



Education and Inspections Act 2006

2006 CHAPTER 40

PART 8

INSPECTIONS

CHAPTER 3

INSPECTION OF FURTHER EDUCATION AND TRAINING ETC.

Education and training to which this Chapter applies

123 Education and training to which this Chapter applies

- (1) This Chapter applies to the following kinds of education and training—
- (a) secondary education provided in institutions which are in England and are within the further education sector;
 - (b) further education for persons aged 16 or over but under 19 which is provided in such institutions and wholly or partly funded by the [^{F1}Secretary of State]^{F2}...;
 - [^{F3}(ba) education provided in 16 to 19 Academies;]
 - (c) further education for persons aged 19 or over which is wholly or partly funded by the [^{F4}Secretary of State]^{F5}...;
 - (d) further education for persons aged under 19 which is provided by [^{F6}local authorities] in England;
 - (e) further education for persons aged 19 or over which is funded by such authorities;
 - [^{F7}(ea) further education for persons aged 19 or over which is wholly or partly funded by a combined authority;]
 - [^{F8}(eb) further education for persons aged 19 or over which is wholly or partly funded by a combined county authority;]
 - (f) training for persons aged 16 or over which is funded by the Secretary of State under section 2 of the Employment and Training Act 1973 (c. 50);

Changes to legislation: *Education and Inspections Act 2006, Section 123 is up to date with all changes known to be in force on or before 09 May 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*

- (g) training for persons aged 16 or over if it is training the whole or part of which takes place at the premises of an employer and which is wholly or partly funded by the [^{F9}Secretary of State]^{F10}...;
 - (h) such other education or training as may be prescribed by regulations made by the Secretary of State.
- (2) The training which may be prescribed by regulations under subsection (1)(h) includes training of or for teachers, lecturers, trainers or other persons engaged in the provision of education or training falling within subsection (1)(a) to (g).
- (3) If regulations made by the Secretary of State so provide—
- (a) the provision of information, advice or guidance falling within [^{F11}section ^{F12}... 100(1)(j) of the Apprenticeships, Skills, Children and Learning Act 2009], or
 - (b) the provision of any description of such information, advice or guidance specified in the regulations,
- is to be treated for the purposes of this Chapter as training to which it applies.
- (4) In this Chapter—
- (a) “further education” and “secondary education” have the same meanings as in EA 1996, and
 - (b) any reference to institutions which are within the further education sector is to be read in accordance with section 91(3) of the Further and Higher Education Act 1992 (c. 13).
- [^{F13}(5) In this section—
- “combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - “combined county authority” means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023.]

Textual Amendments

- F1** Words in s. 123(1)(b) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 30(2)**; S.I. 2012/924, art. 2
- F2** Words in s. 123(1)(b) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 51**
- F3** S. 123(1)(ba) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 13 para. 16(6)**; S.I. 2012/924, art. 2
- F4** Words in s. 123(1)(c) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 30(2)**; S.I. 2012/924, art. 2
- F5** Words in s. 123(1)(c) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 51**
- F6** Words in s. 123(1)(d) substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(6)**
- F7** S. 123(1)(ea) inserted (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), **9(2)**
- F8** S. 123(1)(eb) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), **Sch. 4 para. 161(2)** (with s. 247)
- F9** Words in s. 123(1)(g) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 30(2)**; S.I. 2012/924, art. 2

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- F10** Words in s. 123(1)(g) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 51](#)
- F11** Words in s. 123(3)(a) substituted (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\), art. 1\(2\)\(a\), Sch. 1 para. 61\(c\) \(with art. 2\(3\)\)](#)
- F12** Words in s. 123(3)(a) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 16 para. 30\(3\); S.I. 2012/924, art. 2](#)
- F13** S. 123(5) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(c\), Sch. 4 para. 161\(3\) \(with s. 247\)](#)

Commencement Information

- I1** S. 123 partly in force; s. 123 in force at 8.11.2006 in so far as it confers power to make subordinate legislation see [s. 188\(1\)](#)
- I2** S. 123 in force at 1.4.2007 in so far as not already in force by [S.I. 2007/935, art. 5\(u\)](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

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. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)