



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 10

SCHOOLS

CHAPTER 2

COMPLAINTS: ENGLAND

216 Law of defamation

- (1) For the purposes of the law of defamation the following are absolutely privileged—
- (a) the publication of any matter in communications between a governing body and a Local Commissioner, or any person discharging or assisting in the discharge of a function of a Local Commissioner, for the purposes of this Chapter;
 - (b) the publication of any matter by a Local Commissioner or by any person discharging or assisting in the discharge of a function of a Local Commissioner, in communicating for the purposes of this Chapter with a person mentioned in subsection (2);
 - (c) the publication of any matter in preparing, making and sending a statement in accordance with section 211;
 - (d) the publication of any matter by inclusion in an adverse findings notice published in accordance with section 212(3), (4) and (5) or (6);
 - (e) the publication of any matter by inclusion in a statement or summary published or supplied under section 213;
 - (f) the publication of any matter contained in a report by a Local Commissioner which has been made available to the public, being publication by inclusion in a report made or published under section 219.

Status: This is the original version (as it was originally enacted).

- (2) The persons mentioned in subsection (1)(b) are—
- (a) the governing body;
 - (b) the complainant (or, if the complainant is the pupil, a parent of the complainant);
 - (c) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills;
 - (d) the Parliamentary Commissioner for Administration;
 - (e) a local education authority (within the meaning given by section 12 of the [Education Act 1996 \(c. 56\)](#));
 - (f) the Secretary of State.