WELSH STATUTORY INSTRUMENTS

2012 No. 1675 (W.216)

EDUCATION, WALES

The Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012

Made - - - -	*26 June 2012*
Laid before the National Assembly for Wales - -	*28 June 2012*
Coming into force - -	*1 September 2012*

The Welsh Ministers make these Regulations in exercise of the powers conferred on the Secretary of State by sections 19 and 42(6) and (7) of the Teaching and Higher Education Act 1998(**1**) and now vested in them(**2**):

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012 and they come into force on 1 September 2012.

(2) These Regulations apply in relation to Wales.

Amendment of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005

2. The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005(**3**) are amended as follows.

Amendment of regulation 3 (interpretation)

3.—(1) In regulation 3(1)—

(a) omit the definition of "the National Assembly" ("*y Cynulliad Cenedlaethol*");

(**1**) 1998 c. 30; section 19 was amended by the Learning and Skills Act 2000, section 139 and Schedule 11; the Education Act 2002, Schedule 21, paragraph 85; the Local Education Authorities and Childrens Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158) and by the Education Act 2011, Schedule 2, paragraphs 1 and 14.

(**2**) The functions of the Secretary of State as they relate to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and were subsequently transferred to the Welsh Ministers by Schedule 11, paragraph 30 of the Government of Wales Act 2006.

(**3**) S.I. 2005/1818 (W.146) amended by S.I. 2012/724 (W.96).

(b) omit the definition of "short term supply teacher" ("*athro neu athrawes gyflenwi tymor byr*").

(2) In regulation 3(2)(b) for "the appropriate body has determined in accordance with regulation 8(2)" substitute "determined in accordance with regulation 8(4)".

Substituting "the Welsh Ministers" for "the National Assembly"

4. In each place in which it occurs in regulations 3, 5, 7, 13, 16 and 20 for "the National Assembly" substitute "the Welsh Ministers".

Substitution of regulation 8 (length of an induction period)

5. For regulation 8 substitute—

"**Length of an induction period**

8.—(1) Subject to paragraphs (3) and (4) the length of an induction period is to be three school terms ("the three term rule").

(2) For the purpose of calculating the induction period a school term may be either one school term or two half school terms which (disregarding holidays) are consecutive.

(3) The three term rule does not apply in the following circumstances—

(a) where an induction period is served at an institution at which a school year does not consist of three school terms;

(b) where an induction period is served by a person in part time service;

(c) where an induction period is served in two or more institutions simultaneously;

(d) where any periods of employment counting towards an induction period consists of a period of less than one school term;

(e) where in the opinion of the appropriate body it is not appropriate that it applies.

(4) The length of an induction period where the three term rule does not apply—

(a) is 380 schools sessions where paragraph (3)(d) applies; and

(b) in all other cases is such length as the appropriate body determines provided that this period is not less than the equivalent of 380 school sessions or 3 school terms."

Substitution of regulation 9 (periods of employment counting towards an induction period)

6. For regulation 9 substitute—

"**Periods of employment counting towards an induction period**

9.—(1) The only periods of employment as a qualified teacher on or after 1 September 2003 but before 1 September 2012 that count towards an induction period are:

(a) a period of employment in an institution in Wales to which regulation 7(1) applies of not less than one school term in duration;

(b) a period of employment in an institution or institutions in Wales to which regulation 7(1) applies of two half school terms which (disregarding holidays) are consecutive;

(c) in the case of an individual teacher a period of employment in an institution in Wales to which regulation 7(1) applies of such other length as the appropriate body considers appropriate; or

(d) a period of employment in a school or FE college in England if it would count towards an induction period under England's Induction Regulations.

(2) The only periods of employment as a qualified teacher on or after 1 September 2012 that count towards an induction period are:

(a) a period of employment in an institution in Wales to which regulation 7(1) applies of not less than one school session in duration;

(b) a period of employment in a school or FE college in England if it would count towards an induction period under England's Induction Regulations."

Substitution of regulation 12 (supervision and training during the induction period)

7. For regulation 12 substitute—

"**Supervision and training during the induction period**

12.—(1) The head teacher of an institution in Wales in which a person serves an induction period is responsible for the daily supervision and training of that person.

(2) The appropriate body in relation to an institution is responsible for the overall supervision and training of a person serving an induction period at that institution.

(3) The supervision and training under paragraph (2) must include supervision and training by a person with knowledge of the standards mentioned in regulation 13."

Substitution of regulation 14 (completion of an induction period)

8. For regulation 14 substitute—

"**Completion of an induction period**

14.—(1) This regulation applies where a person has completed an induction period if—

(a) at the completion of the induction period, that person is employed at an institution in Wales, or

(b) at the completion of an induction period served in two or more institutions simultaneously, the lead head teacher's institution is in Wales.

(2) Within the period of twenty working days beginning with the date on which the induction period was completed the appropriate body must decide whether the person who has completed an induction period—

(a) has achieved the standards mentioned in regulation 13 and has accordingly satisfactorily completed an induction period;

(b) should have the induction period extended by such period as it determines; or

(c) has failed satisfactorily to complete an induction period.

(3) The appropriate body must have regard to any written representation received from the person concerned before making a decision under paragraph (2).

(4) The appropriate body must within the period of three working days beginning with the date on which it made a decision under paragraph (2)—

(a) give written notice of its decision to—

(i) the person concerned,

(ii) in the case of a relevant school or a FE college, the governing body of the school or college at which the person is employed,