

*Status: Point in time view as at 31/01/2008.*

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## SCHEDULES

### SCHEDULE 14

Section 157

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 8

##### *Public Records Act 1958 (c. 51)*

- 1 In Part 2 of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (definition of public records) omit the entry relating to the Adult Learning Inspectorate.

##### **Commencement Information**

- I1** Sch. 14 para. 1 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

##### *Parliamentary Commissioner Act 1967 (c. 13)*

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation)—
- (a) omit the entries relating to the Adult Learning Inspectorate and the Office of Her Majesty's Chief Inspector of Schools in England, and
  - (b) at the appropriate place insert— “ Office for Standards in Education, Children's Services and Skills. ”

##### **Commencement Information**

- I2** Sch. 14 para. 2 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

##### *Superannuation Act 1972 (c. 11)*

- 3 In Schedule 1 to the Superannuation Act 1972 (kinds of employment etc. referred to in section 1)—
- (a) omit the entry relating to the Adult Learning Inspectorate, and
  - (b) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

##### **Commencement Information**

- I3** Sch. 14 para. 3 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

##### *Employment and Training Act 1973 (c. 50)*

- 4 In section 10B(1) of the Employment and Training Act 1973 (inspection)—

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- (a) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”,
- (b) omit paragraphs (a) and (b), and
- (c) in paragraph (c) for “those services” substitute “ services in England in pursuance of section 8 or 9 ”.

**Commencement Information**

**I4** Sch. 14 para. 4 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*House of Commons Disqualification Act 1975 (c. 24)*

- 5 (1) Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for membership) is amended as follows.
- (2) In Part 2 (bodies of which all members are disqualified) insert at the appropriate place— “ The Office for Standards in Education, Children's Services and Skills. ”
- (3) In Part 3 (other disqualifying offices) omit the entries relating to any member of the Adult Learning Inspectorate and to Her Majesty's Chief Inspector of Schools in England.

**Commencement Information**

**I5** Sch. 14 para. 5 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 6 (1) Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (offices disqualifying for membership) is amended as follows.
- (2) In Part 2 (bodies of which all members are disqualified) insert at the appropriate place— “ The Office for Standards in Education, Children's Services and Skills. ”
- (3) In Part 3 (other disqualifying offices) omit the entry relating to Her Majesty's Chief Inspector of Schools in England.

**Commencement Information**

**I6** Sch. 14 para. 6 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Race Relations Act 1976 (c. 74)*

- 7 In Part 2 of Schedule 1A to the Race Relations Act 1976 (bodies and other persons subject to general statutory duty) omit the entry relating to the Adult Learning Inspectorate.

**Commencement Information**

**I7** Sch. 14 para. 7 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

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*Education Reform Act 1988 (c. 40)*

- 8 In section 226(2)(b) (services for schools in other member States providing education for British children) for “by, or under the direction of, one or more of Her Majesty's Inspectors of Schools for England” substitute “ by Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I18** Sch. 14 para. 8 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Children Act 1989 (c. 41)*

- 9 The Children Act 1989 has effect subject to the following amendments.

**Commencement Information**

**I19** Sch. 14 para. 9 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 10 Omit section 26ZA (representations: further consideration).

**Commencement Information**

**I10** Sch. 14 para. 10 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 11 In section 26A(2A) (advocacy services) omit “26ZA or”.

**Commencement Information**

**I11** Sch. 14 para. 11 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 12 In section 65(6)(a) (persons disqualified from carrying on, or being employed in, children's homes) for “the Commission for Social Care Inspection” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I12** Sch. 14 para. 12 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 13 In section 79B(1) (other definitions etc.) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I13** Sch. 14 para. 13 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 14 In section 79N (general functions of Chief Inspector) omit subsections (1) to (3) and (6).

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**Commencement Information**

**I14** Sch. 14 para. 14 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

15 In section 79R (reports of inspections) omit subsection (4).

**Commencement Information**

**I15** Sch. 14 para. 15 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

16 (1) Section 87 (welfare of children in boarding schools and colleges) is amended as follows.

(2) In subsection (4)—

- (a) for “the Commission are” substitute “ the Chief Inspector for England is ”, and
- (b) for “college, they shall” substitute “ college in England, he shall ”.

(3) In subsection (4A), after “school or college” insert “ in Wales ”.

(4) In subsections (9A) to (9C)—

- (a) for “the Commission”, wherever occurring, substitute “ the Chief Inspector for England ”, and
- (b) for “it must” substitute “ that authority must ”.

(5) In subsection (10)—

- (a) in the definition of “appropriate authority”, for “the Commission for Social Care Inspection” substitute “ the Chief Inspector for England ”,
- (b) at the appropriate place insert—
  - ““the Chief Inspector for England” means Her Majesty's Chief Inspector of Education, Children's Services and Skills;”, and
- (c) omit the definition of “the Commission”.

**Commencement Information**

**I16** Sch. 14 para. 16 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

17 In Schedule 2 (local authority support for children and families) in paragraph 20(1) (a) for “and the Commission for Social Care Inspection” substitute “ and (in the case of a local authority in England) Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I17** Sch. 14 para. 17 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Further and Higher Education Act 1992 (c. 13)*

18 In section 57(3) of the Further and Higher Education Act 1992 (intervention)—

- (a) for paragraph (a) substitute—

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- “(a) Her Majesty's Chief Inspector of Education, Children's Services and Skills;” and  
(b) omit paragraphs (c) and (d).

**Commencement Information**

**I18** Sch. 14 para. 18 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Education Act 1994 (c. 30)*

- 19 (1) Section 18B (inspection of teacher training) is amended as follows.
- (2) In subsection (1) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.
- (3) For subsection (2) substitute—
- “(2) If requested to do so by the Secretary of State, the Chief Inspector must inspect and report on such one or more relevant training providers in England as may be specified in the Secretary of State's request.”
- (4) In subsection (3) omit paragraph (a).
- (5) In subsection (4) omit the words from “and subsections (2) to (4)” onwards.
- (6) In subsection (10) for “paragraph 5(1) or (2) of Schedule 1 to the 2005 Act” substitute “ paragraph 9(1) of Schedule 12 to the Education and Inspections Act 2006 ”.
- (7) In subsection (11) for the words from “sections” onwards substitute “ paragraph 9(1) of that Schedule. ”

**Commencement Information**

**I19** Sch. 14 para. 19 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Education Act 1997 (c. 44)*

- 20 The Education Act 1997 has effect subject to the following amendments.

**Commencement Information**

**I20** Sch. 14 para. 20 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 21 In section 26(2) (supplementary provisions relating to discharge by Authority of their functions) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I21** Sch. 14 para. 21 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

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- 22 (1) Section 38 (inspection of LEAs) is amended as follows.
- (2) Omit subsection (2) (inspection of LEAs in England).
- (3) In subsection (5) (persons conducting inspections)—
- (a) in paragraph (a) omit “England or (as the case may require)”, and
  - (b) in paragraph (b) omit “paragraph 2 of Schedule 1 to the Education Act 2005 or (as the case requires)” and for “that Act” substitute “ the Education Act 2005 ”.
- (4) In subsection (7) (definitions)—
- (a) for “41” substitute “ 41A ”, and
  - (b) omit paragraph (a).

**Commencement Information**

**I22** Sch. 14 para. 22 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 23 In section 39(4) (reports of inspections under s. 38 etc.)—
- (a) omit the words from “section 11(2)” to “Wales,”,
  - (b) for “that Act” substitute “ the Education Act 2005 ”, and
  - (c) omit “section 11(2) or, as the case may be,”.

**Commencement Information**

**I23** Sch. 14 para. 23 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 24 Omit section 41 (inspections involving collaboration of Audit Commission).

**Commencement Information**

**I24** Sch. 14 para. 24 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 25 In Schedule 4 (the Qualifications and Curriculum Authority), in paragraph 15(1) (d) and (2) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I25** Sch. 14 para. 25 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Audit Commission Act 1998 (c. 18)*

- 26 The Audit Commission Act 1998 has effect subject to the following amendments.

**Commencement Information**

**I26** Sch. 14 para. 26 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

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27 In section 33(6) (consultation before studies for improving economy etc. in services) after paragraph (ca) insert—

“(cb) in the case of a study which has a connection with anything which may be inspected under Chapter 4 of Part 8 of the Education and Inspections Act 2006, also consult Her Majesty's Chief Inspector of Education, Children's Services and Skills;”.

**Commencement Information**

**I27** Sch. 14 para. 27 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

28 In section 34(6) (consultation before studies as to impact of statutory provisions etc.) after paragraph (b) insert—

“(bza) in the case of a study which has a connection with anything which may be inspected under Chapter 4 of Part 8 of the Education and Inspections Act 2006, Her Majesty's Chief Inspector of Education, Children's Services and Skills;”.

**Commencement Information**

**I28** Sch. 14 para. 28 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

F129 .....

**Textual Amendments**

**F1** Sch. 14 para. 29 repealed (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), Sch. 18 Pt. 10; S.I. 2008/172, art. 2(1)(u)(i)

**Commencement Information**

**I29** Sch. 14 para. 29 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

30 In section 49(1) (restriction on disclosure of information) after paragraph (c) insert—

“(ca) to Her Majesty's Chief Inspector of Education, Children's Services and Skills for the purposes of his functions under Chapter 4 of Part 8 of the Education and Inspections Act 2006;”.

**Commencement Information**

**I30** Sch. 14 para. 30 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

31 In Schedule 1 (the Audit Commission) omit paragraph 8(2)(e).

**Commencement Information**

**I31** Sch. 14 para. 31 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

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*Data Protection Act 1998 (c. 29)*

- 32 In section 31(6) of the Data Protection Act 1998 (personal data exempt from subject information provisions) omit “‘, 26ZA’”.

**Commencement Information**

**I32** Sch. 14 para. 32 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*School Standards and Framework Act 1998 (c. 31)*

- 33 SSFA 1998 has effect subject to the following amendments.

**Commencement Information**

**I33** Sch. 14 para. 33 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 34 In section 139(2)(b) (payments into Consolidated Fund) omit “Her Majesty's Chief Inspector of Schools in England, or”.

**Commencement Information**

**I34** Sch. 14 para. 34 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 35 (1) Schedule 26 (inspection of nursery education) is amended as follows.
- (2) In paragraph 2(1)(a) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.
- (3) In paragraph 13A omit sub-paragraph (4).
- (4) In paragraph 14 omit sub-paragraph (1).

**Commencement Information**

**I35** Sch. 14 para. 35 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Protection of Children Act 1999 (c. 14)*

- 36 In section 2A(2) of the Protection of Children Act 1999 (persons who may refer individuals for inclusion in list of those unsuitable to work with children) for paragraph (c) substitute—
- “(c) Her Majesty's Chief Inspector of Education, Children's Services and Skills.”

**Commencement Information**

**I36** Sch. 14 para. 36 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)



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*Local Government Act 1999 (c. 27)*

- 37 In section 25(2) of the Local Government Act 1999 (coordination of inspections, &c) for paragraph (c) substitute—  
“(c) Her Majesty's Chief Inspector of Education, Children's Services and Skills;”.

**Commencement Information**

**I37** Sch. 14 para. 37 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Care Standards Act 2000 (c. 14)*

- 38 The Care Standards Act 2000 has effect subject to the following amendments.

**Commencement Information**

**I38** Sch. 14 para. 38 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 39 In section 5(1) (registration authorities) for paragraph (a)(ii) substitute—  
“(ii) the CSCI, in the case of care homes, domiciliary care agencies and nurses agencies;  
(iii) Her Majesty's Chief Inspector of Education, Children's Services and Skills (referred to in this Act as “the CIECSS”), in the case of children's homes, residential family centres, fostering agencies, voluntary adoption agencies and adoption support agencies;”.

**Commencement Information**

**I39** Sch. 14 para. 39 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 40 (1) Section 8 (general functions of the Assembly) is amended as follows.  
(2) For subsection (3) substitute—  
“(3) The Assembly shall have such additional functions in relation to Part II services provided in Wales as may be specified in regulations made by the Assembly.  
(3A) But the only functions which may be so specified in relation to a particular Part II service are functions which—  
(a) by virtue of section 5A(7) are exercisable by the CHAI;  
(b) by virtue of section 5B(7) are exercisable by the CSCI; or  
(c) by virtue of section 118(4) of the Education and Inspections Act 2006 are exercisable by the CIECSS,  
in relation to the corresponding Part II service provided in England.”  
(3) In the subsection (6) inserted by section 109 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) for paragraph (b) substitute—  
“(b) any other functions exercisable by the Assembly corresponding to functions exercisable—

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- (i) by the CSCI in relation to England; or
- (ii) by the CIECSS under section 147 of the Education and Inspections Act 2006.”

- (4) The subsection (6) inserted by paragraph 18(3) of Schedule 9 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) is renumbered as subsection (7).

**Commencement Information**

**I40** Sch. 14 para. 40 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 41 In section 10(6) (inquiries relating to exercise of functions by Assembly) for paragraph (b) substitute—
- “(b) any other functions exercisable by the Assembly corresponding to functions exercisable—
  - (i) by the CHAI, the CSCI or the CIECSS under this Act in relation to England; or
  - (ii) by the CIECSS under section 147 of the Education and Inspections Act 2006.”

**Commencement Information**

**I41** Sch. 14 para. 41 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 42 In section 11(4) (keeping of registers) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I42** Sch. 14 para. 42 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 43 In section 12(2) (applications for registration) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I43** Sch. 14 para. 43 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 44 In section 15(3)(a) (fees for applications by registered persons) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I44** Sch. 14 para. 44 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 45 In section 16(3)(a) (annual fee payable by persons registered under Part 2) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

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**Commencement Information**

**I45** Sch. 14 para. 45 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 46 In section 22(7)(i)(i) (fees in respect of notifications) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I46** Sch. 14 para. 46 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 47 In section 29(1)(a) (proceedings for offences) for “or the CSCI” (in the first place) substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I47** Sch. 14 para. 47 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 48 In section 31(7) (requirement to arrange for inspection of premises) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I48** Sch. 14 para. 48 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 49 In section 36A (voluntary adoption agencies: distribution of functions) for “the CSCI” (in each place) substitute “ the CIECSS ”.

**Commencement Information**

**I49** Sch. 14 para. 49 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 50 In section 42(5) (power to extend application of Part 2) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

**Commencement Information**

**I50** Sch. 14 para. 50 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 51 Omit section 45(4) (inspection of premises used in discharge of adoption and fostering functions).

**Commencement Information**

**I51** Sch. 14 para. 51 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 52 In section 55(3)(e) (persons who may be treated as social care workers)—  
(a) after “the CSCI” insert “ , the Office for Standards in Education, Children's Services and Skills ”,  
(b) for “or section 88” substitute “ , section 88 ”, and

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- (c) after “Act 2003” insert “ or section 139 of the Education and Inspections Act 2006 ”.

**Commencement Information**

**I52** Sch. 14 para. 52 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 53 (1) Section 113A (fees payable under Part 2) is amended as follows.
- (2) In subsection (1)—
- (a) for “and the CSCI” substitute “ , the CSCI and the CIECSS ”, and
- (b) after “to it” insert “ or him ”.
- (3) For subsection (3) substitute—
- “(3) Before making any provision under subsection (1), the CHAI, the CSCI or the CIECSS must consult such bodies as appear to it or him to be representative of the persons liable to pay the fee.”
- (4) In subsection (5) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.
- (5) In subsection (6)—
- (a) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”, and
- (b) after “body” insert “ or person ”.

**Commencement Information**

**I53** Sch. 14 para. 53 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 54 In section 121(13) (interpretation), at the appropriate place in the Table insert— “ the CIECSS Section 5. ”

**Commencement Information**

**I54** Sch. 14 para. 54 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Learning and Skills Act 2000 (c. 21)*

- 55 The Learning and Skills Act 2000 has effect subject to the following amendments.

**Commencement Information**

**I55** Sch. 14 para. 55 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 56 Omit sections 52 to 72 (inspections in England).

**Commencement Information**

**I56** Sch. 14 para. 56 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

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- 57 (1) Section 82 (inspections of education and training provided under 1973 Act arrangements) is amended as follows.
- (2) In subsection (1) for “the Adult Learning Inspectorate” substitute “ the Chief Inspector for England ”.
- (3) In subsection (4) for the words from “the Adult Learning Inspectorate” onwards substitute “ the Chief Inspector for England must be given to that Chief Inspector. ”
- (4) In subsection (5) for “The Adult Learning Inspectorate” substitute “ The Chief Inspector for England ” and for “it” substitute “ he ”.
- (5) After subsection (6) add—
- “(7) In this section “the Chief Inspector for England” means Her Majesty's Chief Inspector of Education, Children's Services and Skills.”

**Commencement Information**

**I57** Sch. 14 para. 57 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 58 Omit—
- (a) section 90 (preliminary transfers: FEFC for England), and
- (b) section 92(4)(b) and (c) (transfers: England).

**Commencement Information**

**I58** Sch. 14 para. 58 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 59 In section 94(2) (stamp duty) for “section 90 or 92” substitute “ section 92 ”.

**Commencement Information**

**I59** Sch. 14 para. 59 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 60 In section 95(1)(b) (contracts of employment) for “section 90 or 92” substitute “ section 92 ”.

**Commencement Information**

**I60** Sch. 14 para. 60 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 61 In section 113A(1)(a) (restructuring of sixth-form education) for “section 65” substitute “ section 128 of the Education and Inspections Act 2006 ”.

**Commencement Information**

**I61** Sch. 14 para. 61 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 62 In section 118(1) (inspection)—
- (a) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”,

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

- (b) omit paragraphs (a) and (b), and
- (c) in paragraph (c) for “those services” substitute “ services in pursuance of section 114(1) ”.

**Commencement Information**

**I62** Sch. 14 para. 62 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 63 In section 150(4)(a) (Wales) omit “90”.

**Commencement Information**

**I63** Sch. 14 para. 63 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 64 Omit section 151(2) (transitional provisions).

**Commencement Information**

**I64** Sch. 14 para. 64 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 65 Omit Schedule 6 (the Adult Learning Inspectorate).

**Commencement Information**

**I65** Sch. 14 para. 65 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 66 (1) Schedule 7 (sixth forms requiring significant improvement) is amended as follows.
- (2) In paragraph 3(1) for “section 65 or 83” substitute “ section 128 of the Education and Inspections Act 2006 or section 83 of this Act ”.
  - (3) In paragraph 5(1) for “section 65 or 83” substitute “ , section 128 of the Education and Inspections Act 2006 or section 83 ”.
  - (4) In paragraph 10(1) for “section 65 or 83” substitute “ section 128 of the Education and Inspections Act 2006 or section 83 of this Act ”.
  - (5) In paragraph 12(1) for “section 65 or 83” substitute “ , section 128 of the Education and Inspections Act 2006 or section 83 ”.

**Commencement Information**

**I66** Sch. 14 para. 66 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 67 Omit Part 3 of Schedule 10 (transitional provisions).

**Commencement Information**

**I67** Sch. 14 para. 67 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

*Regulation of Investigatory Powers Act 2000 (c. 23)*

- 68 In Part 2 of Schedule 1 (relevant authorities for purposes only of section 28) for paragraph 27B and the cross-heading preceding it substitute—

*“HM Chief Inspector of Education, Children's Services and Skills*

**27B** Her Majesty's Chief Inspector of Education, Children's Services and Skills.”

**Commencement Information**

**I68** Sch. 14 para. 68 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Freedom of Information Act 2000 (c. 36)*

- 69 (1) Schedule 1 to the Freedom of Information Act 2000 (public authorities) is amended as follows.
- (2) In Part 1—
- (a) at the end of paragraph 1 insert “ other than the Office for Standards in Education, Children's Services and Skills ”, and
- (b) after that paragraph insert—
- “1A The Office for Standards in Education, Children's Services and Skills, in respect of information held for purposes other than those of the functions exercisable by Her Majesty's Chief Inspector of Education, Children's Services and Skills by virtue of section 5(1)(a)(iii) of the Care Standards Act 2000.”
- (3) In Part 6 omit the entry relating to the Adult Learning Inspectorate.

**Commencement Information**

**I69** Sch. 14 para. 69 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Education Act 2002 (c. 32)*

- 70 EA 2002 has effect subject to the following amendments.

**Commencement Information**

**I70** Sch. 14 para. 70 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 71 In section 1(3) (purpose and interpretation of Chapter 1) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I71** Sch. 14 para. 71 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

- 72 In section 151 (childcare functions of HM Chief Inspector and National Assembly for Wales) in subsections (1) and (2) for “Her Majesty’s Chief Inspector of Schools in England” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.

**Commencement Information**

**I72** Sch. 14 para. 72 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 73 (1) Section 162A (power to inspect registered schools in England) is amended as follows.
- (2) Omit subsection (4).
- (3) In subsection (5) for “Her Majesty’s Chief Inspector of Schools in England” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.

**Commencement Information**

**I73** Sch. 14 para. 73 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 74 In section 162B (inspections under section 162A: supplementary) omit subsection (8).

**Commencement Information**

**I74** Sch. 14 para. 74 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 75 In section 171 (interpretation of Chapter 1), in the definition of “Chief Inspector”, for “Her Majesty’s Chief Inspector of Schools in England” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.

**Commencement Information**

**I75** Sch. 14 para. 75 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Adoption and Children Act 2002 (c. 38)*

- 76 In section 99 of the Adoption and Children Act 2002 (proceedings for offences) for “the Commission for Social Care Inspection” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.

**Commencement Information**

**I76** Sch. 14 para. 76 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Courts Act 2003 (c. 39)*

- 77 The Courts Act 2003 has effect subject to the following amendments.



*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

**Commencement Information**

**I77** Sch. 14 para. 77 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

78 In section 58 (inspectors of court administration etc.) omit subsection (6).

**Commencement Information**

**I78** Sch. 14 para. 78 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 79 (1) Section 59 (functions of inspectors) is amended as follows.
- (2) In subsection (1) for paragraphs (b) and (c) substitute—
- “(b) discharge any other particular functions which may be specified in connection with the courts listed in subsection (2) in a direction given by the Lord Chancellor.”
- (3) In subsection (4) for the words from “subsection (1)(c)(i)” to “subsection (1)(c)(ii),” substitute “ subsection (1)(b), ”.

**Commencement Information**

**I79** Sch. 14 para. 79 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

80 In section 60 (functions of Chief Inspector) for subsection (4) substitute—

“(4) The Chief Inspector must report to the Lord Chancellor on any matter which the Lord Chancellor refers to him and which is connected with the courts listed in section 59(2).”

**Commencement Information**

**I80** Sch. 14 para. 80 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 81 In section 61 (rights of entry and inspection) for subsections (1) and (2) substitute—
- “(1) An inspector exercising functions under section 59 may enter any place of work occupied by persons provided under a contract made by the Lord Chancellor by virtue of section 2(4).
- (2) An inspector exercising functions under section 59 may inspect and take copies of any records kept by persons provided under such a contract which he considers relevant to the discharge of his functions.”

**Commencement Information**

**I81** Sch. 14 para. 81 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

82 The Health and Social Care (Community Health and Standards) Act 2003 has effect subject to the following amendments.

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

**Commencement Information**

**I82** Sch. 14 para. 82 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 83 In section 76(2) (matters to which the CSCI is to have particular regard in the exercise of certain functions)—
- (a) in paragraph (d) at the end insert “ and ”, and
  - (b) omit paragraphs (f) and (g).

**Commencement Information**

**I83** Sch. 14 para. 83 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 84 Omit section 77(3) (advice as to standards prepared and published under section 23 of the Care Standards Act 2000 (c. 14)).

**Commencement Information**

**I84** Sch. 14 para. 84 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 85 (1) Section 79 (annual reviews) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) After conducting a review under subsection (1) in respect of a local authority the CSCI must award a performance rating to that authority in respect of all the English local authority social services provided by, or pursuant to arrangements made by, that authority.”
- (3) Omit subsection (7).

**Commencement Information**

**I85** Sch. 14 para. 85 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 86 Omit section 80(5) (duty to take into account standards prepared and published under section 23 of the Care Standards Act 2000).

**Commencement Information**

**I86** Sch. 14 para. 86 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 87 In section 81(2) (duties of the CSCI on awarding lowest performance rating) for “section 79(2)(a) or (b)” substitute “ section 79(2) ”.

**Commencement Information**

**I87** Sch. 14 para. 87 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 88 For section 96 substitute—

*Status: Point in time view as at 31/01/2008.*

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### “96 Additional functions

- (1) The Assembly shall have such additional functions in relation to the provision of Welsh local authority social services as—
  - (a) correspond to functions within subsection (2), and
  - (b) are specified by the Assembly in regulations.
- (2) The functions within this subsection are—
  - (a) functions conferred on the CSCI by or under this Act, and
  - (b) functions relating to the provision of relevant services and assigned to Her Majesty's Chief Inspector of Education, Children's Services and Skills under section 118(4) of the Education and Inspections Act 2006.
- (3) In subsection (2)(b) “relevant services” means services which immediately before the coming into force of Chapter 4 of Part 8 of the Education and Inspections Act 2006 were English local authority social services for the purposes of this Part of this Act.”

#### Commencement Information

**188** Sch. 14 para. 88 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 89 Omit section 110 (transfer to the CSCI of functions under section 87 of the Children Act 1989).

#### Commencement Information

**189** Sch. 14 para. 89 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 90 Omit section 112 (inspection of secure training centres by the CSCI).

#### Commencement Information

**190** Sch. 14 para. 90 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 91 (1) Section 120 (co-operation etc.) is amended as follows.
- (2) After subsection (1) insert—
    - “(1A) The CHAI and the CSCI must each co-operate with the CIECSS where it seems to the CHAI or the CSCI (as the case may be) appropriate to do so for the efficient and effective discharge of—
      - (a) its functions; and
      - (b) the functions of the CIECSS under Chapter 4 of Part 8 of the Education and Inspections Act 2006.”
  - (3) In subsection (2) after “each other” insert “ or the CIECSS ”.
  - (4) For subsection (3) substitute—

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

“(3) The CHAI may delegate to the CSCI or the CIECSS any of its functions to be exercised by the CSCI or the CIECSS (as the case may be) on its behalf.

(3A) The CSCI may delegate to the CHAI or the CIECSS any of its functions to be exercised by the CHAI or the CIECSS (as the case may be) on its behalf.”

(5) In subsection (4) for “whenever they consider” substitute “with the other or with the CIECSS whenever the CHAI or the CSCI (as the case may be) considers”.

(6) After that subsection add—

“(5) In this section “the CIECSS” means Her Majesty's Chief Inspector of Education, Children's Services and Skills.”

**Commencement Information**

**I91** Sch. 14 para. 91 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

92 In section 133(1)(a) (failure in discharge of functions: CSCI) omit “or the Children Act 1989 (c. 41)”.

**Commencement Information**

**I92** Sch. 14 para. 92 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

93 (1) Section 148 (interpretation of Part 2) is amended as follows.

(2) At the end of the definition of “English local authority social service” add— “but does not include anything which may be inspected by Her Majesty's Chief Inspector of Education, Children's Services and Skills under Chapter 4 of Part 8 of the Education and Inspections Act 2006.”

(3) At the end of the definition of “social services functions” add “but (in relation to a local authority in England) does not include—

- (a) functions within section 135(1)(d) or (e) of the Education and Inspections Act 2006, or
- (b) functions prescribed by regulations under section 135(1)(f) of that Act.”

**Commencement Information**

**I93** Sch. 14 para. 93 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

94 In Schedule 7 (CSCI: supplementary) omit paragraph 5(2).

**Commencement Information**

**I94** Sch. 14 para. 94 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Children Act 2004 (c. 31)*

95 The Children Act 2004 has effect subject to the following amendments.

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

**Commencement Information**

**I95** Sch. 14 para. 95 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 96 (1) Section 20 (joint area reviews) is amended as follows.
- (2) In subsection (4) omit paragraphs (b) and (c).
- (3) In subsection (7)—
- (a) for “subsection (7)(a) of section 2 of the School Inspections Act 1996 (c. 57)” substitute “ subsection (1) of section 121 of the Education and Inspections Act 2006 ”, and
- (b) for “subsection (7)(b)” substitute “ subsection (3) ”.

**Commencement Information**

**I96** Sch. 14 para. 96 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 97 In section 23 (sections 20 to 22: interpretation) for subsection (5) substitute—
- “(5) “The Chief Inspector of Schools” means Her Majesty's Chief Inspector of Education, Children's Services and Skills.”

**Commencement Information**

**I97** Sch. 14 para. 97 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Education Act 2005 (c. 18)*

- 98 EA 2005 has effect subject to the following amendments.

**Commencement Information**

**I98** Sch. 14 para. 98 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 99 Omit sections 1 to 4 (appointment and functions of Her Majesty's Chief Inspector of Schools in England, etc.).

**Commencement Information**

**I99** Sch. 14 para. 99 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 100 For section 8 substitute—

**“8 Other inspections**

- (1) If requested to do so by the Secretary of State, the Chief Inspector must inspect and report on such school, or class of school, in England as is specified in the request.

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

- (2) The Chief Inspector may inspect any school in England in circumstances where he is not required to do so by section 5 or subsection (1) above.”

**Commencement Information**

**I100** Sch. 14 para. 100 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 101 In section 9 (power of Chief Inspector to treat other inspection as s. 5 inspection) omit “2(2)(b) or”.

**Commencement Information**

**I101** Sch. 14 para. 101 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 102 In section 11 (publication of inspection reports) omit subsections (2) to (4).

**Commencement Information**

**I102** Sch. 14 para. 102 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 103 In section 12 (interpretation of Chapter 1) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I103** Sch. 14 para. 103 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 104 In section 18 (interpretation of Chapter 2) for “Her Majesty's Chief Inspector of Schools in England” substitute “ Her Majesty's Chief Inspector of Education, Children's Services and Skills ”.

**Commencement Information**

**I104** Sch. 14 para. 104 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 105 (1) Section 59 (combined reports) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) Subsection (2) does not apply so as to authorise the making of a combined report by the Chief Inspector for England (as to which section 152 of the Education and Inspections Act 2006 applies instead).”
- (3) In subsection (4) after “Chief Inspector” insert “ for Wales ”.
- (4) After that subsection add—
- “(5) In this section—
- “the Chief Inspector for England” means Her Majesty's Chief Inspector of Education, Children's Services and Skills; and

*Status: Point in time view as at 31/01/2008.*

**Changes to legislation:** Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)

“the Chief Inspector for Wales” means Her Majesty’s Chief Inspector of Education and Training in Wales.”

**Commencement Information**

**I105** Sch. 14 para. 105 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

106 In section 100(1) (interpretation of Part 3) in the definition of “the Chief Inspector for England”, for “Her Majesty’s Chief Inspector of Schools in England” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.

**Commencement Information**

**I106** Sch. 14 para. 106 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

107 Omit Schedule 1 (provisions relating to HM Chief Inspector of Schools in England).

**Commencement Information**

**I107** Sch. 14 para. 107 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

*Childcare Act 2006 (c. 21)*

108 The Childcare Act 2006 has effect subject to the following amendments.

**Commencement Information**

**I108** Sch. 14 para. 108 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

109 Omit section 14 (inspection).

**Commencement Information**

**I109** Sch. 14 para. 109 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

110 Omit section 31 (general functions of Chief Inspector).

**Commencement Information**

**I110** Sch. 14 para. 110 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

111 In section 50 (report of inspections) omit subsection (4).

**Commencement Information**

**I111** Sch. 14 para. 111 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

112 In section 61 (report of inspections) omit subsection (4).

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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. (See end of Document for details)*

**Commencement Information**

**I112** Sch. 14 para. 112 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 113 (1) Section 77 (powers of entry) is amended as follows.
- (2) In subsections (1) and (2) omit “A person authorised for the purposes of this subsection by”.
- (3) In subsection (3) for “Authorisation” substitute “ An authorisation given by the Chief Inspector under paragraph 9(1) of Schedule 12 to the Education and Inspections Act 2006 in relation to his functions ”.
- (4) Omit subsection (7).

**Commencement Information**

**I113** Sch. 14 para. 113 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 114 (1) Section 79 (power of constable to assist in exercise of powers of entry) is amended as follows.
- (2) In subsection (1) for “A person authorised for the purpose of subsection (1) or (2) of section 77” substitute “ The Chief Inspector ”.
- (3) In subsection (2)—
- (a) for “authorised person” substitute “ Chief Inspector ”, and
- (b) for “that person” substitute “ the Chief Inspector ”.

**Commencement Information**

**I114** Sch. 14 para. 114 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 115 Omit section 80 (combined reports).

**Commencement Information**

**I115** Sch. 14 para. 115 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 116 Omit section 81 (information to be included in annual reports).

**Commencement Information**

**I116** Sch. 14 para. 116 in force at 1.4.2007 by S.I. 2007/935, art. 5(gg)

- 117 In section 98(1) (interpretation of Part 3), in the definition of “the Chief Inspector”, for “Her Majesty’s Chief Inspector of Schools in England” substitute “ Her Majesty’s Chief Inspector of Education, Children’s Services and Skills ”.



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**Commencement Information**

**I117** Sch. 14 para. 117 in force at 1.4.2007 by S.I. 2007/935, **art. 5(gg)**

**Status:**

Point in time view as at 31/01/2008.

**Changes to legislation:**

Education and Inspections Act 2006, SCHEDULE 14 is up to date with all changes known to be in force on or before 05 April 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.