



Care Standards Act 2000

2000 CHAPTER 14

PART VII

PROTECTION OF CHILDREN AND VULNERABLE ADULTS

The list kept under section 1 of the 1999 Act

95 Inclusion in 1999 Act list on reference by certain authorities

(1) After section 2 of the 1999 Act there is inserted—

“2A Power of certain authorities to refer individuals for inclusion in list

- (1) A person to whom this section applies may refer to the Secretary of State an individual who is or has been employed in a child care position if—
- (a) on the basis of evidence obtained by him in the exercise of his functions under Part II of the Care Standards Act 2000 or Part XA of the Children Act 1989, the person considers that the individual has been guilty of misconduct (whether or not in the course of his employment) which harmed a child or placed a child at risk of harm; and
 - (b) the individual has not been referred to the Secretary of State under section 1 above in respect of the misconduct.
- (2) The persons to whom this section applies are—
- (a) the National Care Standards Commission;
 - (b) the National Assembly for Wales; and
 - (c) Her Majesty’s Chief Inspector of Schools in England.
- (3) Section 2(4) to (7) above shall apply in relation to a reference made by a person under subsection (1) above as it applies in relation to a reference made by an organisation under section 2(1) above.

Status: This is the original version (as it was originally enacted).

- (4) The reference in subsection (1) above to misconduct is to misconduct which occurred after the commencement of this section.”
- (2) In section 1(2)(a) of that Act (duty of Secretary of State to keep list), after “2” there is inserted “or 2A”.
- (3) For the sidenote to section 2 of that Act there is substituted “Inclusion in list on reference following disciplinary action etc.”.