



Education Act 2011

2011 CHAPTER 21

PART 5

EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

Standards

42 Inspection of further education institutions: exempt institutions

- (1) Chapter 3 of Part 8 of EIA 2006 (inspection of further education and training etc) is amended as set out in subsections (2) to (10).
- (2) In section 125 (inspection of further education institutions)—
 - (a) in subsection (1), at the end insert “ subject to subsection (1A) ”;
 - (b) after that subsection insert—

“(1A) The Secretary of State may by regulations provide that the duty of the Chief Inspector in subsection (1) does not apply to prescribed categories of institution in prescribed circumstances.

(1B) An institution to which the duty in subsection (1) does not apply by virtue of regulations under subsection (1A) is an “exempt institution”.”;
 - (c) in subsection (2), for “The inspections” substitute “ Inspections under subsection (1) ”.
- (3) Section 126 (other inspections) is amended as set out in subsections (4) to (9).
- (4) After subsection (1), insert—

“(1A) The Chief Inspector must inspect an exempt institution if requested to do so by the Secretary of State.”
- (5) After subsection (2) insert—

*Changes to legislation: There are currently no known outstanding effects
for the Education Act 2011, Section 42. (See end of Document for details)*

“(2A) On completing an inspection under subsection (1) or (1A) conducted in response to a request from the Secretary of State or any other person or body, the Chief Inspector must—

- (a) make a written report on the inspection;
- (b) arrange for the report to be published in such manner as the Chief Inspector considers appropriate.”

(6) In subsection (3), after “this section” insert “ conducted in any other case ”.

(7) In subsection (4), after “subsection (1)” insert “ or (1A) ”.

(8) After subsection (5) insert—

“(5A) In the case of an inspection conducted under subsection (1) in response to a request from the provider of the education or training concerned, the Chief Inspector may charge the provider for the cost of the inspection.”

(9) At the end, insert—

“(8) In this section “exempt institution” has the meaning given by section 125(1B).”

(10) In section 127 (action plans), in subsection (1) at the end insert “ or (1A) ”.

(11) In section 182 of EIA 2006 (parliamentary control of orders and regulations)—

- (a) in subsection (2), after paragraph (a) insert—
“(aa) regulations to which subsection (2A) applies,”;
- (b) after subsection (2) insert—

“(2A) This subsection applies to regulations made under section 125(1A) (power to prescribe institutions exempt from inspection), apart from the first regulations to be made under that subsection.”;

- (c) in subsection (3), after paragraph (a) insert—
“(aa) regulations to which subsection (2A) applies,”.

Commencement Information

I1 S. 42 partly in force: s. 42(1)-(7)(9)-(11) in force at Royal Assent

I2 S. 42(8) in force at 1.2.2012 by S.I. 2012/84, art. 3

Changes to legislation:

There are currently no known outstanding effects for the Education Act 2011, Section 42.