SCHEDULE

PROCEDURE FOR CONSIDERATION UNDER SECTIONS 10, 11, 12 OR 13 OF THE ACT WHETHER TO LIST

PART 2

CONSIDERATION PROCEDURE WHERE CONSIDERATION IS UNDER SECTION 10(2) or (3) OF THE ACT (Consideration whether to list: organisational referrals etc.)

Notification of case giving rise to consideration for listing

2. Ministers must give to the individual—

(a) a copy of the prescribed information sent to Ministers under sections 3 to 6 or 8 of the Act, upon which Ministers have decided that it may be appropriate for the individual to be included in the children's list, in the adults' list or, where applicable, in both lists;

(b) details of any vetting information relating to the individual; and

(c) a notice inviting the individual to—

(i) make representations as to why the individual should not be listed in the children's list, in the adults' list or, where applicable, in both lists;

(ii) submit any comments on the information provided to the individual under sub-paragraph (a) to (c); and

(iii) submit any further information to Ministers which the individual wishes to be taken into account by Ministers in deciding whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists,

within 28 days of the date of receipt of that notice.

Comments by the referring body

3. Where Ministers receive any representations, comments or information from the individual under paragraph 2 they must—

(a) notify the referring body of that fact;

(b) provide the referring body with details of any representations made and any comments or information submitted by the individual under paragraph 2; and

(c) invite the referring body to provide to Ministers within 28 days of the date of receipt of that notice—

(i) any comments; and

(ii) any further information that the referring body may wish to supply.

Further representations, comments or information to be sent to Ministers

4.—(1) For the purpose of enabling or assisting Ministers to decide whether to list an individual, Ministers may, by notice, invite—

(a) any further representations, comments or information from the individual;

(b) any further comments or information from the referring body; or

(c) any information from any other person as Ministers may consider appropriate.

(2) Any representations, comments or information in response to a notice sent under sub-paragraph (1) are to be supplied in the manner and within such time as Ministers may specify in the notice.

Notification of any further information on which Ministers intend to rely in deciding whether to list the individual

5. Ministers must give to the individual—

(a) details of any comments or further information supplied to Ministers under sections 3 to 6 or 8 of the Act or paragraphs 3(c) or 4(1)(b) and (c) on which they intend to rely in deciding whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists;

(b) details of any other information on which they intend to rely including—

(i) information which they obtain in pursuance of a requirement made under section 18, 19 or 20 of the Act;

(ii) information which they obtain by performing their functions in relation to the Scheme;

(iii) any reports provided to Ministers under paragraphs 17(2) or 18(2); and

(c) a notice inviting the individual to—

(i) make any further representations as to why the individual should not be listed in the children's list, in the adults' list or, where applicable, in both lists;

(ii) submit comments on the information provided under sub-paragraphs (a) or (b); and

(iii) submit any further supporting information which the individual wishes to be taken into account by Ministers in deciding whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists,

in such manner and within such time as Ministers may specify in that notice.