



Education (Wales) Act 2014

2014 anaw 5

An Act of the National Assembly for Wales to make provision about the Education Workforce Council (formerly the General Teaching Council for Wales); to extend the registration, qualification and training requirements of the education workforce; to make provision about the determination of school term and holiday dates in Wales; to make provision in connection with appointments to Her Majesty's Inspectorate of Education and Training in Wales; and for connected purposes. [12 May 2014]

Having been passed by the National Assembly for Wales and having received the Assent of Her Majesty, it is enacted as follows:-

PART 1

INTRODUCTION

1 Overview

- (1) This Part gives an overview of the content of this Act.
- (2) Part 2 makes provision about—
 - (a) the reform of the General Teaching Council for Wales and its renaming as the Education Workforce Council;
 - (b) the registration of certain persons who educate children and young people;
 - (c) the regulation of registered persons, including—
 - (i) the obligation of registered persons to comply with a code specifying the standards of professional conduct and practice;
 - (ii) the action that can be taken against a registered person;
 - (d) the sharing of information about registered persons.
- (3) Part 3 makes provision about—
 - (a) the fixing of term and holiday dates for schools in Wales;
 - (b) the times of school sessions;

Status: This version of this Act contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Education (Wales) Act 2014. (See end of Document for details)

- (c) the appointment of persons to Her Majesty's Inspectorate of Education in Wales;
 - (d) education functions of local authorities which, by virtue of section 25 or 26 of the School Standards and Organisation (Wales) Act 2013, are to be treated for all purposes as exercisable by persons directed by the Welsh Ministers.
- (4) Part 4 makes general provision in relation to the Act.
- (5) An index of the defined words and expressions used in this Act is provided in Schedule 4.

PART 2

EDUCATION WORKFORCE

Education Workforce Council

2 Education Workforce Council

- (1) The body corporate established in pursuance of section 8 of the Teaching and Higher Education Act 1998 (c. 30) and known as the General Teaching Council for Wales—
- (a) is to continue to exist, but
 - (b) is to change its name to (and now be known as) the “Education Workforce Council” (in this Act referred to as “the Council”).
- (2) Schedule 1 (which makes provision about the constitution and powers of the Council) has effect.

Commencement Information

- I1 S. 2 in force for specified purposes at 18.8.2014 by [S.I. 2014/2162](#), [art. 2\(a\)](#)
- I2 S. 2 in force at 16.1.2015 for specified purposes by [S.I. 2015/29](#), [art. 2\(a\)](#)
- I3 S. 2 in force at 1.4.2015 in so far as not already in force by [S.I. 2015/29](#), [art. 3\(a\)](#)

3 Aims of the Council

The principal aims of the Council are—

- (a) to contribute to improving the standards of teaching and the quality of learning in Wales, and
- (b) to maintain and improve standards of professional conduct amongst teachers and persons who support teaching and learning in Wales.

Commencement Information

- I4 S. 3 in force at 1.4.2015 by [S.I. 2015/29](#), [art. 3\(b\)](#)

4 Functions of the Council

- (1) The Council's main functions are—

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- (a) to provide advice on matters related to the persons which it regulates and teaching and learning in accordance with section 7;
 - (b) to undertake activities to promote careers in registrable professions in accordance with section 8;
 - (c) to establish and maintain a register in accordance with section 9;
 - (d) to keep itself informed about the induction of persons in accordance with section 17 and to hear appeals in relation to induction decisions in accordance with section 19;
 - (e) to review and revise the code which specifies standards of professional conduct and practice for registered persons in accordance with section 24;
 - (f) to investigate unacceptable professional conduct and professional incompetence and take appropriate action in respect of registered persons in accordance with section 26;
 - (g) to hold such information about persons as may be specified in accordance with section 33 and to provide information to such bodies as may be specified in accordance with section 35.
- (2) The Council also has the additional functions conferred on it by virtue of—
- (a) this Act;
 - (b) an order under section 5;
 - (c) any other enactment.
- (3) The functions conferred on the Council by or under this Part are exercisable by it only in relation to Wales.

Commencement Information

I5 S. 4 in force at 1.4.2015 by [S.I. 2015/29](#), [art. 3\(c\)](#)

5 Power to add functions

- (1) The Welsh Ministers may by order confer or impose on the Council such additional functions as they consider appropriate.
- (2) Before making an order under subsection (1) the Welsh Ministers must consult such persons as they consider appropriate.

Commencement Information

I6 S. 5 in force at 16.1.2015 by [S.I. 2015/29](#), [art. 2\(b\)](#)

6 Directions

- (1) The Council must comply with any direction (general or specific) given to it by the Welsh Ministers.
- (2) A direction may not be given in respect of—
 - (a) a specific application for registration under section 9;
 - (b) an appeal relating to such an application;
 - (c) a specific disciplinary case under section 26.

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- (3) The Welsh Ministers must publish a direction given under this section in such manner as they consider appropriate.
- (4) The Welsh Ministers may vary or revoke a direction (and subsection (3) applies in relation to any document varying or revoking a direction as it applies to a direction).

Commencement Information

I7 S. 6 in force at 1.4.2015 by [S.I. 2015/29](#), [art. 3\(d\)](#)

Provision of advice and promotion of careers

7 Provision of advice by the Council

- (1) The Welsh Ministers may require the Council to provide advice—
- (a) to them on—
 - (i) a relevant matter, or
 - (ii) any other matter relating to teaching or learning, and
 - (b) to another person on a relevant matter.
- (2) For the purposes of this section the “relevant matters” are—
- (a) standards of services provided by registered persons;
 - (b) standards of conduct for registered persons;
 - (c) the fitness to practise of registered persons;
 - (d) the roles of the professions represented in the categories of registration;
 - (e) the standing of each of those professions;
 - (f) the training, career development and performance management of registered persons;
 - (g) the recruitment to and retention of registered persons in each category of registration;
 - (h) the supply of registered persons.
- (3) The Council may also provide such advice on relevant matters as it considers appropriate to such persons as it may determine.
- (4) The Council must, every two months, notify the Welsh Ministers in writing of any advice it has given on relevant matters during the preceding two months, and of the recipient of that advice.
- (5) Advice given under this section in relation to relevant matters must be of a general nature.
- (6) The Council may, with the consent of the Welsh Ministers, publish any advice it gives under this section.

Commencement Information

I8 S. 7 in force at 1.4.2015 by [S.I. 2015/29](#), [art. 3\(e\)](#)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Education (Wales) Act 2014. (See end of Document for details)

8 Promotion of careers

- (1) The Council must undertake such activities as the Welsh Ministers may require with a view to promoting careers, and the development of careers, in the registrable professions in Wales.
- (2) The activities that may be required may include, in particular—
 - (a) giving advice;
 - (b) organising conferences and lectures;
 - (c) publishing promotional materials.
- (3) For the purposes of section 4(1)(b) and this section, the reference to careers in the registrable professions is a reference to careers providing the services described in relation to a category of registration (for example, teaching).

Commencement Information

I9 S. 8 in force at 1.4.2015 by S.I. 2015/29, art. 3(e)

Registration of education workforce

9 Register

- (1) The Council must establish and maintain a register for the purposes of this Part.
- (2) The register must contain the name of every person who is eligible for registration under section 10 and applies to be registered.
- (3) The register must comprise the categories set out and described in table 1 of Schedule 2 (the “categories of registration”).
- (4) Each registered person must be registered in at least one category of registration.
- (5) A person may be registered on a provisional basis.

Commencement Information

I10 S. 9(1)(3) in force at 16.1.2015 for specified purposes by S.I. 2015/29, art. 2(c)

I11 S. 9(1)(3) in force at 1.4.2015 in so far as not already in force by S.I. 2015/29, art. 3(f)

I12 S. 9(2)(4)(5) in force at 1.4.2015 by S.I. 2015/29, art. 3(f)

10 Eligibility for registration

- (1) A person is eligible for registration if the person meets the conditions in this section.
- (2) The first condition is that the person—
 - (a) meets the description of a category of registration and has satisfactorily completed any period of induction required by virtue of section 17, or
 - (b) satisfies such requirements for provisional registration as the Welsh Ministers may by regulations specify.
- (3) The second condition is that the person is not—