

Status: Point in time view as at 01/04/2018.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, SCHEDULE 14. (See end of Document for details)

SCHEDULES

SCHEDULE 14 **E+W**

Section 98

AMENDMENTS RELATING TO THE TRAINING OF THE SCHOOL WORKFORCE

Public Records Act 1958 (c. 51)

F1

Textual Amendments

F1 Sch. 14 paras. 1-4 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 5 para. 32**; S.I. 2012/924, art. 2

Parliamentary Commissioner Act 1967 (c. 13)

F1

Textual Amendments

F1 Sch. 14 paras. 1-4 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 5 para. 32**; S.I. 2012/924, art. 2

Superannuation Act 1972 (c. 11)

F1

Textual Amendments

F1 Sch. 14 paras. 1-4 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 5 para. 32**; S.I. 2012/924, art. 2

House of Commons Disqualification Act 1975 (c. 24)

F1

Textual Amendments

F1 Sch. 14 paras. 1-4 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 5 para. 32**; S.I. 2012/924, art. 2

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Sex Discrimination Act 1975 (c. 65)

F25

Textual Amendments

- F2** Sch. 14 para. 5 repealed (1.10.2010) by [The Equality Act 2010 \(c. 15\)](#), Sch. 27, Pt. 1 (as substituted by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2**; S.I. 2010/2317, art. 2)

F36

Textual Amendments

- F3** Sch. 14 para. 6 repealed (4.4.2011) by [The Equality Act 2010 \(c. 15\)](#), Sch. 27, Pt. 1A (as inserted) (as substituted by [The Equality Act 2010 \(Public Authorities and Consequential and Supplementary Amendments\) Order 2011 \(S.I. 2011/1060\)](#), arts. 1(2), 3(3)(a), **Sch. 3**)

Race Relations Act 1976 (c. 74)

F47

Textual Amendments

- F4** Sch. 14 para. 7 repealed (1.10.2010) by [The Equality Act 2010 \(c. 15\)](#), Sch. 27, Pt. 1 (as substituted by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2**; S.I. 2010/2317, art. 2)

F58

Textual Amendments

- F5** Sch. 14 para. 8 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 5 para. 32**; S.I. 2012/924, art. 2

Education (Fees and Awards) Act 1983 (c. 40)

- 9 In section 1 of the Education (Fees and Awards) Act 1983 (fees at universities and further education establishments), in subsection (3) for paragraph (e) substitute—
- “(e) any training provider, within the meaning of Part 3 of the Education Act 2005 (training the school workforce), who is receiving financial support under section 78 of that Act from the Training and Development Agency for Schools;
 - (ee) any institution eligible for funding by the Higher Education Funding Council for Wales under Part 3 of that Act;”.

Education (No. 2) Act 1986 (c. 61)

- 10 In the Education (No. 2) Act 1986, omit section 50 (grants for teacher training, etc.).

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Education Act 1994 (c. 30)

- 11 Omit sections 1 to 11 of the Education Act 1994.
12 Omit sections 12 to 17 of the Education Act 1994.
13 For section 18A of the Education Act 1994 substitute—

“18B Inspection of teacher training

- (1) Her Majesty's Chief Inspector of Schools in England (“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.
- (2) When asked to do so by the Secretary of State, the Chief Inspector must—
- (a) give advice to the Secretary of State on such matters connected with training falling within subsection (1)(a) or (b) as may be specified in the Secretary of State's request;
 - (b) inspect and report on such one or more relevant training providers in England as may be so specified.
- (3) The Chief Inspector may at any time give advice to—
- (a) the Secretary of State,
 - (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,
- and subsections (2) to (4) of section 11 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—

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- (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 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 paragraph 5(1) or (2) of Schedule 1 to the 2005 Act.
- (11) Nothing in this section is to be taken as prejudicing the generality of sections 2 to 4 of, or paragraph 5(1) or (2) of Schedule 1 to, the 2005 Act.
- (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);
 - (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.

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18C Inspection of teacher training in Wales

- (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
 - (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

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- (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 (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.
- (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.”
- 14 In section 19 of the Education Act 1994 (interpretation)—
- (a) omit subsections (1) to (4), and
- (b) in subsection (5), for “Other expressions, if” substitute “Expressions”.

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15 Omit Schedule 1 to the Education Act 1994.

Education Act 1996 (c. 56)

16 (1) Section 398 of the Education Act 1996 (no requirements of attendance at Sunday school etc.) is amended as follows.

(2) In paragraph (b) for “teacher training” substitute “ any training for members of the school workforce ”.

(3) Renumber the section as so amended as subsection (1), and at the end insert—

“(2) In subsection (1)(b), the reference to training for members of the school workforce is to be read in accordance with sections 75(5) and 96(1) of the Education Act 2005.”

17 (1) Section 450 of the Education Act 1996 (prohibition of charges for admission) is amended as follows.

(2) In subsection (2), for paragraph (c) substitute—

“(c) training for members of the school workforce.”

(3) After that subsection insert—

“(3) In subsection (2)(c), the reference to training for members of the school workforce is to be read in accordance with sections 75(5) and 96(1) of the Education Act 2005.”

Audit Commission Act 1998 (c. 18)

F618

Textual Amendments

F6 Sch. 14 para. 18 repealed (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 1 Pt. 2](#); [S.I. 2015/841](#), [art. 3\(a\)](#) (with arts. 5-8, Sch.) (as amended (27.6.2016) by [S.I. 2016/675](#), [art. 2](#))

Teaching and Higher Education Act 1998 (c. 30)

19 (1) Section 26 of the Teaching and Higher Education Act 1998 (which relates to the imposition of conditions as to fees at higher education institutions and is to be repealed by the Higher Education Act 2004 (c. 8)) is amended as follows.

(2) In subsection (3)—

(a) for “section 7(1) of the 1994 Act” substitute “ section 81(1), 82(1) or 88(1) of the 2005 Act ”,

(b) in paragraph (c), for “Teacher Training Agency” substitute “ Training and Development Agency for Schools ”, and

(c) for “section 5 of the 1994 Act” substitute “ section 78 or 86 of the 2005 Act ”.

(3) In subsection (9)—

(a) for the definition of “the 1994 Act” substitute—

““the 2005 Act” means the Education Act 2005;”

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(b) after the definition of “course” insert—

““governing body”, in relation to a training provider within the meaning of Part 3 of the 2005 Act who would not apart from this subsection be regarded as an institution, means the training provider;

“institution” includes any training provider within the meaning of Part 3 of the 2005 Act (whether or not the training provider would apart from this subsection be regarded as an institution);”.

(4) In subsection (11)—

(a) for “the 1994 Act” substitute “ the 2005 Act ”, and

^{F7}(b)

Textual Amendments

F7 Sch. 14 para. 19(4)(b) omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), Sch. 5 para. 32; S.I. 2012/924, art. 2

20 (1) In section 28(1) of the Teaching and Higher Education Act 1998 (interpretation of Chapter 1 of Part 2), in the definition of “publicly-funded institution” (which is to be repealed by the Higher Education Act 2004 (c. 8)), for “section 5 of the Education Act 1994” substitute “ section 78 or 86 of the Education Act 2005 ”.

(2) In section 28(1) of the 1998 Act, references to an institution in that definition and in the definition of “fees” (which is also to be repealed by the Higher Education Act 2004 (c. 8)) are to be read in accordance with section 26(9) of the 1998 Act as amended by paragraph 19(3)(b) of this Schedule.

(3) In sub-paragraph (2), “the 1998 Act” means the Teaching and Higher Education Act 1998 (c. 30).

Government of Wales Act 1998 (c. 38)

21 (1) Section 145B of the Government of Wales Act 1998 (studies at request of educational bodies) is amended as follows.

(2) In the Table in subsection (1) for the entry relating to the governing body of an institution in Wales receiving financial support under Part 1 of the Education Act 1994 substitute—

“The governing body of an institution in Wales receiving financial support under section 86 of the Education Act 2005 from the Higher Education Funding Council for Wales.

The governing body or the Higher Education Funding Council for Wales

A training provider (within the meaning of Part 3 of the Education Act 2005) receiving financial support under section 78 of that Act from the Training and Development Agency for Schools, except where that financial

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support is wholly derived from grants made to the Agency by the Secretary of State.

- F8(3)
- F8(4)
- F8(5)

Textual Amendments

F8 Sch. 14 para. 21(3)-(5) omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), Sch. 5 para. 32; S.I. 2012/924, art. 2

Freedom of Information Act 2000 (c. 36)

F922

Textual Amendments

F9 Sch. 14 para. 22 omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), Sch. 5 para. 32; S.I. 2012/924, art. 2

Education Act 2002 (c. 32)

- 23 (1) Section 14 of the Education Act 2002 (power of Secretary of State and Assembly to give financial assistance for purposes related to education or childcare) is amended as follows.
- (2) After subsection (2) insert—
- “(2ZA) In subsection (2)(g), “training for teachers or for non-teaching staff” includes—
- (a) any training or education (whether or not constituting higher education) with the object of fitting persons to be teachers or non-teaching staff, or better teachers or non-teaching staff, and
 - (b) any assessment related to the award of a qualification or status to teachers or non-teaching staff, or prospective teachers or non-teaching staff.”
- (3) In the definition of “education” in subsection (3), after “but” insert “, except in subsection (2ZA)(a),”.

F1024

Textual Amendments

F10 Sch. 14 para. 24 omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), Sch. 5 para. 32; S.I. 2012/924, art. 2

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Higher Education Act 2004 (c. 8)

F11 25

Textual Amendments
F11 Sch. 14 para. 25 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 5 para. 32](#); [S.I. 2012/924](#), art. 2

F12 26

Textual Amendments
F12 Sch. 14 paras. 26-35 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 31\(3\)](#); [S.I. 2018/241](#), reg. 2(s) (with transitional and savings provisions in [S.I. 2018/245](#), regs. 2, 3, 17, 18)

F13 27

Textual Amendments
F13 Sch. 14 paras. 27-29 omitted (1.9.2015) by [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), Sch. para. 22; [S.I. 2015/1327](#), [art. 5\(s\)\(iv\)](#)

F14 28

Textual Amendments
F14 Sch. 14 paras. 27-29 omitted (1.9.2015) by [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), Sch. para. 22; [S.I. 2015/1327](#), [art. 5\(s\)\(iv\)](#)

F15 29

Textual Amendments
F15 Sch. 14 paras. 27-29 omitted (1.9.2015) by [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), Sch. para. 22; [S.I. 2015/1327](#), [art. 5\(s\)\(iv\)](#)

F12 30

Textual Amendments
F12 Sch. 14 paras. 26-35 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 31\(3\)](#); [S.I. 2018/241](#), reg. 2(s) (with transitional and savings provisions in [S.I. 2018/245](#), regs. 2, 3, 17, 18)

F12 31

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Textual Amendments

F12 Sch. 14 paras. 26-35 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 31\(3\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 17, 18)

F1632

Textual Amendments

F16 Sch. 14 paras. 32-34 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 5 para. 32](#); S.I. 2012/924, art. 2

F1633

Textual Amendments

F16 Sch. 14 paras. 32-34 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 5 para. 32](#); S.I. 2012/924, art. 2

F1634

Textual Amendments

F16 Sch. 14 paras. 32-34 omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 5 para. 32](#); S.I. 2012/924, art. 2

F1235

Textual Amendments

F12 Sch. 14 paras. 26-35 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 31\(3\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 17, 18)

36 In section 48 of the Higher Education Act 2004 (c. 8) (general interpretation)—
(a) omit the definition of “the 1994 Act”, and
(b) after the definition of “the 1998 Act” insert—
““the 2005 Act” means the Education Act 2005;”.

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