

SCHEDULE

Regulation 18

RELEVANT AGENCIES

Education and childcare

1. The proprietor of an Academy school within the meaning given by section 1A of the Academies Act 2010(1).
2. The proprietor of a 16-19 Academy within the meaning given by section 1B of the Academies Act 2010.
3. The proprietor of an alternative provision Academy within the meaning given by section 1C of the Academies Act 2010.
4. The governing body of a maintained school within the meaning given by section 20(7) of the School Standards and Framework Act 1998(2).
5. The governing body of a maintained nursery school within the meaning given by section 22(9) of the School Standards and Framework Act 1998.
6. The governing body of a pupil referral unit within the meaning given by section 19(2) of the Education Act 1996(3).
7. The proprietor of an independent educational institution registered under section 95(1) of the Education and Skills Act 2008(4).
8. The proprietor of a school approved under section 342 of the Education Act 1996(5).
9. The proprietor of a Special post-16 institution within the meaning given by section 83(2) of the Children and Families Act 2014(6).
10. The governing body of an institution within the further education sector within the meaning given by section 91(3) of the Further and Higher Education Act 1992(7).
11. The governing body of an English higher education provider within the meaning of section 83 of the Higher Education and Research Act 2017(8).
12. Any provider of education or training—
 - (a) to which Chapter 3 of Part 8 of the Education and Inspections Act 2006(9), and

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- (1) 2010 c.32. Sections 1A to 1C were inserted by Education Act 2011 (c. 21), section 53(7). Proprietors of Academies (Academy Schools, 16-19 Academies and Alternative Provision Academies) are Academy Trusts or Multi-Academy Trusts.
 - (2) 1998 c.31. In relation to paragraphs 4 and 5, section 19 of the Education Act 2002 (c.32) sets out the requirement for each maintained school to have a governing body. Section 39(1) of the Education Act 2002 provides that for this purpose, a “maintained school” includes a “maintained nursery school”.
 - (3) 1996 c.56. In section 19(2) the words “local authority” were substituted by Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010/1158, Schedule 2(1), paragraph 7(2).
 - (4) 2008 c.25. Section 579 of the Education Act 1996 sets out that a “proprietor”, in relation to a school or a 16 to 19 Academy, means the person or body of persons responsible for the management of the school or Academy (so that, in relation to a community, foundation or voluntary or community or foundation special school, or a maintained nursery school, it means the governing body).
 - (5) Section 342 was substituted by the School Standards and Framework Act 1998, Schedule 30, paragraph 82. The words: “appropriate national authority” in section 342(1) were substituted by the Education and Skills Act 2008, section 142(3)(a); “or an Academy school” in section 342(1)(b) were inserted by the Children and Families Act 2014 (c. 6), Schedule 3(1), paragraph 37; “appropriate national authority” in section 342(5) substituted by the Education and Skills Act 2008, section 142(4).
 - (6) 2014 c.6.
 - (7) 1992 c.13. Section 91(3)(c) was added by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), Schedule 8, paragraph 13(2). Subsection 3A was added by the Apprenticeships, Skills, Children and Learning Act 2009, Schedule 8, paragraph 13(3).
 - (8) 2017 c.29.
 - (9) 2006 c.40. See section 123. In section 123 the words “Secretary of State” were substituted by the Education Act 2011, Schedule 16, paragraph 30(2). In section 123(1)(b)(c) and (g) the words “or the Chief Executive” were repealed by the

(b) in respect of which funding is provided by, or under arrangements made by, the Secretary of State.

13. A person registered under Chapter 2, 2A, 3 or 3A of Part 3 of the Childcare Act 2006(10).

14. The provider of a children’s centre within the meaning given by section 5A(4) of the Childcare Act 2006.(11)

Health and Social Care

15. The National Health Service Commissioning Board (known as NHS England) as established under section 1H(1) of the National Health Service Act 2006(12).

16. An NHS trust established under section 25 of the National Health Service Act 2006.

17. An NHS foundation trust within the meaning given by section 30 of the National Health Service Act 2006(13).

18. The registered provider of an adoption support agency within the meaning given by section 8(1) of the Adoption and Children Act 2002(14).

19. The registered provider of a registered adoption society within the meaning given by section 2 of the Adoption and Children Act 2002(15).

20. A registered provider of a fostering agency within the meaning given by section 4 of the Care Standards Act 2000(16).

21. A registered provider of a children’s homes within the meaning given by section 1 of the Care Standards Act 2000(17).

22. A registered provider of residential family centre within the meaning given by section 4(2) of the Care Standards Act 2000.

23. The registered provider of a residential holiday schemes for disabled children within the meaning given by regulation 2(1) of the Residential Holiday Schemes for Disabled Children (England) Regulations 2013/1394(18).

Local Government

24. District Councils within the meaning given by section 1(1) of the Local Government Act 1972(19).

Deregulation Act 2015 (c. 20), Schedule 14(2), paragraph 51. Section 123(1)(ba) was added by the Education Act 2011, Schedule 13, paragraph 16(6).

(10) 2006 c.21.

(11) Section 5A was added by the Apprenticeships, Skills, Children and Learning Act 2009, section 198.

(12) 2006 c.41. Section 1H was added by the Health and Social Care Act 2012 (c. 7), section 9(1).

(13) In section 30(1), the words “the function of which is to provide in accordance with this Chapter” were substituted by the Health and Social Care Act 2012 (c.7), section 159(1).

(14) 2002 c.38.

(15) A registered adoption society is also known as a voluntary adoption agency.

(16) 2000 c.14. Section 4 was added by the Children and Young Persons Act 2008 (c.23), section 4(1). Section 4(1) was omitted by the Deregulation Act 2015, section 93(1).

(17) Section 1(4A) was added by the Health and Social Care Act 2008 (c.14), Schedule 5(1), paragraph 2(3).

(18) The Residential Holiday Schemes for Disabled Children (England) Regulations 2013/1394 are made in exercise of powers conferred on the Secretary of State by the Care Standards Act 2000.

(19) 1972 c.70.

Criminal Justice

25. The Children and Family Court Advisory and Support Service (Cafcass) as established under section 11 of the Criminal Justice and Court Services Act 2000(20).

26. A governor of a prison in England (or, in the case of a contracted out prison, its director)

27. Providers of probation services as defined by section 3(6) of the Offender Management Act 2007(21).

28. The principal of a secure college.

29. The governor of a secure training centre (or, in the case of a contracted out secure training centre, its director).

30. The governor of a young offender institution (or, in the case of a contracted out young offender institution its director)(22).

31. Youth offending teams as established under section 39 of the Crime and Disorder Act 1998(23).

Police and Immigration

32. The British Transport Police as established under section 18(1) the Railways and Transport Safety Act 2003(24).

33. The Common Council of the City of London in its capacity as a police authority.

34. Port Police Forces as established under an order made under section 14 of the Harbours Act 1964(25), under Part 10 of the Port of London Act 1968(26), or under section 79 of the Harbours, Docks and Piers Clauses Act 1847 (c.27)(27).

35. Any person or body for whom the Secretary of State must make arrangements for ensuring the discharge of functions under section 55 of the Borders Citizenship and Immigration Act 2009(28).

Miscellaneous

36. Charities within the meaning given by section 1 of the Charities Act 2011(29).

37. Religious Organisations as set out in regulation 34 of, and Schedule 3 to, the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012(30).

38. Any person or body involved in the provision, supervision or oversight of sport or leisure.

(20) 2000 c.43.

(21) 2007 c.21.

(22) In relation to paragraphs 28 to 30, section 43 of the Prison Act 1952 (c.52) allows the Secretary of State to provide these places for the detention of young persons sentenced to detention for an offence or remanded to custody (or for the detention of a class of such persons). Section 43 was substituted by the Criminal Justice and Courts Act 2015 (c. 2), section 38(1). In section 43(4) the words “section 28” were substituted by the Deregulation Act 2015 (c. 20), section 84(3)(a) and “sections 5, 6(2) and (3), 12, 14, 19, and 28” were substituted by section 84(3)(b) of the Deregulation Act 2015.

(23) 1998 c.37.

(24) 2003 c.20.

(25) 1964 c.40. Section 14 of the Harbours Act (relating to England) was substituted by the Restricted Byways (Application and Consequential Amendment of Provisions) Regulations 2006/1177, Schedule 1(1), paragraph 1.

(26) 1968 (c.xxxii). In section 156(2) the word ‘indictable’ in square brackets in each place it occurs was substituted by the Serious Organised Crime and Police Act 2005 (c.15), section 111, paragraphs 41(1) and (3).

(27) 1847 c.27.

(28) 2009 c.11.

(29) 2011 c.25.

(30) School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 No. 8 are made in exercise of powers conferred on the Secretary of State by the School Standards and Framework Act 1998 and the Education Act 1996.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018 No. 789*