
WELSH STATUTORY INSTRUMENTS

2016 No. 1183

The Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016

PROSPECTIVE

PART 1

General

Title and commencement

1.—(1) The title of this Order is the Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016.

(2) This Order comes into force on 1 March 2017 except articles 4, 6 and 7 which come into force on 1 April 2017.

Commencement Information

II Art. 1 in force at 1.3.2017, see [art. 1\(2\)](#)

Interpretation

2. In this Order—

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014;

“the 2015 Regulations” (“*Reoliadau 2015*”) means the European Union (Recognition of Professional Qualifications) Regulations 2015(1);

“relevant body” (“*corff perthnasol*”) means—

- (a) a local authority in Wales;
- (b) a governing body of a school;
- (c) a further education institution in Wales;
- (d) a voluntary body, to the extent that the youth development services provided for or on behalf of the voluntary body are provided to people in Wales;

“voluntary body” (“*corff gwirfoddol*”) means a body, other than a body exercising functions of a public nature, the activities of which are not carried out for profit;

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

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“work based learning body” (“*corff dysgu seiliedig ar waith*”) means a body to which financial resources are provided pursuant to section 34(1) of the Learning and Skills Act 2000(2) in respect of the provision of work based learning.

Commencement Information

I2 Art. 2 in force at 1.3.2017, see [art. 1\(2\)](#)

PART 2

YOUTH WORKERS

Youth workers: qualifications and alternative requirements

3.—(1) Part 1 of Schedule 1 to this Order sets out the youth worker qualifications for the purposes of the description of the category of youth worker in Table 1 in paragraph 1 of Schedule 2 to the 2014 Act.

(2) Part 2 of Schedule 1 to this Order sets out the alternative requirements for the purposes of that description.

Commencement Information

I3 Art. 3 in force at 1.3.2017, see [art. 1\(2\)](#)

Youth workers: requirement to register

4.—(1) A person falling within the category of youth worker in Table 1 in paragraph 1 of Schedule 2 to the 2014 Act must not provide youth development services for or on behalf of a relevant body (other than as a volunteer) unless he or she is registered under section 9 of the 2014 Act (register maintained by the Council) in the category of youth worker.

(2) But paragraph (1) does not apply to a person who is providing youth worker services in respect of which Part 2 of the 2015 Regulations apply (freedom to provide services in the United Kingdom on a temporary and occasional basis).

Commencement Information

I4 Art. 4 in force at 1.4.2017, see [art. 1\(2\)](#)

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

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PART 3

YOUTH SUPPORT WORKERS

Youth support workers: qualifications and alternative requirements

5.—(1) Part 1 of Schedule 2 to this Order sets out the youth support worker qualifications for the purposes of the description of the category of youth support worker in Table 1 in paragraph 1 of Schedule 2 to the 2014 Act.

(2) Part 2 of Schedule 2 to this Order sets out the alternative requirement for the purposes of that description.

Commencement Information

15 Art. 5 in force at 1.3.2017, see [art. 1\(2\)](#)

Youth support workers: requirement to register

6.—(1) A person falling within the category of youth support worker in Table 1 in paragraph 1 of Schedule 2 to the 2014 Act must not provide youth development services for or on behalf of a relevant body (other than as a volunteer) unless he or she is registered under section 9 of the 2014 Act in the category of youth support worker.

(2) Paragraph (1) does not apply to a person who is providing youth support worker services in respect of which Part 2 of the 2015 Regulations apply (freedom to provide services in the United Kingdom on a temporary and occasional basis).

Commencement Information

16 Art. 6 in force at 1.4.2017, see [art. 1\(2\)](#)

PART 4

WORK BASED LEARNING PRACTITIONERS

Requirement to register

7.—(1) A person must not provide work based learning practitioner services for or on behalf of a work based learning body (other than as a volunteer) unless he or she is registered under section 9 of the 2014 Act in the category of work based learning practitioner.

(2) Paragraph (1) does not apply to a person who is providing work based learning practitioner services in respect of which Part 2 of the 2015 Regulations apply (freedom to provide services in the United Kingdom on a temporary and occasional basis).

Commencement Information

17 Art. 7 in force at 1.4.2017, see [art. 1\(2\)](#)

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PART 5

AMENDMENTS TO THE 2014 ACT

Amendments to the 2014 Act

8.—(1) Schedule 2 to the 2014 Act is amended as set out in paragraphs (2) and (3).

(2) In Table 1 in paragraph 1 insert at the end of the Table—

“Youth worker	A person who provides (or wishes to provide) youth development services and who— (a) possesses at least one of the qualifications specified as youth worker qualifications in an order made under paragraph 2, or (b) otherwise meets such alternative requirements as are specified in an order under that paragraph.
Youth support worker	A person who provides (or wishes to provide) youth development services and who— (c) possesses at least one of the qualifications specified as youth support worker qualifications in an order made under paragraph 2, or (d) otherwise meets such alternative requirements as are specified in an order under that paragraph.
Work based learning practitioner	A person who provides (or wishes to provide) work based learning practitioner services.”

(3) For paragraph 3 substitute—

“3. In this Schedule—

“school” (“ysgol”) means—

- (a) a school maintained by a local authority in Wales;
- (b) a special school in Wales not so maintained;

“work based learning” (“dysgu seiliedig ar waith”) means education or training provided—

- (a) for persons aged 16 or above (regardless of whether it is also provided for persons under 16), and
- (b) to develop knowledge and skills relevant to a particular trade, occupation or employer;

“work based learning practitioner services” (“gwasanaethau ymarferydd dysgu seiliedig ar waith”) are—

- (a) the co-ordination and delivery of work based learning;
- (b) the assessment of the knowledge and skills of a person receiving (or about to receive) work based learning;

“youth development services” (“gwasanaethau datblygu ieuencid”) are services—

- (a) provided mainly to persons who are aged no younger than 11 and no older than 25, and
- (b) which promote—
 - (i) the development of the skills or knowledge of such persons, or

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(ii) the intellectual, emotional or social development of such persons.”

Commencement Information

18 Art. 8 in force at 1.3.2017, see [art. 1\(2\)](#)

7 December 2016

Julie James
Minister for Skills and Science under the
authority of the Cabinet Secretary for
Education, one of the Welsh Ministers

Status:

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Changes and effects yet to be applied to :

- Sch. 1 para. 1 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 1 para. 2 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 1 Table 1 words inserted by S.I. 2023/551 Sch. para. 1(2)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(a)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(b)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(c)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(d)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(e)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(f)
- Sch. 1 Table 2 words inserted by S.I. 2023/551 Sch. para. 1(3)(g)
- Sch. 1 Table 3 words inserted by S.I. 2023/551 Sch. para. 1(4)
- Sch. 1 Table 4 words inserted by S.I. 2023/551 Sch. para. 1(5)
- Sch. 1 Table 5 words inserted by S.I. 2023/551 Sch. para. 1(6)
- Sch. 2 para. 1 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 2 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 3 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 4 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 5 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 6 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 7 coming into force by S.I. 2016/1183 art. 1(2)
- Sch. 2 para. 3(2)(a) omitted by S.I. 2023/551 art. 9(10)(a)
- Sch. 2 para. 3(2)(b) omitted by S.I. 2023/551 art. 9(10)(a)
- Sch. 2 para. 4(2)(a)-(e) omitted by S.I. 2023/551 art. 9(10)(b)(i)
- Sch. 2 para. 4(2)(g) omitted by S.I. 2023/551 art. 9(10)(b)(i)
- Sch. 2 para. 4(2)(i) omitted by S.I. 2023/551 art. 9(10)(b)(i)
- Sch. 2 para. 5(2)(a) omitted by S.I. 2023/551 art. 9(10)(c)
- Sch. 2 para. 6(2)(a)-(f) omitted by S.I. 2023/551 art. 9(10)(d) (amendment to English text only)
- Sch. 2 para. 6(2)(a)-(e) omitted by S.I. 2023/551 art. 9(10)(d) (amendment to Welsh text only)
- Sch. 2 para. 4(2)(f) word substituted by S.I. 2023/551 art. 9(10)(b)(ii)
- art. 1 coming into force by S.I. 2016/1183 art. 1(2)
- art. 2 coming into force by S.I. 2016/1183 art. 1(2)
- art. 2 words inserted by S.I. 2023/551 art. 9(2)(b)
- art. 2 words omitted by S.I. 2023/551 art. 9(2)(a)
- art. 3 coming into force by S.I. 2016/1183 art. 1(2)
- art. 4 coming into force by S.I. 2016/1183 art. 1(2)
- art. 4(1) word substituted by S.I. 2023/551 art. 9(5)(a)(iii)
- art. 4(1) words inserted by S.I. 2023/551 art. 9(5)(a)(ii)
- art. 4(1) words substituted by S.I. 2023/551 art. 9(5)(a)(i)
- art. 5 coming into force by S.I. 2016/1183 art. 1(2)
- art. 6 coming into force by S.I. 2016/1183 art. 1(2)
- art. 6(1) word substituted by S.I. 2023/551 art. 9(8)(a)(iii)
- art. 6(1) words inserted by S.I. 2023/551 art. 9(8)(a)(ii)
- art. 6(1) words substituted by S.I. 2023/551 art. 9(8)(a)(i)

- art. 6(2) substituted by S.I. 2023/551 art. 9(8)(c)
- art. 7 coming into force by S.I. 2016/1183 art. 1(2)
- art. 8 coming into force by S.I. 2016/1183 art. 1(2)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 3(3) inserted by S.I. 2023/551 art. 9(3)
- art. 3A inserted by S.I. 2023/551 art. 9(4)
- art. 4(1A) inserted by S.I. 2023/551 art. 9(5)(b)
- art. 5(3) inserted by S.I. 2023/551 art. 9(6)
- art. 5A inserted by S.I. 2023/551 art. 9(7)
- art. 6(1A) inserted by S.I. 2023/551 art. 9(8)(b)