STATUTORY INSTRUMENTS

2008 No. 3256

EDUCATION, ENGLAND

The General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2008

Made - - - -	*17th December 2008*
Laid before Parliament	*29th December 2008*
Coming into force - -	*20th January 2009*

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 15 and 15A of the Teaching and Higher Education Act 1998(**a**).

In accordance with section 42(9) of that Act he has consulted the General Teaching Council for England.

Citation, commencement and application

1.—(1) These Regulations may be cited as the General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2008.

(2) These Regulations come into force on 20th January 2009.

(3) These Regulations apply in relation to England.

Amendment of the General Teaching Council for England (Disciplinary Functions) Regulations 2001

2.—(1) Regulation 29 of The General Teaching Council for England (Disciplinary Functions) Regulations 2001(**b**) is amended as follows.

(2) For sub-paragraph (a) of paragraph (1) substitute—

"(a) has ceased to use a registered teacher's services on a ground relating to the registered teacher's—

(i) professional incompetence;

(ii) misconduct; or

(iii) conviction for a relevant offence within the meaning of paragraph 8 of Schedule 2 to the 1998 Act; or".

(3) For sub-paragraph (a) of paragraph (2) substitute—

(**a**) 1998 c. 30. Section 15 was substituted and section 15A inserted by section 215(1) of, and paragraph 83 of Schedule 21 to, the Education Act 2002 (c.32). Sections 15 and 15A were amended by section 63 of, and paragraphs 2, 5 and 6 of Schedule 9, and Schedule 10 to, the Safeguarding Vulnerable Groups Act 2006 (c.47).

(**b**) S.I. 2001/1268. Regulation 29 was substituted by S.I. 2003/1186.

"(a) has terminated the arrangements on a ground relating to the registered teacher's—

(i) professional incompetence;

(ii) misconduct; or

(iii) conviction for a relevant offence within the meaning of paragraph 8 of Schedule 2 to the 1998 Act;".

Jim Knight
Minister of State
17th December 2008 Department for Children, School and Families

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the General Teaching Council for England (Disciplinary Functions) Regulations 2001.

Paragraphs (1) and (2) of regulation 29 are amended to extend the circumstances where an employer of a registered teacher, or an agent who arranges for work to be carried out by a registered teacher, are required to provide information to the Council. The circumstances are extended to include misconduct and conviction of a relevant offence within the meaning of paragraph 8 of Schedule 2 to the Teaching and Higher Education Act 1998.

A full impact assessment has not been prepared for this instrument as no impact on the private or voluntary sectors is foreseen.

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