

SCHEDULES

SCHEDULE 3

Section 10.

INSPECTIONS UNDER SECTION 10

- 1 In this Schedule—
- “appropriate authority” means—
- (a) in the case of a county, voluntary, maintained special or maintained nursery school whose governing body does not have a delegated budget, the local education authority;
 - (b) in the case of a school falling within paragraph (e), (f) or (g) of section 10(3), the proprietor of the school;
 - (c) in any other case, the school’s governing body;
- “inspection” means an inspection under section 10.

Selection of registered inspectors

- 2 Before entering into any arrangement for an inspection, the Chief Inspector shall, after consulting the appropriate authority for the school concerned as to the tender specification, invite tenders from at least two registered inspectors who can reasonably be expected—
- (a) to wish to tender for the proposed inspection; and
 - (b) to tender at arm’s length from each other.

Inspection teams

- 3 (1) Every inspection shall be conducted by a registered inspector with the assistance of a team (an “inspection team”) consisting of persons who are fit and proper persons for carrying out the inspection.
- (2) It shall be the duty of the registered inspector to ensure that—
- (a) at least one member of the inspection team is a person—
 - (i) without personal experience in the management of any school or the provision of education in any school (otherwise than as a governor or in any other voluntary capacity); and
 - (ii) whose primary function on the team is not that of providing financial or business expertise; and
 - (b) no member of the inspection team falls within a category of person prescribed for the purposes of this sub-paragraph.
- (3) Otherwise, the composition of the inspection team shall be determined by the registered inspector, subject to his complying with any condition imposed under section 7(5)(c).

Status: This is the original version (as it was originally enacted).

- (4) Any experience of a kind mentioned in sub-paragraph (2)(a) which it is reasonable to regard as insignificant, having regard to the purposes of sub-paragraph (2), may be ignored by the registered inspector.
- (5) It shall be the duty of the registered inspector to ensure that no person takes any part in an inspection if he has, or has at any time had, any connection with—
- (a) the school in question,
 - (b) any person who is employed at the school,
 - (c) any person who is a member of the school’s governing body, or
 - (d) the proprietor of the school,
- of a kind which might reasonably be taken to raise doubts about his ability to act impartially in relation to that school.

Training for inspections

- 4 (1) No person shall conduct an inspection of a school in England, or act as a member of an inspection team for such a school, unless he has, in the opinion of the Chief Inspector for England, satisfactorily completed a course of training provided by, or complying with arrangements approved by, that Chief Inspector.
- (2) Where the Chief Inspector for England provides such training he may charge such fees as are reasonable for the purpose of recovering the whole, or part, of the cost of providing it.
- (3) Sub-paragraph (1) shall not apply in such circumstances as may be specified, either generally or in relation to a particular case or class of case, by the Chief Inspector for England.
- 5 (1) No person shall conduct an inspection of a school in Wales, or act as a member of an inspection team for such a school, unless he has, in the opinion of the Chief Inspector for Wales, satisfactorily completed a course of training provided by, or complying with arrangements approved by, that Chief Inspector.
- (2) Where the Chief Inspector for Wales provides such training he may charge such fees as are reasonable for the purpose of recovering the whole, or part, of the cost of providing it.
- (3) Sub-paragraph (1) shall not apply in such circumstances as may be specified, either generally or in relation to a particular case or class of case, by the Chief Inspector for Wales.

Meeting with parents

- 6 Where an inspection is arranged, the appropriate authority for the school concerned shall—
- (a) take such steps as are reasonably practicable to notify—
 - (i) the parents of registered pupils at the school, and
 - (ii) such other persons as may be prescribed,
 of the time when the inspection is to take place; and
 - (b) arrange a meeting, in accordance with such provisions as may be prescribed, between the inspector conducting the inspection and those parents of registered pupils at the school who wish to attend.

Status: This is the original version (as it was originally enacted).

Rights of entry etc.

- 7 A registered inspector conducting an inspection, and the members of his inspection team, shall have at all reasonable times—
- (a) a right of entry to the premises of the school concerned; 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 the purposes of the inspection.

Offence of obstructing inspector or inspection team

- 8 (1) It shall be an offence wilfully to obstruct—
- (a) a registered inspector, or
 - (b) a member of an inspection team,
- in the exercise of his functions in relation to an inspection of a school.
- (2) Any person guilty of an offence under sub-paragraph (1) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.