
Changes to legislation: *Safeguarding Vulnerable Groups Act 2006, Cross Heading: Teaching and Higher Education Act 1998 (c. 30) is up to date with all changes known to be in force on or before 25 March 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*

SCHEDULES

SCHEDULE 9

AMENDMENTS

PART 1

EXISTING LISTS

Teaching and Higher Education Act 1998 (c. 30)

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

Commencement Information

- I1** Sch. 9 para. 2 in force at 17.12.2008 for specified purposes by [S.I. 2008/3204](#), **art. 2(c)**
- I2** Sch. 9 para. 2 in force at 20.1.2009 for specified purposes by [S.I. 2009/39](#), **art. 2(1)(l)(3)(h)**
- I3** 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

- I4** 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).”

Commencement Information

- I5** 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 ”.

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(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;”.

Commencement Information

I6	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.
I7	Sch. 9 para. 5(1) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(iii)
I8	Sch. 9 para. 5(1) in force at 20.1.2009 for specified purposes by S.I. 2009/39, art. 2(1)(l)(3)(c)
I9	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)
I10	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)(l)(3)(a)
I11	Sch. 9 para. 5(4) in force at 17.12.2008 for specified purposes by S.I. 2008/3204, art. 2(b)(ii)
I12	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)(l)(3)(b)

6 (1) Section 15A (supply of information by contractor, agency, etc) is amended as follows.

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- (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

- I13** 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.](#)
- I14** Sch. 9 para. 6(1) in force at 17.12.2008 for specified purposes by [S.I. 2008/3204](#), [art. 2\(b\)\(vi\)](#)
- I15** Sch. 9 para. 6(1) in force at 20.1.2009 for specified purposes by [S.I. 2009/39](#), [art. 2\(1\)\(I\)\(3\)\(f\)](#)
- I16** 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\(b\)\(iv\)](#)
- I17** 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\(1\)\(I\)\(3\)\(d\)](#)
- I18** Sch. 9 para. 6(4) in force at 17.12.2008 for specified purposes by [S.I. 2008/3204](#), [art. 2\(b\)\(v\)](#)
- I19** 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\(1\)\(I\)\(3\)\(e\)](#)

- 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

- I20** Sch. 9 para. 7 in force at 17.12.2008 for specified purposes for E. by [S.I. 2008/3204](#), [art. 2\(b\)\(vii\)](#)
- I21** 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\(1\)\(I\)\(3\)\(g\)](#)
- I22** 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.](#)

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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. 6(8A)(8B) inserted by [2008 c. 14 Sch. 14 para. 8](#)
- s. 6(8A) word omitted by [S.I. 2016/413 reg. 253\(a\)\(i\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 6(8A) words inserted by [S.I. 2016/413 reg. 253\(a\)\(ii\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 13(1A) inserted by [2009 c. 26 s. 82\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(3A) inserted by [2009 c. 26 s. 82\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(6) inserted by [2009 c. 26 s. 82\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(11) substituted by [2009 c. 26 s. 82\(7\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30(2)(aa)(ab) inserted by [2009 c. 26 s. 85\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30(6A)(6B) inserted by [2009 c. 26 s. 85\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30A30B substituted for s. 30-32 by [2012 c. 9 s. 72\(1\)](#)
- s. 32(3)(aa) inserted by [2009 c. 26 s. 86\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 33(3A)-(3D) inserted by [2012 c. 9 s. 72\(2\)\(c\)](#)
- s. 34A-34C inserted by [2009 c. 26 s. 87\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 34ZA inserted by [2012 c. 9 s. 73](#)
- s. 41(4A)-(4C) inserted by [S.I. 2009/1182 Sch. 5 para. 9\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). It comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 48(2A) inserted by [2012 c. 9 s. 76\(3\)\(c\)](#)
- s. 49(2A) inserted by [2012 c. 9 s. 76\(4\)\(c\)](#)
- s. 56(3)(fa) inserted by [2012 c. 9 Sch. 9 para. 68\(4\)\(b\)](#)
- Sch. 3 para. 5A inserted by [2012 c. 9 s. 74\(1\)](#)
- Sch. 3 para. 11A inserted by [2012 c. 9 s. 74\(3\)](#)

– Sch. 4 para. 1(9B)(ia) inserted by [2022 asc 1 Sch. 4 para. 21\(2\)](#)