



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 4

#### REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

### CHAPTER 1

#### INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

##### *Inspections and reports*

#### **111 Fees for inspections by Chief Inspector under this Chapter**

- (1) Regulations may require the proprietor of an institution to which this section applies to pay to the Chief Inspector a fee in respect of an inspection of the institution carried out by the Chief Inspector under this Chapter.
- (2) Regulations under this section must make provision for determining—
  - (a) the amount of any fee, and
  - (b) the time at which it must be paid.
- (3) Regulations under this section may make provision—
  - (a) for determining the amount of a fee by reference to circumstances obtaining at a time before the inspection to which it relates takes place;
  - (b) requiring two or more fees to be paid in respect of an inspection under section 108 (inspections at prescribed intervals);
  - (c) requiring a fee to be paid at a time before the inspection to which it relates takes place;
  - (d) prescribing circumstances in which the amount of a fee may be varied or a fee may be waived;
  - (e) conferring a discretion on the Secretary of State.

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**Changes to legislation:** *Education and Skills Act 2008, Section 111 is up to date with all changes known to be in force on or before 22 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) View outstanding changes*

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- (4) The power in subsection (3)(c)—
- (a) does not include power to make provision requiring a fee in respect of an inspection under section 108 to be paid at any time at which an independent inspectorate is approved in relation to the institution;
  - (b) includes power to make provision as to circumstances in which a fee is not to be refunded (and any requirement to pay a fee is to be unaffected) if the inspection to which it relates does not take place.
- (5) Without prejudice to section 166(6), regulations under this section may make different provision—
- (a) for inspections of different descriptions of institution, or
  - (b) for inspections carried out for different purposes or in different circumstances.
- (6) This section applies to [<sup>F1</sup>any independent educational institution that is registered, or is the subject of an application to be registered, other than] —
- (a) an Academy,
  - (b) a city technology college, or
  - (c) a city college for the technology of the arts.

#### Textual Amendments

- F1** Words in s. 111(6) substituted (8.6.2010) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 23, 29(2)** (with [s. 27](#))

#### Commencement Information

- I1** S. 111 in force at 19.6.2009 for specified purposes by [S.I. 2009/1513](#), **art. 2(2)** (with [art. 2A](#)) (which transitory provision was inserted (1.7.2009) by [S.I. 2009/1606](#), art. 7)
- I2** S. 111 in force at 1.9.2009 in so far as not already in force by [S.I. 2009/1606](#), **art. 3**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)