



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

Failure to meet standards

114 Action plans

- (1) This section applies to a registered independent educational institution if the Secretary of State is satisfied, taking into account relevant evidence, that one or more of the independent educational institution standards is or are not being met in relation to the institution.
- (2) In subsection (1) “relevant evidence” means—
 - (a) the report of an inspection carried out by the Chief Inspector or an independent inspectorate, or
 - (b) any other evidence in respect of the institution.
- (3) The Secretary of State may require the proprietor of a registered independent educational institution to which this section applies to submit an action plan to the Secretary of State for approval.
- (4) In this Chapter “an action plan” means a plan specifying—
 - (a) the steps that will be taken to meet a standard or standards, and
 - (b) the time by which each step will be taken.
- (5) Any requirement imposed under this section to submit an action plan must be imposed by serving a notice on the proprietor of the institution in question—

Changes to legislation: *Education and Skills Act 2008, Section 114 is up to date with all changes known to be in force on or before 19 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*

- (a) identifying the standard or standards that the Secretary of State is satisfied is or are not being met in relation to the institution, and
 - (b) specifying a date by which the action plan must be submitted.
- (6) Where an action plan is submitted in pursuance of a requirement imposed under this section (whether or not by the date specified in the notice), the Secretary of State may—
- (a) approve it, with or without modifications, or
 - (b) reject it.
- (7) Where the Secretary of State rejects an action plan, the Secretary of State may impose a further requirement under this section to submit an action plan.
- (8) An action plan that has been approved may be varied at any time by the proprietor of the institution in question with the agreement of the Secretary of State.

Commencement Information

II [S. 114](#) in force at 5.1.2015 by [S.I. 2014/3364](#), [art. 2\(j\)](#)

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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\(3\)](#)