



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Failure to meet standards

116 Enforcement action available to Secretary of State

- (1) Where the Secretary of State is entitled under section 115(3) to take enforcement action against the proprietor of an institution, the Secretary of State may—
 - (a) impose a relevant restriction on the proprietor, or
 - (b) remove the institution from the register.
- (2) The Secretary of State must notify the proprietor of the institution in question of any decision to take enforcement action under subsection (1).
- (3) A decision to take enforcement action under subsection (1) does not have effect during the period in which—
 - (a) an appeal may be brought under section 124 or 125 against the decision, or
 - (b) where such an appeal has been brought, the appeal has not been determined, withdrawn or otherwise disposed of.

Commencement Information

11 S. 116 in force at 5.1.2015 by S.I. 2014/3364, art. 2(1)

Changes to legislation:

Education and Skills Act 2008, Section 116 is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)