
STATUTORY INSTRUMENTS

2006 No. 3199

The Further Education (Providers of Education) (England) Regulations 2006

Interpretation

3.—(1) In these Regulations—

“central records” has the meaning given by section 113A of the Police Act 1997⁽¹⁾;

“children’s suitability statement” has the meaning given by section 113C(2) of the Police Act 1997;

“employment business” has the meaning given by section 13(3) of the Employment Agencies Act 1973⁽²⁾ and includes a local authority and a person carrying on an employment business;

“enhanced criminal record certificate” means an enhanced criminal record certificate issued pursuant to Part V of the Police Act 1997;

“new member of staff” means a person who receives an offer from the governing body of a further education institution on or after 1st January 2007 to work in a position providing education at the institution under a contract of service or a contract for services with the governing body or otherwise than under a contract and does not include a person supplied by an employment business;

“relevant activity” means regularly caring for, training, supervising or being solely in charge of persons aged under 18;

“relevant matter” has the meaning given by section 113A of the Police Act 1997.

(2) A person meets the relevant staff qualification requirements if—

(a) he meets all relevant requirements in the Further Education Teachers’ Qualifications (England) Regulations 2001⁽³⁾ or in regulations made under section 136(a) of the Education Act 2002 as to the qualifications that he must hold; and

(b) he meets all relevant conditions with respect to health or physical capacity in regulations made under section 141 of the Education Act 2002.

(3) For the purposes of these Regulations a person applies for an enhanced criminal record certificate if he countersigns an application for the certificate as a registered person (within the meaning of section 120 of the Police Act 1997) or if an application is countersigned on his behalf, and the application is submitted to the Secretary of State in accordance with Part V of that Act.

(4) In order to carry out an enhanced criminal record check a person must—

(a) apply for and obtain an enhanced criminal record certificate; and

(b) submit a children’s suitability statement with the application for the enhanced criminal record certificate.

(1) 1997 c. 50; sections 113A, 113B and 113C were inserted by the Serious Organised Crime and Police Act 2005 (c. 15), section 163(2).

(2) 1973 c. 35.

(3) S.I. 2001/1209.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
