



Department
for Education

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Respond by 16 May 2014
Ref: Department for Education

Independent inspectorates: regulations and advice

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The Department for Education is proposing to introduce regulations and advice to make approval of independent inspectorates more transparent and raise standards by setting expectations around the diversity and independence, the appointment and training of inspectors, the framework they use, internal quality assurance and monitoring by Ofsted.

To Inspectorates, schools, school membership organisations and other interested parties

Issued 28 March 2014

Enquiries To If your enquiry is related to the policy content of the consultation you can contact the Department on 0370 000 2288

e-mail:

IndependentSchoolRegs.CONULTATION@education.gsi.gov.uk

Contact Details

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

1 Background and Context

- 1.1** Section 106 of the Education and Skills Act 2008 gives the Secretary of State a power to approve a body to carry out inspections of independent schools in England. The Secretary of State also has the power, under section 87A of the Children Act 1989, to appoint inspectorates approved under section 106 of the Education and Skills Act 2008 to be inspectors of boarding accommodation at independent schools. Section 106 also allows for regulations to be made to set out the matters which the Secretary of State must take into account when approving or withdrawing approval from independent inspectorates.

The Department intends to commence this power and make regulations to come into force from September 2014. The three inspectorates currently approved under the Education Act 2002 will transfer to be approved under s106 of the Education and Skills Act 2008.

We also intend to publish advice setting out the policy intent behind each of the matters. This will set out in more detail the Department's expectations for the current inspectorates and any prospective inspectorates.

By making regulations and publishing advice, the approval of inspectorates will be more transparent, providing assurance for those with an interest in independent school inspection carried out by independent inspectorates.

Independent inspectorates will continue to be monitored by Ofsted, with this monitoring work also put on a statutory footing under s107 of the Education and Inspections Act 2008. Under s107, Ofsted will be required to report annually to the Secretary of State on the work of the inspectorates.

2 Annex A

- 2.1** Please click [here](#) to download Annex A, the independent inspectorates draft regulations.

3 Annex B

- 3.1** Please click [here](#) to download Annex B, the independent inspectorates draft advice.

4 How To Respond

- 4.1** Consultation responses can be completed online at www.education.gov.uk/consultations

by emailing: IndependentSchoolRegs.CONULTATION@education.gsi.gov.uk

or by downloading a response form which should be completed and sent to:

Elaine Haste
Department for Education
Independent Education and Boarding Team
Ground Level Area F
Mowden Hall
Staindrop Road
Darlington
DL3 9BG

5 Additional Copies

- 5.1** Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at: www.education.gov.uk/consultations

6 Plans for making results public

- 6.1** The results of the consultation and the department's response will be published on the Department for Education e-consultation website in summer 2014.