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# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 8

#### INSPECTIONS

#### CHAPTER 7

#### MISCELLANEOUS AND SUPPLEMENTARY

#### *Miscellaneous*

VALID FROM 01/09/2008

#### **154 Duty to report on contribution of certain schools to community cohesion**

In section 5 of EA 2005 (duty to inspect certain schools in England at particular intervals), in subsection (5) (which lists matters on which the Chief Inspector is under a general duty to report)—

(a) omit the word “and” at the end of paragraph (e), and

(b) at the end insert—

“(g) the contribution made by the school to community cohesion.”

#### **155 Payment of annual fee to the Chief Inspector by local authorities**

(1) Regulations made by the Secretary of State may require a local authority in England to pay to the Chief Inspector an annual fee in respect of the discharge by the authority of any of their relevant functions specified in the regulations.

(2) The regulations must specify—

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- (a) the amount of the fee, and
  - (b) the time at which it is to be paid.
- (3) The Chief Inspector may make a scheme under subsection (4) that is to have effect at a time when no regulations are in force under subsection (1).
- (4) A scheme under this subsection (“a scheme”) may provide for a local authority in England to be required to pay to the Chief Inspector an annual fee in respect of the discharge by the authority of any of their relevant functions specified in the scheme.
- (5) The amount of the fee payable by virtue of a scheme is to be such as may be specified in, or calculated or determined under, the scheme.
- (6) A scheme may include provision—
- (a) for different fees to be paid in different cases or classes of case;
  - (b) for the amount of a fee to be determined by the Chief Inspector in accordance with specified factors;
  - (c) for the time by which a fee must be paid;
  - (d) for varying or revoking a previous scheme.
- (7) Before making a scheme the Chief Inspector must consult such persons as he considers appropriate.
- (8) The Chief Inspector must arrange for a scheme to be published in such manner as he considers appropriate.
- (9) A local authority in England must provide the Chief Inspector with such information as he requires for the purpose of determining the amount of a fee payable by the authority by virtue of a scheme.
- (10) A fee payable by virtue of this section may be recovered summarily as a civil debt.
- (11) But subsection (10) is not to be read as prejudicing any other method of recovery.
- (12) In this section “relevant functions”, in relation to a local authority, has the same meaning as in Part 3 of the Care Standards Act 2000 (c. 14).

#### **Commencement Information**

- I1** [S. 155](#) partly in force; [s. 155](#) in force at 8.11.2006 in so far as it confers power to make subordinate legislation see [s. 188\(1\)](#)
- I2** [S. 155](#) in force at 1.4.2007 in so far as not already in force by [S.I. 2007/935](#), [art. 5\(v\)](#)

## **156 Removal of HMICA's duty to inspect performance of Assembly's functions relating to family proceedings**

Section 38 of the Children Act 2004 (c. 31) (under which Her Majesty's Inspectorate of Court Administration must, at the request of the Assembly, inspect and report on the performance of the Assembly's functions under Part 4 of that Act) ceases to have effect.

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#### Commencement Information

**I3** S. partly in force; s. in force for specified purposes at 8.11.2006 see s.

### Supplementary

#### 157 Minor and consequential amendments

Schedule 14 contains minor and consequential amendments relating to the provision made by this Part.

#### Commencement Information

**I4** S. 157 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(w\)](#)

#### 158 Transitional provisions and savings

Schedule 15 contains—

- (a) provision for the transfer of staff, property, rights and liabilities in connection with the establishment of the Office, and
- (b) other transitional provisions and savings.

#### Commencement Information

**I5** S. 158 in force at 12.12.2006 for specified purposes by [S.I. 2006/2990](#), [art. 2\(f\)](#)  
**I6** S. 158 in force at 1.4.2007 for specified purposes by [S.I. 2007/935](#), [art. 5\(x\)](#)

#### 159 Interpretation of Part 8

(1) In this Part—

“activities within the Chief Inspector's remit” and related expressions are to be construed in accordance with section 117(6);

“the Chief Inspector” means Her Majesty's Chief Inspector of Education, Children's Services and Skills;

“the Council” means the Learning and Skills Council for England;

“document” means anything in which information of any description is recorded, including personal records as defined by section 12 of the Police and Criminal Evidence Act 1984 (c. 60);

“domestic premises” means premises which are used wholly or mainly as a private dwelling;

“functions” includes powers and duties;

an “HMI” means one of Her Majesty's Inspectors of Education, Children's Services and Skills;

“local authority in England” means—

- (a) a county council in England;
- (b) a metropolitan district council;

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- (c) a non-metropolitan district council for an area for which there is no county council;
- (d) a London borough council;
- (e) the Common Council of the City of London (in their capacity as a local authority);
- (f) the Council of the Isles of Scilly;

“the Office” means the Office for Standards in Education, Children's Services and Skills;

“the registration authority” means the person exercising functions relating to registration.

- (2) In this Part any reference to the carrying on of activities as “user-focused” activities is a reference to the carrying on of the activities in a way that focuses on the needs of those for whose benefit the activities are carried on.

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**Commencement Information**

**I7** S. 159 in force at 12.12.2006 by S.I. 2006/2990, art. 2(g)

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