 para. 8 in force for W. at 19.12.2002 by S.I. 2002/3185, art. 4, Sch. Pt. I

#### Approvals for appointment of staff

- 9 (1) Schedule 1 to that Act (Her Majesty’s Chief Inspectors) is amended as follows.
- (2) In paragraph 1 (power of Chief Inspector to appoint staff with approval of Treasury or National Assembly), for “the Treasury” there is substituted “ the Minister for the Civil Service or (in the case of the Chief Inspector for Wales) the National Assembly for Wales ”.
  - (3) In paragraph 2(3) (arrangements for persons other than staff to assist Chief Inspector require agreement of Treasury or National Assembly), for “the Treasury” there is substituted “ the Minister for the Civil Service or (in the case of the Chief Inspector for Wales) the National Assembly for Wales ”.

#### Commencement Information

**I14** Sch. 16 para. 9 wholly in force at 19.12.2002; Sch. 16 para. 9 not in force at Royal Assent, see s. 216; Sch. 16 para. 9 in force for E. at 1.10.2002 by S.I. 2002/2439, art. 3 (with transitional provisions and savings in art. 4, Sch.); Sch. 16 para. 9 in force for W. at 19.12.2002 by S.I. 2002/3185, art. 4, Sch. Pt. I

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