

**2012 No. 1153**

**EDUCATION, ENGLAND AND WALES**

**The Education Act 2011 (Abolition of the GTCE Consequential Amendments and Revocations) Order 2012**

<i>Made</i>	- - - -	<i>25th April 2012</i>
<i>Laid before Parliament</i>		<i>3rd May 2012</i>
<i>Coming into force</i>	- -	<i>25th May 2012</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 11(2) and 78(2)(a) and (c) of the Education Act 2011(a).

**Citation and commencement**

1. This Order may be cited as the Education Act 2011 (Abolition of the GTCE Consequential Amendments and Revocations) Order 2012 and comes into force on 25th May 2012.

**Amendments to the Safeguarding Vulnerable Groups Act 2006 (Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5) Order 2009**

2.—(1) The Safeguarding Vulnerable Groups Act 2006 (Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5) Order 2009(b) is amended as follows.

(2) In article 21 (information provided by ISA)—

(a) for paragraph (8) substitute—

“(8) If ISA(c) becomes aware of relevant information relating to a person who it knows or thinks is a person—

(a) to whom sections 141B to 141E of the 2002 Act(d) apply, or

(b) who appears in the register of teachers maintained under section 3 of the Teaching and Higher Education Act 1998(e) by the General Teaching Council for Wales(f),

it must provide that information to the Secretary of State or the General Teaching Council for Wales, as the case may be.”; and

(b) for paragraph 9(b) substitute—

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- (a) 2011 c.21.  
(b) S.I. 2009/2610, to which there is an amendment not relevant to this Order.  
(c) In accordance with section 81 of the Policing and Crime Act 2009 (c. 26) legislative references to the Independent Barring Board (IBB) should now be read as references to the Independent Safeguarding Authority (ISA).  
(d) Section 141A(1) of the Education Act 2002 (“the 2002 Act”) sets out the persons to whom sections 141B to 141E apply.  
(e) 1998 c.30. Section 3 was amended by paragraphs 1 and 3(1) to (6) of Part 1 of Schedule 12 to the 2002 Act and by paragraph 76(b) of Schedule 21 to that Act. It was repealed in part by paragraph 76(a) of Schedule 21 and by Part 3 of Schedule 22 to the 2002 Act. It was further amended by paragraph 4 of Part 1 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c.47). Chapter 1 and Schedule 1 are amended by paragraphs 1 to 17 of Schedule 2 to the Education Act 2011 (c.21).  
(f) The General Teaching Council for Wales is established under S.I. 1998/2911.

“(b) is relevant to the exercise of any function of—

- (i) the Secretary of State in respect of sections 141B to 141E of the 2002 Act, or
- (ii) the General Teaching Council for Wales,”.

### Revocations

3. The instruments listed in Column 1 of the table in the Schedule are revoked to the extent indicated in Column 3.

*Nick Gibb*

Minister of State

Department for Education and Skills

25th April 2012

## SCHEDULE

Article 3

### Revocations

<i>Column 1</i> <i>Instruments Revoked</i>	<i>Column 2</i> <i>References</i>	<i>Column 3</i> <i>Extent of revocation</i>
The General Teaching Council for England (Constitution) Regulations 1999	S.I. 1999/1726	The whole instrument
The General Teaching Council for England (Constitution) (Amendment) Regulations 1999	S.I. 1999/2019	The whole instrument
The General Teaching Council for England (Constitution) (Amendment) Regulations 2000	S.I. 2000/1447	The whole instrument
The General Teaching Council for England (Constitution) (Amendment) Regulations 2004	S.I. 2004/1935	The whole instrument
The Equality Act 2006 (Dissolution of Commissions and Consequential and Transitional Provisions) Order 2007	S.I. 2007/2602	Paragraph 2 of the Schedule
The Education (Miscellaneous Amendments relating to Safeguarding Children) (England) Regulations 2009	S.I. 2009/1924	Regulation 3
The General Teaching Council for England (Additional Functions) Order 2000	S.I. 2000/2175	The whole instrument
The General Teaching Council for England (Additional Functions) (Amendment) Order 2001	S.I. 2001/1270	The whole instrument
The General Teaching Council for England (Disciplinary Functions) Regulations 2001	S.I. 2001/1268	The whole instrument
The General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2003	S.I. 2003/1186	The whole instrument
The General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2008	S.I. 2008/3256	The whole instrument
The General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2011	S.I. 2011/2785	The whole instrument
The General Teaching Council for England (Registration of Teachers) Regulations 2000	S.I. 2000/2176	The whole instrument
The General Teaching Council for England (Registration of Teachers) (Amendment) Regulations 2001	S.I. 2001/23	The whole instrument
The General Teaching Council for England (Registration of Teachers) (Amendment No. 2) Regulations 2001	S.I. 2001/1267	The whole instrument

The General Teaching Council for England (Registration of Teachers) (Amendment) Regulations 2007	S.I. 2007/1883	The whole instrument
The General Teaching Council for England (Deduction of Fees) Regulations 2001	S.I. 2001/3993	The whole instrument
The General Teaching Council for England (Deduction of Fees) (Amendment) Regulations 2003	S.I. 2003/985	The whole instrument
The Education Act 2002 (School Teachers) (Consequential Amendments, etc) (England) Regulations 2003	S.I. 2003/2039	Regulation 3
The Secretaries of State for Children, Schools and Families, for Innovation, Universities and Skills and for Business, Enterprise and Regulatory Reform Order 2007	S.I. 2007/3224	Paragraph 30 of the Schedule
The Secretary of State for Education Order 2010	S.I. 2010/1836	Paragraph 11(d) of the Schedule
The General Teaching Council for England (Additional Functions) Order 2004	S.I. 2004/1886	The whole instrument
The General Teaching Council for England (Eligibility for Provisional Registration) Regulations 2008	S.I. 2008/1884	The whole instrument
The General Teaching Council (Registration of Temporary Teachers from Relevant European States) (England and Wales) Regulations 2009	S.I. 2009/3200	The whole instrument in so far as it applies in relation to England

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes amendments and revocations to secondary legislation consequential upon the abolition of the General Teaching Council for England (GTCE) by section 7 of the Education Act 2011 which came into force on 1 April 2012.

Article 2 amends the Safeguarding Vulnerable Groups Act 2006 (Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5) Order 2009 so that the Independent Safeguarding Authority (ISA, formerly IBB) can, following the abolition of the GTCE, provide information to the Secretary of State that may be relevant to disciplinary investigations of teachers working in England.

Article 3 and the Schedule revoke references in secondary legislation that relate specifically to the General Teaching Council for England to the extent indicated in each case.

In relation to the General Teaching Council (Registration of Temporary Teachers from Relevant European States) (England and Wales) Regulations 2009, these are revoked in relation to England only. The effect of the revocation is that teachers from EEA States or Switzerland who are working in England are no longer required to register with the GTCE in order to be able to carry out teaching work in England, or to be subject to the same disciplinary provisions as teachers registered in accordance with section 3 of the Teaching and Higher Education Act 1998. Instead, since 1 April 2012, all qualified teachers, including teachers who have qualified overseas, are able to work in England on a temporary basis under the provisions of the Education (Specified Work) (England) Regulations 2012, and all teachers that are working in England will be covered by the disciplinary regime in sections 141B to 141E of the Education Act 2002.

An impact assessment has not been produced for this instrument as it has no impact on businesses, civil society organisations or on the public sector.

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