



Protection of Children Act 1999

1999 CHAPTER 14

Department for Education and Employment list

5 Additional grounds for prohibiting or restricting employment.

- (1) In subsection (6) of section 218 (provision for prohibiting or restricting employment of teachers etc.) of the Education Reform Act 1988 (“the 1988 Act”), for the words from “on medical grounds” to the end there shall be substituted the words “ on the grounds mentioned in subsection (6ZA) below ”.
- (2) After that subsection there shall be inserted the following subsection—

“(6ZA) The grounds are—

 - (a) medical grounds;
 - (b) the grounds of misconduct;
 - (c) the grounds that the persons concerned are not fit and proper persons to be employed as teachers or in such work as is mentioned in subsection (5)(c) above;
 - (d) the grounds that the persons concerned are included (otherwise than provisionally) in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999 (list of individuals considered unsuitable to work with children); and
 - (e) as respects employment or further employment as teachers, educational grounds.”
- (3) In subsection (6A) of that section, for the words “on medical grounds, or in cases of misconduct,” there shall be substituted the words “ on the grounds mentioned in subsection (6ZA)(a) to (d) above ”.
- (4) In section 15 of the ^{M1}Teaching and Higher Education Act 1998 (supply of information relating to the dismissal or resignation of teachers), after the words “on the grounds of misconduct or incompetence” there shall be inserted the words “ , on the grounds mentioned in section 218(6ZA)(c) of that Act ”.

Status: Point in time view as at 01/09/2000.

Changes to legislation: Protection of Children Act 1999, Cross Heading: Department for Education and Employment list is up to date with all changes known to be in force on or before 10 October 2023. 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)

Marginal Citations

M1 1998 c.30.

6 Appeals against prohibition or restriction of employment.

- (1) The power to make regulations under subsection (6) of section 218 of the 1988 Act includes power to provide that a person may appeal to the Tribunal against—
 - (a) a decision to prohibit or restrict the person's employment or further employment on the grounds mentioned in subsection (6ZA)(a) to (d) of that section; or
 - (b) a decision not to revoke or vary such a decision as is mentioned in paragraph (a) above.
- (2) Regulations made by virtue of this section may make provision as to the circumstances in which the Tribunal shall allow an appeal under the regulations and as to the powers available to it on allowing such an appeal.
- (3) Such regulations may provide that, where a person has been convicted of an offence involving misconduct, no finding of fact on which the conviction must be taken to have been based shall be challenged on an appeal under the regulations.

Status:

Point in time view as at 01/09/2000.

Changes to legislation:

Protection of Children Act 1999, Cross Heading: Department for Education and Employment list is up to date with all changes known to be in force on or before 10 October 2023. 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.