
STATUTORY INSTRUMENTS

1998 No. 880

EDUCATION, ENGLAND AND WALES

The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998

<i>Made</i>	- - - -	<i>23rd March 1998</i>
<i>Laid before Parliament</i>		<i>24th March 1998</i>
<i>Coming into force</i>	- -	<i>14th April 1998</i>

In exercise of the powers conferred on the Secretary of State by section 39(3) of the Education Act 1997⁽¹⁾, the Secretary of State for Education and Employment, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

1. These Regulations may be cited as the Education (Publication of Local Education Authority Inspection Reports) Regulations 1998 and shall come into force on 14th April 1998.

2. In these Regulations—

“the Act” means the Education Act 1997;

“action plan” means the written statement referred to in section 39(2) of the Act;

“appropriate diocesan authority” means—

(a) in relation to a local education authority in England—

- (i) the Diocesan Board of Education for every diocese of the Church of England, and
- (ii) the bishop of every diocese of the Roman Catholic Church, the area of which includes the whole or part of the authority’s area; and

(b) in relation to a local education authority in Wales—

- (i) the Diocesan Board of Finance or other person designated by the Secretary of State under section 311(1) of the Education Act 1996⁽²⁾ (as the case may be) for every diocese of the Church of Wales, and
- (ii) the bishop of every diocese of the Roman Catholic Church, the area of which includes the whole or part of the authority’s area;

“authority” means a local education authority;

“area” means the area served by an authority;

(1) 1997 c. 44; for the definition of “prescribed” and “regulations” see section 56(1).

(2) 1996 c. 56.

“the Audit Commission” means the Audit Commission for Local Authorities and the National Health Service in England and Wales;

“careers service organisation” means a person (other than a local authority) which provides services in pursuance of arrangements made under section 10(1) of the Employment and Training Act 1973⁽³⁾;

“inspection report” means a report of an inspection under section 38 of the Act;

“institutions within the further education sector” has the meaning ascribed by section 91 of the Further and Higher Education Act 1992⁽⁴⁾;

“local radio station” means a person providing a sound broadcasting service for a particular area or locality in the United Kingdom;

“Training and Enterprise Council”, in relation to an authority, means every body with whom the Secretary of State has made arrangements under section 2 of the Employment and Training Act 1973⁽⁵⁾ for the purpose of assisting persons who reside in the authority’s area to select, train for, obtain or retain employment;

“working day” means any day which is not a Saturday, a Sunday, a Bank Holiday or part of a holiday longer than a week taken by the majority of schools maintained by the authority.

3. An authority shall publish in the manner set out in regulation 4—

- (a) the inspection report relating to it within 30 working days, or where (in the case of an authority in Wales) a translation into Welsh or English is also being published, 40 working days; and
- (b) its action plan within 70 working days, or where (in the case of an authority in Wales) a translation into Welsh or English is also being published, 80 working days,

of the receipt by it of a copy of the inspection report under section 39(1) of the Act.

4.—(1) A copy of the inspection report and the action plan shall be sent to—

- (a) the governing body of every school maintained by it;
- (b) the governing body of every grant maintained school in the area;
- (c) the appropriate diocesan authority;
- (d) every Training and Enterprise Council which provides assistance to persons who reside within the area;
- (e) the principal of every institution within the further education sector situated in the area;
- (f) the Audit Commission;
- (g) at least one newspaper circulating in the area;
- (h) at least one local radio station serving the area;
- (i) every careers service organisation which provides services to persons who reside in the area;
- (j) every Health Authority (within the meaning of section 8 of the National Health Service Act 1977)⁽⁶⁾ any part of whose area lies within the area served by the local education authority;

(3) 1973 c. 50. Section 10 was substituted by section 45 of the Trade Union and Employment Rights Act 1993 (c. 19).

(4) 1992 c. 13.

(5) 1973 c. 50. Section 2 was substituted by section 25 of the Employment Act 1988 (c. 19). The substituted section 2 was amended by Schedule 7 to the Employment Act 1989 (c. 38).

(6) 1977 c. 49. Section 8 was substituted by section 1 of the Health Authorities Act 1995 (c. 17).

- (k) the director of social services, that is to say the officer appointed by the local authority for the area under section 6(1) of the Local Authority Social Services Act 1970(7) for the purpose of their social services functions; and
- (l) each public library in the area.
- (2) A copy of the action plan shall be sent to—
 - (a) Her Majesty’s Chief Inspector of Schools or Her Majesty’s Chief Inspector of Schools in Wales (as the case may be); and
 - (b) the Secretary of State.
- (3) Copies of the inspection report and the action plan shall be made available to members of the public on demand at a charge not exceeding the cost of supply.

20th March 1998

Stephen Byers
Minister of State,
Department for Education and Employment

23rd March 1998

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

(7) 1970 c. 42. Section 6 was amended by: section 272(1) of, and Schedule 30 to, the Local Government Act 1972 (c. 70); and sections 183(3) and 194 of, and Part XVI of Schedule 37 to, the Local Government, Planning and Land Act 1980 (c. 65).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the manner in which reports on inspections of local education authorities made under section 38 of the Education Act 1997, and the local education authority's action plans produced in response to such reports, are to be published.

Regulation 3 prescribes time limits for publication of these documents by local education authorities, and regulation 4 prescribes that the manner of publication shall be by sending copies of the documents to the persons listed in the regulation. Copies of the inspection report and action plan are also to be made available to members of the public on demand at a charge not exceeding the cost of supply.