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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 145**

**Safeguarding Vulnerable Groups (2007 Order) (Commencement No.6 and Safeguarding Vulnerable Groups (2007 Order) (Commencement No.5, Transitional Provisions and Savings) (Amendment)) Order (Northern Ireland) 2010**

**PART 3**

**Amendment of the Safeguarding Vulnerable Groups (2007 Order) (Commencement No.5, Transitional Provisions and Savings) Order (Northern Ireland) 2009**

**Amendment of Article 7 of the 2009 Order (transitional and savings provisions: persons prohibited from teaching or working with children: The Education (Prohibition from Teaching or Working with Children) Regulations (Northern Ireland) 2007)**

- 8.—**(1) Article 7 of the 2009 Order is amended in accordance with paragraphs (2) to (6).
- (2) In paragraph (2)(c) for “regulation 9” substitute “regulation 7 or 9”.
- (3) For paragraph (4)(a) substitute—
- “**(a)** a prohibition in relation to P is revoked under regulation 7, 9 or 11 of the 2007 Regulations and—
- (i) there is no outstanding appeal relating to the revocation of the prohibition, and
- (ii) the period of time in which any appeal relating to the revocation of the prohibition may be made has expired.”.
- (4) For paragraph (4)(b) substitute—
- “**(b)** P is included in the children’s barred list pursuant to Article 3(2)(a) of the 2008 Order and—
- (i) ISA is not required under Article 3(2)(b) of the 2008 Order to give P the opportunity to make representations as to why P should be removed from that list, or
- (ii) where ISA is required under that Article to give P the opportunity to make such representations, it decides not to remove P from that list, and
- (iii) where paragraph (i) or (ii) applies—
- (aa) there is no outstanding review relating to a prohibition made in relation to P under regulations 4 or 6 of the 2007 Regulations,
- (bb) there is no outstanding appeal relating to a decision not to revoke a prohibition made in relation to P, and
- (cc) the period of time in which any appeal relating to the decision not to revoke a prohibition in relation to P may be made has expired;”.
- (5) After paragraph (4) insert—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(4A) Where P has been included in the children’s barred list in accordance with Article 3(2)(a) of the 2008 Order and where paragraph (4)(a) is satisfied at any time whilst P is so included, ISA must remove P from that list unless it is satisfied that paragraph 1 or 2 of Schedule 1 to the Order (prescribed criteria for automatic inclusion in the children’s barred list) applies to P.”.

(6) After paragraph (5) insert—

“(6) For the purposes of paragraph (4)(b)(iii)(aa), “outstanding review” means a review being carried out by the Department of Education for the purposes of determining whether a prohibition made in relation to P should be revoked under regulation 7 or 9 of the 2007 Regulations.”.