

## 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);”.

##### *Teaching and Higher Education Act 1998 (c. 30)*

- 2 The Teaching and Higher Education Act 1998 is amended as follows.
- 3 Section 2(4) (advisory functions of General Teaching Council) is omitted.
- 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);”.
- 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.”

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*Status: This is the original version (as it was originally enacted).*

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- (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;”.
- 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”.

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”.

#### *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).

#### *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.

#### *Childcare Act 2006*

- 10 (1) In section 75(3) of the Childcare Act 2006 (disqualification from registration), after paragraph (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);”.