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## Policing (Police Vetting) Amendment Bill

### Introduction

#### 1. About Matatū Aotearoa | Teaching Council of New Zealand

Matatū Aotearoa | Teaching Council of New Zealand (the Council) is the independent professional body for teachers | kaiako from early childhood education through to primary and secondary schooling in English and Māori medium and settings of other languages. The statutory purpose of the Council is “to ensure safe and high-quality leadership, teaching and learning ... through raising the status of the profession”<sup>1</sup>.

The Council’s role is to create and uphold the standards of conduct and competence of the teaching profession. Teachers include registered teachers in early childhood education services and schools | kura, as well as holders of limited authorities to teach (LATs) which give schools | kura the flexibility to employ people with specific technical skills into teaching roles.

The Council has statutory obligations to (among other things):

- establish and maintain:
  - criteria for teacher registration
  - standards for ongoing practice and criteria for the issue of practising certificates
  - a code of conduct for teachers
- monitor and enforce the requirements related to mandatory reporting of conduct and competence matters
- set criteria for the reporting of serious misconduct
- perform disciplinary functions related to teacher misconduct and convictions
- co-ordinate a system providing for the vetting by the Police of all teachers.

As of 2 December 2024, there were over 112,600 teachers with current practicing certificates and just over 2,600 people with a Limited Authority to Teach (LAT). In the financial year 2023/24, over 6,000 applications were processed to register new teachers.

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<sup>1</sup> s478 of the Education and Training Act 2020.  
Policing (Police Vetting) Amendment Bill

The Council is a current agency authorised with the New Zealand Police to make a vetting request. The Council has a contractual arrangement with New Zealand Police Vetting Services to pay for an expedited service of ~45,000<sup>2</sup> Police vets of registered teachers and LAT holders per year.

## 2. Process

The Council acknowledges this submission will become public information.

## 3. Oral submission

The Council does not wish to speak to this submission.

## General comment on the Amendment Bill

The Council is a current agency authorised to make a vetting request. We have an Approved Agency Agreement for access to the New Zealand Police Vetting Service and Australian National Police Checking Service.

The Council **supports** the changes proposed in the Amendment Bill to establish a statutory framework that enables the current Police vetting service to continue operating in substantially the same manner as at present, by—

- setting out the purposes of Police vetting; and
- setting out who can request a Police vet; and
- requiring a request for a Police vet to be made with the consent of the individual who is the subject of the request; and
- setting out the information that may be disclosed in a Police vet; and
- setting out the circumstances in which certain information may be disclosed in a Police vet; and
- requiring Police to update a Police vet in respect of a children’s worker if Police subsequently becomes aware that the children’s worker has been charged with or convicted of a specified offence; and

We also **support** the proposed changes allowing the current Police vetting service to be extended by—

- enabling Police to provide updates of a Police vet to an agency if requested by the agency and if the individual who is the subject of the Police vet consents and Police is satisfied that the provision of updated Police vets is necessary; and
- enabling an individual who is a member of a specified class of individuals to make a vetting request in relation to themselves specifying the agencies they wish the Police vet is to be disclosed to (for example, an individual may wish to request that a Police vet about themselves be provided by Police to a number of prospective employers instead of having each of the prospective employers separately request a Police vet in respect of the individual).

We note and **support** the proposed consequential changes to the Education and Training Act 2020 (ETA 2020) and the Teaching Council Rules 2016.

### Teaching Council excluded from receiving updated Police vets relating to specified offences

The Council has **significant concerns** about the potential impact of being excluded from the new section 54K – “PVS to provide specified authorised agency updated Police vets in respect of children’s worker”. New Zealand Police currently advise the Council of those teachers who are charged with or convicted of specified offences which is critical to ensuring the safety of all learners.

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<sup>2</sup> 44,948 in the period 1 January 2023 to 31 December 2023  
Policing (Police Vetting) Amendment Bill

The Council undertakes Police vetting as part of our registration, certification and authorisation processes for registered teachers and holders of limited authorities to teach (LATs), as required under the ETA 2020. The Council is defined as an authorised agency who is authorised to make vetting requests.

Clause 5, which introduces a new Interpretation section, proposes the following definitions:

- **specified authorised agency** means an authorised agency that is a specified organisation
- **specified organisation** has the same meaning as in section 24 of the Children’s Act 2014.

Section 24 of the Children’s Act 2014 defines ‘specified organisation’ as follows:

- (1) In this Part, specified organisation means any of the following that employs or engages a children’s worker to perform a regulated service:
  - (a) any of the State services;
  - (b) an individual or organisation that is funded (whether wholly or partly and whether directly or indirectly) by a State service to provide regulated services;
  - (c) on and after the date that is 2 years after the date on which this Part comes into force (or any earlier date specified in regulations made under section 33(1)(b)),—
    - (i) local authorities; and
    - (ii) individuals and organisations that are funded (whether wholly or partly and whether directly or indirectly) by a local authority to provide regulated services;
  - (d) a sponsor as defined in section 10(1) of the Education and Training Act 2020.

The Council does not meet the definition of specified organisation and therefore does not meet the proposed definition of specified authorised agency. This has significant implications.

The new section 54K determines that specified authorised agencies will receive from the Police Vetting Service an updated Police vet when the vetting subject is a children’s worker who has been charged with or convicted of a specified offence. The current wording of the Amendment Bill does not include the Council.

The Children’s Act 2014 definition of “specified organisation” and proposed new section 54K both refer to organisations who “employ or engage” children’s workers. The Council does employ a few teachers but nearly all 112,600 teachers with a current practicing certificate and 2,600 holders of a limited authority to teach (LAT) are employed by early childhood education and care services and school boards. The Council has no employment relationship with these teachers.

The notification of specified offence charges and/or convictions against teachers to the Council is critical to our purpose of ensuring safe and high-quality leadership, teaching, and learning for children (s.478 of ETA 2020) and our function of performing disciplinary functions relating to teacher misconduct and reports of teacher convictions (s.479 of ETA 2020). New Zealand Police currently advise the Council of those teachers who are charged with or convicted of specified offences – this needs to be formally provided for in the legislation.

Receipt of advice about a specified offence charge prompts the Council to urgently review the teacher and consider whether an undertaking not to teach or an application for interim suspension of their practicing certificate is required pending the outcome of the criminal matter. Receipt of confirmation of a specified offence conviction will initiate the cancellation of their registration and/or practising certificate or authorisation until or unless an exemption is obtained. The current practice must continue to ensure learner safety is not compromised and to allow the Council to meet its legal obligations under clauses 2 and 16 of Schedule 3 of the ETA.

We **recommend an amendment** to allow the Council – and potentially other regulatory bodies – to be advised of specified offences by the Police Vetting Service, even where there is no employment relationship between the Council and the subjects of the Police vets.

### **Potential impact of changes to cost recovery provisions**

The Bill proposes section 79E(2) – methods of cost recovery - of the Policing Act 2008 is amended to include two new provisions:

- (2) Without limiting the way in which a fee or charge may be set, a fee or charge may be set at a level or in a way that—

- (d) differentiates between the classes of persons requesting the performance of the same policing service, or to whom the same policing service is delivered:
- (e) differs if an urgent service is required.

It is unclear to us what is envisaged by the new 79E(2)(d) when referring to “classes of persons” and whether this may have implications for the Council.

As a registered charity the Teaching Council receives a waiver of fees for a standard vetting service. To ensure the timely processing of practicing certificate applications, the Council has a letter of agreement and separate funding arrangement with New Zealand Police to fund an expedited service for the vetting of teachers. This provides for 90% of all vetting checks to be processed within five working days, instead of the standard 20 days. The funding agreement is based on the marginal cost to New Zealand Police for providing the expedited service.

The Council is almost fully funded by fees and levies paid by teachers. Any increase in Police vetting fees charged to the Council, either through a change to the status of the charity entity waiver and/or increased vetting fees and/or increased fees for an expedited vetting service will result in:

- an increase in the fees and levies paid by teachers; and/or
- a review of the expedited vetting service and a possible reversion to the standard processing time of 20 working days which will impact on the processing of teacher registration and practising certificate renewals and the issue of limited authorities to teach (LATs).

## **Clause-by-Clause Discussion**

The appendix confirms our support for those clauses directly impacting on the Council, including the consequential amendments to the Education and Training Act 2020 and the Teaching Council Rules 2016, and highlights areas where changes are recommended.

## Appendix: Matatū Aotearoa | Teaching Council New Zealand clause-by-clause comments on the Policing (Police Vetting) Amendment Bill

Proposed amendment (Amendment Bill changes shown in <i>red text</i> )	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b><u>Clause 5 – new Part 3A ‘Police vetting’ – inserting new sections 54A to 54N</u></b></p> <p>Section 54B explains Police vetting.</p> <p>Section 54C sets out the purposes of Police vetting.</p> <p>Section 54D provides that an authorised agency or an authorised individual may make vetting requests.</p> <p>Section 54F is about authorised individuals.</p> <p>Section 54G provides that a vetting request may not be made in respect of an individual under the age of 14 years.</p> <p>Section 54H provides that a vetting request may only be made for a purpose specified in new section 54C and sets out how a vetting request must be made and the information that a vetting request must contain.</p> <p>Section 54I requires the PVS to respond to a vetting request as soon as is reasonably practicable after receiving the request. The PVS must either make available to an authorised agency a Police vet in respect of the vetting subject or notify the agency that a Police vet cannot be made available because making a Police vet available would be likely to prejudice the maintenance of the law.</p> <p>Section 54M provides that, on the request of an authorised individual, the PVS may arrange to provide to authorised agencies updates of a Police vet that was earlier provided in respect of the authorised individual.</p> <p>Section 54N indemnifies the Commissioner of Police and Police employees against all liability arising from providing a Police vet and from all good-faith actions taken or omitted when performing or exercising their functions, duties, and powers under new Part 3A.</p>	<p>We support these amendments.</p> <p>We have provided more comment on the following new sections:</p> <ul style="list-style-type: none"> <li>• 54A - Interpretation</li> <li>• 54E – Authorised agencies</li> <li>• 54J – Information provided in a Police vet</li> <li>• 54K - PVS to provide specified authorised agency updated Police vets in respect of children’s worker</li> <li>• 54L - PVS may provide authorised agency updated Police vets if requested by authorised agency</li> </ul>

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b>Clause 5 – new Part 3A ‘Police vetting’ – new section 54A</b></p> <p><b>54A Interpretation</b></p> <p>In this Part, unless the context otherwise requires, -</p> <p><b>authorised agency</b> means an agency, or a representative of an agency, authorised under section 54E to make vetting requests</p> <p><b>specified authorised agency</b> means an authorised agency that is a specified organisation</p> <p><b>specified organisation</b> has the same meaning as in section 24 of the Children’s Act 2014</p> <p><b>Children’s Act 2014</b></p> <p><b>24 Specified organisation defined</b></p> <p>(1) In this Part, specified organisation means any of the following that employs or engages a children’s worker to perform a regulated service:</p> <p>(a) any of the State services;</p> <p>(b) an individual or organisation that is funded (whether wholly or partly and whether directly or indirectly) by a State service to provide regulated services;</p> <p>(c) on and after the date that is 2 years after the date on which this Part comes into force (or any earlier date specified in regulations made under section 33(1)(b)),—</p> <p>(i) local authorities; and</p> <p>(ii) individuals and organisations that are funded (whether wholly or partly and whether directly or indirectly) by a local authority to provide regulated services;</p> <p>(d) a sponsor as defined in section 10(1) of the Education and Training Act 2020.</p>	<p>We recommend an amendment that allows the Teaching Council, which is an ‘authorised agency’ but does not meet the definition of ‘specified authorised agency’ as proposed in this Bill, to be advised of charges and/or convictions of specified offences as provided for under proposed new section 54K.</p> <p>The notification of specified offence charges and/or convictions against teachers to the Teaching Council is critical to our purpose of ensuring safe and high-quality leadership, teaching, and learning for children (s.478 of ETA 2020) and our function of performing disciplinary functions relating to teacher misconduct and reports of teacher convictions (s.479 of ETA 2020).</p>

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b><u>Clause 5 – new Part 3A ‘Police vetting’ - new section 54E</u></b></p> <p><b>54E Authorised agencies</b></p> <p>(1) An agency is an authorised agency if the agency is—</p> <p>(a) required by an enactment to obtain a Police vet in respect of an individual (who may be described by reference to the individual being a member of a class of individuals) and is registered with the PVS for this purpose; or</p> <p>(b) approved by the PVS to make vetting requests.</p> <p>(2) For the purposes of subsection (1)(b), the PVS may, on the application of an agency, grant the agency approval to make vetting requests if the PVS is satisfied that, having regard to the nature, functions, and activities of the agency, it is appropriate that the agency be approved to make vetting requests.</p>	<p>We <b>support</b> this amendment.</p> <p>The Council is a current authorised agency required by the Education and Training Act 2020 to obtain Police vets to allow the registration and certification of teachers and the authorisation of holders of limited authorities to teach (LATs).</p> <p>We have <b>significant concerns</b> about the impact of the exclusion of the Council from 54K which as written allows only a ‘specified authorised agency’ to receive an updated Police vet following a children’s worker being charged or convicted of a specified offence.</p>

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b>Clause 5 – new Part 3A ‘Police vetting’ - new section 54J</b></p> <p><b>54J Information to be included in Police vet</b></p> <p>(1) A Police vet in respect of a vetting subject—</p> <ul style="list-style-type: none"> <li>(a) must include the vetting subject’s criminal record (if the vetting subject has a criminal record) unless the vetting subject’s criminal record is required to be concealed under the clean slate scheme in the Criminal Records (Clean Slate) Act 2004; and</li> <li>(b) may include a summary of the information listed in subsection (7) in respect of the vetting subject that can be readily retrieved and that the PVS— <ul style="list-style-type: none"> <li>(i) is satisfied is relevant to disclose having regard to the particular purpose for which the vetting request is made in respect of the vetting subject; and</li> <li>(ii) has taken steps that are, in the circumstances, reasonable to ensure the information is accurate and not misleading.</li> </ul> </li> </ul> <p>(2) However,—</p> <ul style="list-style-type: none"> <li>(a) subsection (1)(a) is subject to subsection (3); and</li> <li>(b) subsection (1)(b) is subject to subsections (3) to (6).</li> </ul> <p>(3) Any information about the vetting subject’s involvement in any proceedings that is subject to a suppression order made by a court or tribunal, or to a statutory prohibition on publication or continued publication, may only be disclosed in a Police vet if the PVS is satisfied that the agency being provided with the Police vet has a genuine interest in receiving that information because the information is substantially relevant to the purpose for which the vetting request is made.</p> <p>.....</p> <p>(5) Any information that is of the kind referred to in subsection (7)(h) may only be included in a Police vet in relation to a vetting subject who has been involved in the family violence as a victim or a witness if the purpose for which the vetting request is made is to assess the suitability of the vetting subject to-</p> <ul style="list-style-type: none"> <li>(a) be employed or engaged (including as a volunteer) in a role working in the vetting subject’s home environment; or</li> <li>(b) be granted, or permitted to sponsor, a New Zealand visa; or</li> <li>(c) to be granted New Zealand citizenship.</li> </ul>	<p>We <b>support</b> the type of information that will be provided in a Police vet and note the restrictions that may apply under 54J(3).</p> <p>We note that 54J(5)(a) may apply to registered teachers who may be employed or engaged as a home-based educator by a home-based education and care service in their own home.</p>



Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b><u>Clause 5 – new Part 3A ‘Police vetting’ - new section 54J</u></b></p> <p><b><u>54J Information to be included in Police vet</u></b></p> <p>(6) Any information that is referred to in subsection (7)(m) relating to a vetting subject’s mental health or substance abuse issues may only be included in a Police vet in relation to a vetting subject if the PVS is satisfied that-</p> <p>(a) there is a link between those issues and any criminal conduct exhibited by the vetting subject; or</p> <p>(b) the issues present a direct risk to another individual.</p> <p>(7) The information referred to in subsection (1)(b) that may be included in a Police vet in respect of a vetting subject is as follows:</p> <p>(a) any charges currently pending against the vetting subject; and</p> <p>(b) any charges ever filed against the vetting subject that did not result in conviction; and</p> <p>(c) any charges ever filed against the vetting subject that were discharged by the Youth Court under section 282(1) or 283(a) of the Oranga Tamariki Act 1989; and</p> <p>(d) any charges ever filed against the vetting subject that were admitted or proven in the Youth Court; and</p> <p>(e) any infringement offences ever committed by the vetting subject; and</p> <p>(f) any demerit points ever recorded against the vetting subject; and</p> <p>(g) any warrants to arrest ever issued against the vetting subject; and</p> <p>(h) any family violence (within the meaning of section 9 of the Family Violence Act 2018) in which the vetting subject has been involved; and</p> <p>(i) any convictions entered against the vetting subject in an overseas jurisdiction if records relating to those convictions are held by the Police; and</p> <p>(j) any offences alleged or admitted to have been committed by the vetting subject when under the age of 18 years not included in any charges filed against the vetting subject; and</p> <p>(k) any investigations conducted by the Police in which the vetting subject was suspected of committing an offence but which did not result in any charges filed against the vetting subject; and</p> <p>(l) any other interactions of any kind that the vetting subject has, at any time, had with the Police; and</p> <p>(m) any other information held by the Police about the vetting subject for any reason.</p>	(Comments as above)

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b>Clause 5 – new Part 3A ‘Police vetting’ - new section 54K</b></p> <p><b>54K PVS to provide specified authorised agency updated Police vets in respect of children’s worker</b></p> <p>(1) This section applies if the PVS—</p> <p>(a) has provided to a specified authorised agency a Police vet in respect of an individual who is a children’s worker; and</p> <p>(b) subsequently becomes aware that the individual has been—</p> <p>(i) charged with a specified offence; or</p> <p>(ii) convicted of a specified offence; and</p> <p>(c) is satisfied that the individual is still a children’s worker <b>employed or engaged</b> by the specified authorised agency.</p> <p>(2) If this section applies, the PVS must update the Police vet that it earlier provided to the specified authorised agency.</p>	<p>We <b>support</b> the Police Vetting Service updating specified authorised agencies when the subject of a previous Police vet is charged or convicted with a specified offence.</p> <p>We <b>recommend this provision is amended</b> as the Council does not meet the proposed definition of ‘specified authorised agency’ and therefore appears not to be eligible to be advised of Police vets where the subject has been charged or convicted of a specified offence.</p> <p>This is an essential service to ensure that any teachers identified as being charged or convicted with a specified service are reviewed and removed from contact with children and young persons as soon as possible, until such time as any exemption is approved.</p> <p>We note 54K (1)(c) presumes that a specified authorised agency employs or engages the subject of the Police vet. We <b>recommend</b> alternative wording is used to reflect the role of regulatory bodies in the Police vetting process where there is no employment relationship.</p>

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b><u>Clause 5 – new Part 3A ‘Police vetting’ - new section 54L</u></b></p> <p><b>54L PVS may provide authorised agency updated Police vets if requested by authorised agency</b></p> <p>(1) If requested by an authorised agency, the PVS may make arrangements with the authorised agency to provide to the authorised agency updates of a Police vet in certain circumstances.</p> <p>(2) No arrangement may be made between the PVS and an authorised agency under subsection (1) unless—</p> <p>(a) the PVS is satisfied that, having regard to the particular purpose for which the vetting request was originally made by the authorised agency, it is necessary that the authorised agency receive updated Police vets in respect of the vetting subject; and</p> <p>(b) the vetting subject consents to the arrangement.</p> <p>(3) Section 54J applies with any necessary modifications to any updated Police vet that the PVS proposes to provide to an authorised agency under an arrangement referred to in subsection (1).</p>	<p>We <b>support</b> the proposed extension of the Police vetting service to allow Police to provide updates of a Police vet to an agency if requested by the agency and if the individual who is the subject of the Police vet consents and Police is satisfied that the provision of updated Police vets is required.</p>

Proposed amendment (Amendment Bill changes shown in red text)	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b>Clause 6 – amends section 79E</b></p> <p><b>79E Methods of cost recovery</b></p> <p>(1) Regulations for the recovery of costs may provide for the following:</p> <ul style="list-style-type: none"> <li>(a) fixed fees or charges:</li> <li>(b) fees or charges based on a scale or formula or at a rate determined on an hourly or other unit basis:</li> <li>(c) the recovery by way of a fee or charge of estimated actual and reasonable costs expended in or associated with the performance of a policing service:</li> <li>(d) fees or charges based on costs incurred from charges by third parties:</li> <li>(e) any combination of the above.</li> </ul> <p>(2) Without limiting the way in which a fee or charge may be set, a fee or charge may be set at a level or in a way that–</p> <ul style="list-style-type: none"> <li>(a) is determined by calculations that involve an averaging of costs or potential costs:</li> <li>(b) takes into account costs or potential costs of services that are not to be provided directly to the person who pays the fee or charge but that are an indirect or potential cost arising from the delivery of the service in question to a class of persons or all persons who use the service:</li> <li>(c) takes into account indirect costs, which include the costs and potential costs of support, maintenance, and development associated with provision of the service.</li> <li>(d) differentiates between the classes of persons requesting the performance of the same policing service, or to whom the same policing service is delivered:</li> <li>(e) differs if an urgent service is required.</li> </ul>	<p>It is not clear to the Council what is envisaged under the new 79E(2)(d) when referring to “classes of people” and whether this may have implications for the Council.</p> <p>We have noted above our current funding arrangements with the Police Vetting Service that acknowledges our charity status and provision for an expedited service.</p> <p>As the Council is almost fully funded by fees and levies paid by teachers, any increase in Police vetting costs will result in an increase in the fees and levies paid by teachers and/or a reversion to the standard processing time of 20 days which will impact on the timing of teacher registration and practising renewals and the issue of limited authorities to teach (LATs).</p>

Proposed amendment <i>(Amendment Bill changes shown in red text)</i>	Comment
<b>Policing Act 2008 (2008 No. 72)</b>	
<p><b><u>Clause 8 - New Schedule 1AA inserted – Transitional, savings, and related provisions</u></b></p> <p>Schedule 1</p> <p><b>Part 1 Provision relating to Policing (Police Vetting) Amendment Act 2024</b></p> <p>1 Agencies approved before commencement date to access Police Vetting Service Internet site are authorised agencies</p> <p>(1) An agency that immediately before the commencement date was registered with the Police as an agency approved to access the Police Vetting Service Internet site is to be treated on and after the commencement date as an agency referred to in section 54E(1)(b) that is authorised by the Police to access the Police Vetting Service Internet site.</p> <p>(2) In this clause, commencement date means the date on which this Part comes into force.</p>	<p>We <b>support</b> this amendment.</p> <p>The Council notes this provides for our continuing and ongoing status as an authorised agency.</p>

Proposed amendment <i>(Amendment Bill changes shown in red text)</i>	Comment
<b>SCHEDULE 2 - CONSEQUENTIAL AMENDMENTS TO OTHER ENACTMENTS</b> <b>PART 1- AMENDMENTS TO OTHER ACTS</b>	
<b>Education and Training Act 2020 (2020 No 38)</b>	
<p><b><u>10(1) Interpretation</u></b></p> <p><b>unsupervised access</b>, in relation to children at a licensed early childhood service or students at a school, means access to any child that is not access by, or supervised by, or otherwise observed by, or able to be directed (if necessary) by, any 1 or more of the following:</p> <p>(a) a registered teacher or holder of a limited authority to teach;</p> <p>(b) an employee of the school or service on whom a satisfactory Police vet has been <del>conducted</del> <b>obtained</b> within the last 3 years;</p> <p>(c) a parent of the student</p>	<p>We <b>support</b> this amendment.</p>
<b>SCHEDULE 3 – Teacher registration, practising certificates, and other matters</b>	
<p><b>4 Determining good character and fitness to be teacher</b></p> <p>(1) For the purpose of determining whether a person is of good character and fit to be a teacher, the Teaching Council must obtain a Police vet <b>in respect</b> of the person.</p> <p>(2) Subclause (1) does not limit any other matters that the Teaching Council may take into account in determining character and fitness to be a teacher.</p>	<p>We <b>support</b> this amendment.</p>
<p><b>10 Practising certificates</b></p> <p>(2) The Teaching Council must issue a practising certificate to every applicant who—</p> <p>(a) is registered as a teacher; and</p> <p>(b) has <del>had</del> <b>received</b> a satisfactory Police vet within the past 3 years;</p>	<p>We <b>support</b> this amendment</p>

Proposed amendment <i>(Amendment Bill changes shown in red text)</i>	Comment
<b>SCHEDULE 2 - CONSEQUENTIAL AMENDMENTS TO OTHER ENACTMENTS</b> <b>PART 1- AMENDMENTS TO OTHER ACTS</b>	
<b>Education and Training Act 2020 (2020 No 38)</b>	
<b>SCHEDULE 3 – Teacher registration, practising certificates, and other matters</b>	
<b>10 Practising certificates</b> (6) If a teacher applies to renew their practising certificate, the Teaching Council may issue a renewed practising certificate— (a) if it is satisfied that the teacher— (i) has satisfactory recent teaching experience; and (ii) has <del>had</del> <b>received</b> a satisfactory Police vet within the past 3 years;	We <b>support</b> this amendment.
<b>10 Practising certificates</b> (6) If a teacher applies to renew their practising certificate, the Teaching Council may issue a renewed practising certificate— (b) if it is satisfied that the teacher— (i) has met the requirements for a refresh process specified under rules made under section 486; and (ii) has <del>had</del> <b>received</b> a satisfactory Police vet within the past 3 years;	We <b>support</b> this amendment.
<b>18 Determining character or fitness to hold limited authority to teach</b> (2) For the purpose of determining whether a person is of good character and fit to hold a limited authority to teach, the Teaching Council must obtain a Police vet <b>in respect</b> of the person.	We <b>support</b> this amendment.
<b>SCHEDULE 4 – Police vetting</b>	
Various minor amendments to clauses throughout Schedule 4. Clauses: 1(1), 2(1), 4, 7, 8(1), 8(2), 9(1), 10(1), 12(1), 12(2), 12(3), 13, 13(2).	We <b>support</b> these amendments.

Proposed amendment <i>(Amendment Bill changes shown in red text)</i>	Comment
<b>SCHEDULE 2 – CONSEQUENTIAL AMENDMENTS TO OTHER ENACTMENTS</b> <b>PART 2 – AMENDMENTS TO SECONDARY LEGISLATION</b>	
<b>Teaching Council Rules 2016 (LI 2016/122)</b>	
<b>SCHEDULE 19 – Teaching Council</b>	
<p><b>65 Procedures for Police vetting of applicants</b></p> <p>(1) The Teaching Council must obtain a Police vet in <b>respect of</b> the following applicants for the following purposes:</p> <ul style="list-style-type: none"> <li>(a) an applicant for registration as a teacher, to help determine whether the applicant is of good character and fit to be a teacher:</li> <li>(b) an applicant for a practising certificate or renewal of a practising certificate, to fulfil the requirement that the applicant must have <b>had received</b> a satisfactory Police vet within the past 3 years:</li> <li>(c) an applicant for a limited authority to teach, to help determine whether the applicant is of good character and fit to hold a limited authority to teach.</li> </ul>	<p>We <b>support</b> this amendment.</p>