

Status: Point in time view as at 18/03/2010.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Part 1 is up to date with all changes known to be in force on or before 06 August 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)

SCHEDULES

SCHEDULE 9

AMENDMENTS

PART 1

EXISTING LISTS

Children Act 1989 (c. 41)

- 1 In Schedule 9A to the Children Act 1989 (child minding and day care for young children), after paragraph 4(2)(b) insert—
- “(ba) he is barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006);”.

Commencement Information

- I1** Sch. 9 para. 1 in force at 12.10.2009 by S.I. 2009/2611, art. 2, Sch.

Teaching and Higher Education Act 1998 (c. 30)

- 2 The Teaching and Higher Education Act 1998 is amended as follows.

Commencement Information

- I2** Sch. 9 para. 2 in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(c)
I3 Sch. 9 para. 2 in force at 20.1.2009 for specified purposes by S.I. 2009/39, art. 2(1)(l)(3)(h)
I4 Sch. 9 para. 2 in force at 12.10.2009 in so far as not already in force by S.I. 2009/2611, art. 2, Sch.

- 3 Section 2(4) (advisory functions of General Teaching Council) is omitted.

Commencement Information

- I5** Sch. 9 para. 3 in force at 12.10.2009 by S.I. 2009/2611, art. 2, Sch.

- 4 In section 3(3) (eligibility for registration), after paragraph (a) insert—
- “(aa) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006);”.

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I6 Sch. 9 para. 4 in force at 12.10.2009 by S.I. 2009/2611, art. 2, Sch.

- 5 (1) Section 15 (supply of information following dismissal etc) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a) for “a person's services on a ground mentioned in section 142 of the Education Act 2002” substitute “ the services of a registered teacher on a ground mentioned in subsection (1A) ”;
 - (b) in paragraph (b)—
 - (i) for “a person's” substitute “ a registered teacher's ”;
 - (ii) for “section” substitute “ subsection ”;
 - (iii) for “the person” substitute “ the teacher ”.
- (3) After subsection (1) insert—
- “(1A) The grounds are—
- (a) misconduct;
 - (b) professional incompetence;
 - (c) conviction of a relevant offence within the meaning of paragraph 8 of Schedule 2.”

(4) In subsection (2)—

 - (a) for “a person” substitute “ a teacher ”;
 - (b) for the words from “such of the following” to the end substitute “ the Council ”.

(5) In subsection (3)—

 - (a) for “a person” substitute “ a teacher ”.
 - (b) for the words from “such of the following” to the end substitute “ the General Teaching Council for Wales ”.

(6) Omit subsection (4).

(7) In subsection (5) for the definition of “relevant employer” substitute—

““relevant employer” means—

 - (a) a local education authority;
 - (b) a person exercising a function relating to the provision of education on behalf of a local education authority;
 - (c) the proprietor of a school;
 - (d) the governing body of a further education institution;

“education” includes vocational, social, physical and recreational training;

“proprietor” and “school” have the meanings given in the Education Act 1996;

“further education institution” has the meaning given in section 140 of the Education Act 2002;”.

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- I7** Sch. 9 para. 5 in force at 12.10.2009 in so far as not already in force by S.I. 2009/2611, art. 2, Sch.
I8 Sch. 9 para. 5(1) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(iii)
I9 Sch. 9 para. 5(1) in force at 20.1.2009 for specified purposes by S.I. 2009/39, art. 2(1)(I)(3)(c)
I10 Sch. 9 para. 5(2)(3)(6)(7) in force at 17.12.2008 for specified purposes for E. by S.I. 2008/3204, art. 2(b)(i)
I11 Sch. 9 para. 5(2)(3)(6)(7) in force at 20.1.2009 for E. so far as not already in force by S.I. 2009/39, art. 2(1)(I)(3)(a)
I12 Sch. 9 para. 5(4) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(ii)
I13 Sch. 9 para. 5(4) in force at 20.1.2009 in so far as not already in force by S.I. 2009/39, art. 2(1)(I)(3)(b)

- 6 (1) Section 15A (supply of information by contractor, agency, etc) is amended as follows.
- (2) In subsection (1) for “another person (the “worker”)” substitute “a registered teacher (the “teacher”)”.
- (3) In subsection (2)—
- (a) in paragraph (a) for “section 142 of the Education Act 2002” substitute “section 15(1A)”;
 - (b) in paragraph (b) for “section” substitute “subsection”;
 - (c) in paragraph (c)—
 - (i) for “worker” substitute “teacher”;
 - (ii) for “section” substitute “subsection”.
- (4) In subsection (3)—
- (a) for “worker” substitute “teacher”;
 - (b) for the words from “such of the following” to the end substitute “the Council”.
- (5) In subsection (4)—
- (a) for “worker” substitute “teacher”;
 - (b) for the words from “such of the following” to the end substitute “the General Teaching Council for Wales”.
- (6) In subsection (9)—
- (a) for “Subsections (4) and” substitute “Subsection”;
 - (b) for “they apply” substitute “it applies”.

Commencement Information

- I14** Sch. 9 para. 6 in force at 12.10.2009 in so far as not already in force by S.I. 2009/2611, art. 2, Sch.
I15 Sch. 9 para. 6(1) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(vi)
I16 Sch. 9 para. 6(1) in force at 20.1.2009 for specified purposes by S.I. 2009/39, art. 2(1)(I)(3)(f)
I17 Sch. 9 para. 6(2)(3)(6) in force at 17.12.2008 for specified purposes for E. by S.I. 2008/3204, art. 2(b)(iv)
I18 Sch. 9 para. 6(2)(3)(6) in force at 20.1.2009 for E. so far as not already in force by S.I. 2009/39, art. 2(1)(I)(3)(d)
I19 Sch. 9 para. 6(4) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(v)
I20 Sch. 9 para. 6(4) in force at 20.1.2009 in so far as not already in force by S.I. 2009/39, art. 2(1)(I)(3)(e)

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- 7 In paragraph 1(4) of Schedule 2 (disciplinary powers of Council), for the words from “of the powers exercisable” to the end substitute “ of the powers exercisable by the Independent Barring Board under the Safeguarding Vulnerable Groups Act 2006 ”.

Commencement Information

- I21** Sch. 9 para. 7 in force at 17.12.2008 for specified purposes for E. by S.I. 2008/3204, art. 2(b)(vii)
I22 Sch. 9 para. 7 in force at 20.1.2009 for E. so far as not already in force by S.I. 2009/39, art. 2(1)(l)(3)(g)
I23 Sch. 9 para. 7 in force at 12.10.2009 in so far as not already in force by S.I. 2009/2611, art. 2, Sch.

Protection of Children Act 1999 (c. 14)

- 8 (1) The Protection of Children Act 1999 is amended as follows.
- (2) Sections 1 to 4C and 7 (list of persons considered unsuitable to work with children) are omitted.
- (3) In section 9 (the Tribunal)—
- (a) in subsection (1), omit the words from “ which shall exercise ” to the end;
 - (b) in subsection (2)—
 - (i) omit paragraphs (a) and (b);
 - (ii) in paragraph (d), for “68, 86, 87 or 88” substitute “ or 68 ”;
 - (iii) omit paragraph (e);
 - (c) omit subsection (3A).
- (4) In section 12 (interpretation)—
- (a) in subsection “ (1) ”, omit all the definitions except the definition of “prescribed”;
 - (b) omit subsections “ (2) to (3A) ”.

Commencement Information

- I24** Sch. 9 para. 8 in force at 12.10.2009 by S.I. 2009/2611, art. 2, Sch.

Care Standards Act 2000 (c. 14)

- 9 Sections 80 to 89 and 91 to 93 of the Care Standards Act 2000 (list of persons considered unsuitable to work with vulnerable adults) are omitted.

Commencement Information

- I25** Sch. 9 para. 9 in force at 12.10.2009 by S.I. 2009/2611, art. 2, Sch.

Childcare Act 2006

- 10 (1) In section 75(3) of the Childcare Act 2006 (disqualification from registration), after paragraph (b) insert—

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“(ba) he is barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006);”.

Commencement Information

I26 Sch. 9 para. 10 in force at 19.5.2008 by S.I. 2008/1320, art. 2(d)

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