

2015 No. 1639

EDUCATION, ENGLAND

**The Education (School Inspection) (England) (Amendment)
(No. 2) Regulations 2015**

<i>Made</i>	- - - -	<i>3rd September 2015</i>
<i>Laid before Parliament</i>		<i>4th September 2015</i>
<i>Coming into force</i>	- -	<i>30th September 2015</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 5(1)(a) and 120(2)(a) and (b) of the Education Act 2005(a).

Citation and commencement

1. These Regulations may be cited as the Education (School Inspection) (England) (Amendment) (No. 2) Regulations 2015 and come into force on 30th September 2015.

Amendment of the Education (School Inspection) (England) Regulations 2005

2. After regulation 3 of the Education (School Inspection) (England) Regulations 2005 (intervals for inspection)(b), insert—

“Intervals for inspection: first inspection of certain new schools with predecessor schools

3A.—(1) This regulation prescribes, for the purposes of section 5(1)(a) of the 2005 Act, the interval for inspection of a school (“the new school”) which—

- (a) has one or more predecessor schools, each of which was awarded a grade of “good” or better in its last section 5 inspection for the quality of the education it provided;
- (b) has not already had a section 5 inspection; and
- (c) has had one or more relevant section 8 inspections.

(2) The interval is a period not exceeding 5 years after the end of the school year in which the most recent relevant section 8 inspection was carried out.

(3) In this regulation, “relevant section 8 inspection” means an inspection of the new school carried out under section 8(2) of the 2005 Act (other inspections)(c) in relation to which the following two conditions are met.

(4) The first condition is that the Chief Inspector—

(a) 2005 c.18. See section 12 for the meaning of “prescribed” and “regulations”.
(b) S.I. 2005/2038, amended by S.I. 2015/170; there are other amending instruments but none is relevant.
(c) Section 8(2) was substituted by paragraph 100 of Schedule 14 to the Education and Inspections Act 2006 (c.40).

- (a) carries out the inspection for the purposes of determining whether the new school would be likely to achieve a grade of “good” or better for the quality of education it provides if a section 5 inspection were carried out; and
- (b) having carried out the inspection, is satisfied that the evidence does not suggest that the new school would not achieve such a grade if a section 5 inspection were carried out.

(5) The second condition is that, if one or more relevant section 8 inspections have already been carried out, the inspection is carried out within the period of 5 years beginning with the end of the school year in which the most recent of those inspections was carried out.

(6) In this regulation, a reference to the new school’s “predecessor school” is a reference to—

- (a) a school that was discontinued and which the new school replaced; or
- (b) where the new school is an Academy into which a maintained school converted under section 4 of the Academies Act 2010(a), that maintained school.

(7) For the purposes of this regulation, an inspection is treated as being carried out at the time at which it is begun.”.

Nick Gibb

Minister of State

Department for Education

3rd September 2015

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Inspection) (England) Regulations 2005 (S.I. 2005/2039) to prescribe the interval for the inspection of a new school whose predecessor school had been awarded a grade of “good” or better in its last inspection.

An Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sectors is foreseen.

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£4.25

UK201509034 09/2015 19585

<http://www.legislation.gov.uk/id/uksi/2015/1639>

ISBN 978-0-11-113885-4



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