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# School Inspections Act 1996 (repealed)

## 1996 CHAPTER 57

### PART I

#### SCHOOL INSPECTIONS

##### CHAPTER I

###### SCHOOL INSPECTORS AND INSPECTIONS CARRIED OUT BY THEM

###### *Her Majesty's Inspectorate for England*

#### **1 Her Majesty's Inspectorate of Schools in England.**

- (1) Her Majesty may by Order in Council appoint a person to the office of Her Majesty's Chief Inspector of Schools in England ("the Chief Inspector for England").
- (2) Her Majesty may by Order in Council appoint persons as Her Majesty's Inspectors of Schools in England.
- (3) Any person appointed as one of Her Majesty's Inspectors of Schools in England shall serve, in accordance with the terms and conditions on which he is appointed, as a member of the staff of the Chief Inspector for England.
- (4) The Chief Inspector for England shall hold and vacate office in accordance with the terms of his appointment, but—
  - (a) shall not be appointed for a term of more than five years;
  - (b) may at any time resign by giving written notice to the Secretary of State;
  - (c) may be removed from office by Her Majesty on the ground of incapacity or misconduct.
- (5) The previous appointment of a person as Chief Inspector for England shall not affect his eligibility for re-appointment.

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- (6) Schedule 1 to this Act makes further provision with respect to the Chief Inspector for England and his staff.

## 2 Functions of the Chief Inspector for England.

- (1) The Chief Inspector for England shall have the general duty of keeping the Secretary of State informed about—
- (a) the quality of the education provided by schools in England;
  - (b) the educational standards achieved in those schools;
  - [<sup>F1</sup>(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;]
  - (d) the spiritual, moral, social and cultural development of pupils at those schools.
- (2) When asked to do so by the Secretary of State, the Chief Inspector for England shall—
- (a) give advice to the Secretary of State on such matters as may be specified in the Secretary of State's request;
  - (b) inspect and report on such school, or class of school, in England as may be so specified.
- (3) The Chief Inspector for England shall, in addition, have the following specific duties—
- (a) establishing and maintaining the register mentioned in section 7(1);
  - (b) giving guidance to inspectors registered in that register, and such other persons as he considers appropriate, in connection with inspections of schools in England under section 10 and the making of reports of such inspections;
  - (c) keeping under review the system of inspecting schools under that section (so far as it relates to schools in England) and, in particular, the standard of such inspections and of the reports made by registered inspectors;
  - (d) keeping under review the extent to which any requirement imposed by or under this Act, or any other enactment, on any registered inspector, local education authority, proprietor of a school or governing body in relation to inspections of schools in England is complied with;
  - (e) promoting efficiency in the conduct and reporting of inspections of schools in England by encouraging competition in the provision of services by registered inspectors.
- (4) The Chief Inspector for England may at any time give advice to the Secretary of State on any matter connected with schools, or a particular school, in England.
- (5) The Chief Inspector for England shall have such other functions in connection with schools in England, including functions with respect to the training of teachers for such schools, as may be assigned to him by the Secretary of State.
- (6) In exercising his functions the Chief Inspector for England shall have regard to such aspects of government policy as the Secretary of State may direct.
- (7) The Chief Inspector for England—
- (a) shall make an annual report to the Secretary of State, who shall lay a copy of it before each House of Parliament;
  - (b) may make such other reports to the Secretary of State, with respect to matters which fall within the scope of his functions, as he considers appropriate; and

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- (c) may arrange for any report made by him under this subsection to be published in such manner as he considers appropriate.

[<sup>F2</sup>(8) For the purposes of the exercise of any function conferred by or under this section the Chief Inspector for England shall have at all reasonable times, in relation to any school in England—

- (a) a right of entry to the premises of the school; and  
 (b) a right to inspect, and take copies of, any records kept by the school, and any other documents containing information relating to the school, which he requires for those purposes.

[ For the purposes of the exercise of any function conferred by or under this section the <sup>F3</sup>(8A) Chief Inspector for England shall have at all reasonable times—

- (a) a right of entry to any premises (other than school premises) on which, by virtue of arrangements made by a school in England, any pupils who—  
 (i) are registered at the school, and  
 (ii) have attained the age of 15, or will attain that age in the current school year, but have not ceased to be of compulsory school age,  
 are provided with part of their education by any person (“the provider”);  
 (b) a right of entry to any premises of the provider used in connection with the provision by him of that education; and  
 (c) a right to inspect and take copies of—  
 (i) any records kept by the provider relating to the provision of that education, and  
 (ii) any other documents containing information so relating,  
 which the Chief Inspector requires for those purposes.]

(9) It shall be an offence wilfully to obstruct the Chief Inspector for England—

- (a) in the exercise of his functions in relation to the inspection of a school for the purposes of subsection (2)(b); or  
 (b) in the exercise of any right under subsection (8) [<sup>F4</sup>or (8A)] for the purposes of the exercise of any other function.]

(10) A person guilty of an offence under subsection (9) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

#### Textual Amendments

- F1** S. 2(1)(c) substituted (1.9.2003 for E., 1.12.2003 for W.) by [Education Act 2002 \(c. 32\), s. 216\(4\), Sch. 16 para. 1](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667, art. 4](#); [S.I. 2003/2961, art. 4, Sch. Pt. I](#)  
**F2** S. 2(8)(9) substituted (1.9.1997) by [1997 c. 44, s. 42, Sch. 6 para.2](#); [S.I. 1997/1468, art. 2, Sch. 1 Pt.II](#)  
**F3** S. 2(8A) inserted (1.10.2002 for E.) by [Education Act 2002 \(c. 32\), ss. 179\(2\)\(a\), 216\(4\)](#)(with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2002/2439, art. 3](#)  
**F4** Words in s. 2(9)(b) inserted (1.10.2002 for E.) by [Education Act 2002 \(c. 32\), ss. 179\(2\)\(b\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2002/2439, art. 3](#)

#### Modifications etc. (not altering text)

- C1** S. 2(7)(a) modified (1.10.1998) by [1998 c. 31, s. 122, Sch. 26 para.14](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1998/2212, art. 2, Sch.1 Pt. I](#)

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- S. 2(7)(a) modified (2.7.2001 for E. 1.4.2002 for W. ) by 1989 c. 41, s. 79N(6) (as inserted by [The Care Standards Act 2000 \(c. 14\), s. 79\(1\)](#)); S.I. 2001/2041, art. 2(1)(a) (with Sch.); S.I. 2002/920, [art. 3\(3\)\(b\)](#), (with transitional provisions in Sch. 1-3)
- C2** S. 2(7)(a) modified (1.3.2005) by [Children Act 2004 \(c. 31\), ss. 20\(7\), 67\(2\)](#); S.I. 2005/394, art. 2(1)(d)
- C3** S. 2(7)(b) extended (1.10.1998) by 1998 c. 31, s. 122, [Sch. 26 para.14](#) (with ss. 138(9), 144(6)); S.I. 1998/2212, art. 2, [Sch.1 Pt. I](#)
- S. 2(7)(b) modified (2.7.2001 for E. 1.4.2002 for W.) 1989 c. 41, s. 79N(6) (as inserted by [The Care Standards Act 2000 \(c. 14\), s. 79\(1\)](#)); S.I. 2001/2041, [art. 2\(1\)\(a\)](#) (with Sch.); S.I. 2002/920 {art. 3(3)(b)}, (with transitional provisions in Sch. 1-3)
- C4** S. 2(7)(b) extended (1.3.2005) by [Children Act 2004 \(c. 31\), ss. 20\(7\), 67\(2\)](#); S.I. 2005/394, art. 2(1)(d)

### 3 Power of Chief Inspector for England to arrange for inspections.

- (1) The Chief Inspector for England may cause any school in England to be inspected by one or more of Her Majesty's Inspectors of Schools in England (in this section referred to as "Inspectors").
- (2) Where an inspection of a school in England is being conducted by a registered inspector under section 10 of this Act, the Chief Inspector for England may arrange for that inspection to be monitored by one or more Inspectors.
- (3) Any Inspector inspecting a school, or monitoring an inspection, under this section shall have at all reasonable times—
  - (a) a right of entry to the premises of the school; <sup>F5</sup> . . .
  - <sup>F6</sup>(aa) a right of entry to any other premises on which, by virtue of arrangements made by the school, any pupils who—
    - (i) are registered at the school, and
    - (ii) have attained the age of 15, or will attain that age in the current school year, but have not ceased to be of compulsory school age, are receiving part of their education from any person ("the provider");
  - (ab) a right of entry to any premises of the provider used in connection with the provision by him of that education;]
  - (b) a right to inspect, and take copies of, any records kept by the school, and any other documents containing information relating to the school, which he considers relevant to the discharge of his functions <sup>F7</sup>and]
  - <sup>F8</sup>(c) a right to inspect and take copies of—
    - (i) any records kept by the provider relating to the provision of education for pupils registered at the school, and
    - (ii) any other documents containing information relating to the provision of such education by the provider, which the Inspector considers relevant to the discharge of his functions.]
- (4) It shall be an offence wilfully to obstruct any Inspector in the exercise of any of his functions under this section.
- (5) A person guilty of an offence under subsection (4) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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### Textual Amendments

- F5** Words in s. 3(3) repealed (1.10.2002 for E.) by Education Act 2002 (c. 32), ss. 215(2), 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**
- F6** S. 3(1)(aa)(ab) inserted (1.10.2002 for E.) by Education Act 2002 (c. 32), **ss. 179(3)(a)**, 216(4) (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**
- F7** S. 3(3)(c) and preceding word inserted (1.10.2002) by Education Act 2002 (c. 32), **ss. 179(2)(b)**, 216(4) (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**
- F8** S. 3(3)(c) and preceding word inserted (1.10.2002) by Education Act 2002 (c. 32), **ss. 179(2)(b)**, 216(4) (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**

### Modifications etc. (not altering text)

- C5** S. 3(3)(a)(b) extended (1.4.2001) by 2000 c. 21, s. **118(5)(a)**; S.I. 2001/654, art. 2, **Sch. Pt. II**  
S. 3(3)(a)(b) extended (1.4.2001) by 1973 c. 50, s. **10B(6)(a)** (as inserted (1.4.2001) by 2000 c. 21, s. **122**); S.I. 2001/654, art. 2, **Sch. 2 Pt. II**

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