



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Standards

94 Independent educational institution standards

- (1) The Secretary of State must by regulations prescribe standards for the purposes of this Chapter about the following matters—
 - (a) the quality of education provided at independent educational institutions;
 - (b) the spiritual, moral, social and cultural development of students at independent educational institutions;
 - (c) the welfare, health and safety of students at independent educational institutions;
 - (d) the suitability of proprietors of and staff at independent educational institutions;
 - (e) the premises of and accommodation at independent educational institutions;
 - (f) the provision of information by independent educational institutions;
 - (g) the manner in which independent educational institutions handle complaints;
 - (h) the quality of the leadership in and management of independent educational institutions.
- (2) A standard may be prescribed in relation to—
 - (a) all independent educational institutions,
 - (b) specified independent educational institutions, or

Changes to legislation: *Education and Skills Act 2008, Section 94 is up to date with all changes known to be in force on or before 10 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*

- (c) independent educational institutions of a specified description.
- (3) In subsection (2) “specified” means specified in regulations made under this section.
- (4) The standards do not apply to early years provision for children who have not attained the age of three (separate requirements as to such provision being imposed by or under Part 3 of the Childcare Act 2006 (c. 21)).
- (5) In this Chapter “independent educational institution standards” means—
 - (a) the standards for the time being prescribed under this section, and
 - (b) in relation to early years provision for children who have attained the age of [F1two] , the Early Years Foundation Stage (see section 39 of the Childcare Act 2006).

Textual Amendments

- F1** Word in s. 94(5)(b) substituted (26.5.2015) by [Small Business, Enterprise and Employment Act 2015](#) (c. 26), [ss. 75\(5\)](#), 164(3)(e)
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Commencement Information

- I1** S. 94 in force at 19.6.2009 for specified purposes by [S.I. 2009/1513](#), [art. 2\(2\)](#)
- I2** S. 94 in force at 5.1.2015 in so far as not already in force by [S.I. 2014/3364](#), [art. 2\(a\)](#)

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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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)