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**Changes to legislation:** Education and Inspections Act 2006, Cross Heading: Inspections by other inspectors of institutions within Chief Inspector's remit is up to date with all changes known to be in force on or before 14 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 13 **E+W**

#### INTERACTION WITH OTHER AUTHORITIES

##### *Inspections by other inspectors of institutions within Chief Inspector's remit*

- 5 (1) If—
- (a) an inspection authority is proposing to carry out an inspection that would involve inspecting a specified institution, and
  - (b) the Chief Inspector considers that the proposed inspection would impose an unreasonable burden on that institution, or would do so if carried out in a particular manner,
- the Chief Inspector must, subject to sub-paragraph (5), give a notice to that authority requiring it not to carry out the proposed inspection, or not to carry it out in that manner.
- (2) In sub-paragraph (1)(a) “specified institution” means a person or body specified by order made by the Secretary of State.
- (3) A person or body may be specified under sub-paragraph (2) only if the person or body—
- (a) discharges functions or carries on other activities in relation to which the Chief Inspector exercises inspection functions by virtue of any enactment, or
  - (b) is a person or body in respect of whom the Chief Inspector is the registration authority by virtue of any enactment.
- (4) A person or body may be specified under sub-paragraph (2) in relation to particular functions that it has.
- In the case of a person or body so specified, sub-paragraph (1)(a) is to be read as referring to an inspection that would involve inspecting the discharge of any of its functions in relation to which it is specified.
- (5) The Secretary of State may by order specify cases or circumstances in which a notice need not, or may not, be given under this paragraph.
- (6) Where a notice is given under this paragraph, the proposed inspection is not to be carried out, or (as the case may be) is not to be carried out in the manner mentioned in the notice.
- This is subject to sub-paragraph (7).
- (7) The Secretary of State, if satisfied that the proposed inspection—
- (a) would not impose an unreasonable burden on the institution in question, or
  - (b) would not do so if carried out in a particular manner,
- may give consent to the inspection being carried out, or being carried out in that manner.

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- (8) The Secretary of State may by order make provision supplementing that made by this paragraph, including in particular—
- (a) provision about the form of notices;
  - (b) provision prescribing the period within which notices are to be given;
  - (c) provision prescribing circumstances in which notices are, or are not, to be made public;
  - (d) provision for revising or withdrawing notices;
  - (e) provision for setting aside notices not validly given.

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**Commencement Information**

**II** Sch. 13 para. 5 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)