

*These notes refer to the Care Standards Act 2000
(c.14) which received Royal Assent on 20 July 2000*

CARE STANDARDS ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part Viii Miscellaneous

Boarding Schools and Colleges

Section 105 Welfare of children in boarding schools and colleges

265. This section extends section 87 of the Children Act (welfare of children in independent schools), to all schools and further education colleges with boarding provision, and puts the duty to monitor welfare in schools onto the appropriate authority in place of the local authority. It imposes a duty upon proprietors and governing bodies to ensure that effective arrangements for the welfare of all children accommodated at boarding schools and colleges are in place and properly adhered to.
266. The appropriate authority is required to determine whether this duty is being adequately discharged and may carry out inspections for that purpose. Where the appropriate authority determines that a school or college is failing in its duty in respect of the welfare of children it must inform the local education authority, or in England the Secretary of State, as the case may be, for any appropriate enforcement action to be taken in accordance with education legislation. In Wales, the National Assembly will be responsible both for inspection and for any enforcement actions which would, in England, be undertaken by the Secretary of State. By existing section 87(9) of the Children Act, which is not reproduced in the Act, it is an offence to obstruct a person exercising powers of inspection under this section or regulations made under it.