



# Education Act 1994

## 1994 CHAPTER 30

### PART I **E+W**

#### TEACHER TRAINING

##### *The Teacher Training Agency*

#### **F1** The Teacher Training Agency. **E+W**

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##### Textual Amendments

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

#### **F2** Membership, &c. of the agency. **E+W**

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##### Textual Amendments

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

##### *Funding*

#### **F3** The funding agencies. **E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F14 Qualifying activities and eligible institutions. E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F15 Grants, loans and other payments. E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F16 Provisions supplementary to s. 5. E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F17 Grants to the funding agencies. E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F18 Directions by the Secretary of State. E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F<sup>1</sup>9 Joint exercise of functions.** **E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F<sup>1</sup>10 Efficiency studies.** **E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

**F<sup>1</sup>11 Research.** **E+W**

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**Textual Amendments**

**F1** Ss. 1-11 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), Sch. 14 para. 11, **Sch. 19 Pt. 3**

*F<sup>2</sup>[General duty of Secretary of State]*

**Textual Amendments**

**F2** S. 11A and crossheading inserted (1.11.1996) by [1996 c. 56](#), ss. 582(1), 583(2), **Sch. 37 Pt. I para.126** (with ss. 1(4), 561, 562, Sch. 39).

**[11A F<sup>3</sup>General duty of Secretary of State with respect to teacher training.** **E+W**

In carrying out his duties under sections 10 and 11 of the Education Act 1996 the Secretary of State shall, in particular, make such arrangements as he considers expedient for securing that sufficient facilities are available for the training of teachers to serve in schools maintained by [<sup>F4</sup>local authorities] , <sup>F5</sup>. . .]

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#### Textual Amendments

- F3** S. 11A and crossheading inserted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 126** (with ss. 1(4), 561, 562, Sch. 39).
- F4** Words in s. 11A substituted (5.5.2010) by **The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010** (S.I. 2010/1158), art. 1, **Sch. 2 para. 6**
- F5** Words in s. 11A repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 53, **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

#### Supplementary provisions

### **F6** **12** Power of schools to provide courses of initial teacher training. **E+W**

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#### Textual Amendments

- F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, **Sch. 19 Pt. 3**

#### Modifications etc. (not altering text)

- C1** S. 12 extended (21.9.1994) by S.I. 1994/2247, **art. 2**.
- S. 12 explained (1.11.1996) by 1996 c. 56, **ss. 177(1)**, 583(2) (with ss. 1(4), 561, 562, Sch. 39).
- S. 12 explained (1.11.1996) by 1996 c. 56, **ss. 294(1)**, 583(2) (with ss. 1(4), 561, 562, Sch. 39).

### **F6** **13** Grants for teacher training. **E+W**

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#### Textual Amendments

- F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, **Sch. 19 Pt. 3**

### **F6** **14** Qualification of teachers, &c. **E+W**

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#### Textual Amendments

- F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, **Sch. 19 Pt. 3**

### **F6** **15** Duty to provide information, &c. **E+W**

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**Textual Amendments**

**F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, Sch. 19 Pt. 3

**<sup>F6</sup>16 Additional, supplementary and ancillary functions. E+W**

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**Textual Amendments**

**F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, Sch. 19 Pt. 3

**<sup>F6</sup>17 The Teaching as a Career Unit: transfer of property and staff. E+W**

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**Textual Amendments**

**F6** Ss. 12-17 repealed (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), Sch. 14 para. 12, Sch. 19 Pt. 3

**18 Power to reimburse certain payments to persons formerly employed in teacher training. E+W**

- (1) A higher education funding council may make payments, subject to such terms and conditions as they think fit, to—
  - <sup>F7</sup>(a) the governing body of a grant-maintained school or grant-maintained special school, or]
  - (b) a further education corporation or the governing body of any institution designated under section 28 of the <sup>M1</sup>Further and Higher Education Act 1992, in respect of expenditure incurred or to be incurred by that body in making safeguarded salary payments to which this section applies.
- (2) This section applies to payments made to a person who in consequence of a direction given by the Secretary of State under—
  - (a) regulation 3(2) of the <sup>M2</sup>Further Education Regulations 1975,
  - (b) regulation 15 of the <sup>M3</sup>Education (Schools and Further Education) Regulations 1981, being a direction relating to a course for the training of teachers, or
  - (c) regulation 16 of those Regulations,ceased before 1st April 1989 to be employed in a college for the training of teachers, or in a department for the training of teachers in any other establishment of further education.
- (3) The amount of the safeguarded salary payment is the amount by which, in consequence of the matters mentioned in subsection (2), a person’s salary exceeds that which would normally be appropriate to the post held by him.

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- (4) A body to which subsection (1)(a) or (b) applies shall give to a higher education funding council such information as the council may require for the purposes of the exercise of their power under that subsection.

**Textual Amendments**

**F7** S. 18(1)(a) repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**.

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**Marginal Citations**

**M1** 1992 c. 13.  
**M2** S.I. 1975/1092.  
**M3** S.I. 1981/1086.

**<sup>F9</sup>18A <sup>F8</sup>Inspection of institutions training teachers for schools. E+W**

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**Textual Amendments**

**F8** S. 18A inserted (1.10.1998) by 1998 c. 30, s. 20 (with s. 42(8)); S.I. 1998/2215, art. 2.  
**F9** Ss. 18B-18C substituted (1.9.2005) for s. 18A by Education Act 2005 (c. 18), s. 125(3)(a), **Sch. 14 para. 13**

**<sup>F9</sup>18B Inspection of teacher training E+W**

- (1) [<sup>F10</sup>Her Majesty's Chief Inspector of Education, Children's Services and Skills] ("the Chief Inspector") may inspect and report on—
  - (a) any initial training of teachers, or specialist teaching assistants, for schools, or
  - (b) any in-service training of such teachers or assistants,
 which is provided by a training provider.

[<sup>F11</sup>(2) If requested to do so by the Secretary of State, the Chief Inspector must inspect and report on such one or more relevant training providers in England as may be specified in the Secretary of State's request.]

- (3) The Chief Inspector may at any time give advice to—
  - <sup>F12</sup>(a) .....
  - (b) the Training and Development Agency for Schools, or
  - (c) the General Teaching Council for England,
 on any matter connected with training falling within subsection (1)(a) or (b).

- (4) The Chief Inspector may—
  - (a) make such reports of inspections carried out by him under this section as he considers appropriate, and
  - (b) arrange for any such report to be published in such manner as he considers appropriate,

<sup>F13</sup> ...

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- (5) When inspecting a training provider under this section, the Chief Inspector has at all reasonable times—
- (a) a right of entry to the premises of the training provider, and
  - (b) a right to inspect, and take copies of, any records kept by the training provider, and any other documents containing information relating to the training provider, which he considers relevant to the exercise of his functions under this section;
- and section 58 of the 2005 Act (inspection of computer records) applies for the purposes of this section as it applies for the purposes of Part 1 of the 2005 Act.
- (6) Without prejudice to subsection (5), a training provider to which an inspection under this section relates—
- (a) must give the Chief Inspector all assistance in connection with the exercise of his functions under this section which he is reasonably able to give, and
  - (b) must secure that all such assistance is also given by persons who work for the training provider.
- (7) The Chief Inspector may not carry out any inspection under subsection (1) [<sup>F14</sup>of training provided by a training provider in Wales] unless—
- (a) at least eight weeks previously, he has given notice of his intention to carry out the inspection—
    - (i) to the training provider concerned, or
    - (ii) where the training is provided by a partnership or association of training providers, to one of those training providers, or
  - (b) with the agreement of that training provider or (as the case may be) one of those training providers, he has given it shorter notice of that intention.
- (8) Any notice under subsection (7)—
- (a) must be given in writing, and
  - (b) may be sent by post;
- and any such notice may (without prejudice to any other lawful method of giving it) be addressed to a training provider at any address which the training provider has notified to the Training and Development Agency for Schools as its address.
- (9) Nothing in this section confers any right or imposes any duty, whether as regards the carrying out of any inspection or otherwise, in relation to any course which consists of instruction given wholly or mainly for purposes other than training falling within subsection (1)(a) or (b).
- (10) Any reference in this section to the Chief Inspector is to be read, in relation to any inspection which he is authorised or required to carry out under this section, as including a reference to any person authorised to act on his behalf under [<sup>F15</sup>paragraph 9(1) of Schedule 12 to the Education and Inspections Act 2006] .
- (11) Nothing in this section is to be taken as prejudicing the generality of [<sup>F16</sup>paragraph 9(1) of that Schedule.]
- (12) In this section—
- (a) “the 2005 Act” means the Education Act 2005;
  - (b) “training provider” has the same meaning as in Part 3 of the 2005 Act;
  - (c) “relevant training provider” means any training provider who provides training falling within subsection (1)(a) or (b);

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- (d) “in-service training” includes any training provided to a teacher serving an induction period (within the meaning of section 19 of the Teaching and Higher Education Act 1998);
- (e) “documents” and “records” each include information recorded in any form.

#### Textual Amendments

- F9** Ss. 18B-18C substituted (1.9.2005) for s. 18A by Education Act 2005 (c. 18), s. 125(3)(a), **Sch. 14 para. 13**
- F10** Words in s. 18B(1) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 14 para. 19(2)**; S.I. 2007/935, art. 5(gg)
- F11** S. 18B(2) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 14 para. 19(3)**; S.I. 2007/935, art. 5(gg)
- F12** S. 18B(3)(a) repealed (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), Sch. 14 para. 19(4), **Sch. 18 Pt. 5**; S.I. 2007/935, art. 5(gg)(ii)
- F13** Words in s. 18B(4) repealed (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), Sch. 14 para. 19(5), **Sch. 18 Pt. 5**; S.I. 2007/935, art. 5(gg)(ii)
- F14** Words in s. 18B(7) inserted (26.1.2009) by Education and Skills Act 2008 (c. 25), **ss. 164**, 173(2)(c)
- F15** Words in s. 18B(10) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 14 para. 19(6)**; S.I. 2007/935, art. 5(gg)
- F16** Words in s. 18B(11) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 14 para. 19(7)**; S.I. 2007/935, art. 5(gg)

#### Modifications etc. (not altering text)

- C2** S. 18B modified (1.9.2005) by Education Act 2005 (c. 18), s. 125(3)(a), **Sch. 15 para. 5**

### 18C Inspection of teacher training in Wales **E+W**

- (1) Her Majesty's Chief Inspector of Education and Training in Wales (“the Chief Inspector”) may inspect and report on—
  - (a) any initial training of teachers, or specialist teaching assistants, for schools, or
  - (b) any in-service training of such teachers or assistants,
 which is provided by a training provider in Wales.
- (2) When asked to do so by the National Assembly for Wales, the Chief Inspector must—
  - (a) give advice to the Assembly on such matters connected with training falling within subsection (1)(a) or (b) as may be specified in the Assembly's request;
  - (b) inspect and report on such one or more relevant training providers as may be so specified.
- (3) The Chief Inspector may at any time give advice to—
  - (a) the Assembly,
  - (b) a funding agency, or
  - (c) the General Teaching Council for Wales,
 on any matter connected with training falling within subsection (1)(a) or (b).
- (4) The Chief Inspector may—
  - (a) make such reports of inspections carried out by him under this section as he considers appropriate, and



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- (b) arrange for any such report to be published in such manner as he considers appropriate,  
and subsections (2) to (4) of section 29 of the 2005 Act (publication of inspection reports) apply in relation to the publication of any such report as they apply in relation to the publication of a report under any of the provisions mentioned in subsection (2) of that section.
- (5) When inspecting a training provider under this section, the Chief Inspector has at all reasonable times—
- (a) a right of entry to the premises of the training provider, and
  - (b) a right to inspect, and take copies of, any records kept by the training provider, and any other documents containing information relating to the training provider, which he considers relevant to the exercise of his functions under this section;
- and section 58 of the 2005 Act (inspection of computer records) applies for the purposes of this section as it applies for the purposes of Part 1 of the 2005 Act.
- (6) Without prejudice to subsection (5), a training provider to which an inspection under this section relates—
- (a) must give the Chief Inspector all assistance in connection with the exercise of his functions under this section which he is reasonably able to give, and
  - (b) must secure that all such assistance is also given by persons who work for the training provider.
- (7) The Chief Inspector may not carry out any inspection under subsection (1) unless—
- (a) at least eight weeks previously, he has given notice of his intention to carry out the inspection—
    - (i) to the training provider concerned, or
    - (ii) where the training is provided by a partnership or association of training providers, to one of those training providers, or
  - (b) with the agreement of that training provider or (as the case may be) one of those training providers, he has given it shorter notice of that intention.
- (8) Any notice under subsection (7)—
- (a) must be given in writing, and
  - (b) may be sent by post;
- and any such notice may (without prejudice to any other lawful method of giving it) be addressed to a training provider at any address which the training provider has notified to a funding agency as its address.
- (9) Nothing in this section confers any right or imposes any duty, whether as regards the carrying out of any inspection or otherwise, in relation to any course which consists of instruction given wholly or mainly for purposes other than training falling within subsection (1)(a) or (b).
- (10) Any reference in this section to the Chief Inspector is to be read, in relation to any inspection which he is authorised or required to carry out under this section, as including a reference to any person authorised to act on his behalf under paragraph 5(1) or (2) of Schedule 2 to the 2005 Act.
- (11) Nothing in this section is to be taken as prejudicing the generality of sections 20 to 23 of, or paragraph 5(1) or (2) of Schedule 2 to, the 2005 Act.

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(12) In this section—

- (a) “the 2005 Act” means the Education Act 2005;
- (b) “funding agency” means the Higher Education Funding Council for Wales or the Training and Development Agency for Schools;
- (c) “training provider” has the same meaning as in Part 3 of the 2005 Act;
- (d) “relevant training provider” means any training provider who provides training falling within subsection (1)(a) or (b);
- (e) “in-service training” includes any training provided to a teacher serving an induction period (within the meaning of section 19 of the Teaching and Higher Education Act 1998);
- (f) “documents” and “records” each include information recorded in any form.]

#### Textual Amendments

**F9** Ss. 18B-18C substituted (1.9.2005) for s. 18A by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), [Sch. 14 para. 13](#)

#### Modifications etc. (not altering text)

**C3** [S. 18C](#) modified (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), [Sch. 15 para. 5](#)

## 19 Interpretation. **E+W**

<sup>F17</sup>(1) .....

<sup>F17</sup>(2) .....

<sup>F17</sup>(3) .....

<sup>F17</sup>(4) .....

(5) [<sup>F18</sup>Expressions] used in this Part and in [<sup>F19</sup>the Education Act 1996], have the same meaning in this Part as in that Act.

#### Textual Amendments

**F17** S. 19(1)-(4) repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), [Sch. 14 para. 14\(a\)](#), [Sch. 19 Pt. 3](#)

**F18** Word in s. 19(5) substituted (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), [Sch. 14 para. 14\(b\)](#)

**F19** Words in s. 19(5) substituted (1.11.1996) by [1996 c. 56](#), ss. 582(1), 583(2), [Sch. 37 Pt. I para. 128\(b\)](#) (with ss. 1(4), 561, 562, [Sch. 39](#)).

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