
WELSH STATUTORY INSTRUMENTS

2022 No. 1058 (W. 223)

EDUCATION, WALES

The Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2022

<i>Made</i>	- - - -	<i>12 October 2022</i>
<i>Laid before Senedd Cymru</i>		<i>17 October 2022</i>
<i>Coming into force</i>	- -	<i>7 November 2022</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 17 and 47(1) of the Education (Wales) Act 2014⁽¹⁾.

Title and commencement

1. The title of these Regulations is the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2022 and they come into force on 7 November 2022.

Amendment of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015

2. The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 are amended in accordance with regulations 3 to 8.

Amendment of regulation 3 (interpretation)

3. In regulation 3(1)—

- (a) in the definition of “governing body”, at the end insert “and in relation to a relevant school which is a pupil referral unit, includes the management committee of the pupil referral unit (if there is one)”;
- (b) in the definition of “head teacher”, at the end insert “and the teacher in charge of a pupil referral unit”;
- (c) in the definition of “working day”—
 - (i) after “Sunday” insert “, Christmas Day, Good Friday”, and
 - (ii) after “bank holiday” insert “in Wales and England”;

(d) at the appropriate place, insert—

““pupil referral unit” (“*uned cyfeirio disgyblion*”) has the same meaning as in section 19A(2) of the Education Act 1996(2);”.

Amendment of regulation 5 (appropriate body)

4. In regulation 5(1)—

(a) in sub-paragraph (a)—

(i) omit “or” after “foundation special school,”, and

(ii) after “(in each case within the meaning of the 1998 Act)” insert “, or a pupil referral unit”;

(b) omit sub-paragraph (b).

New regulations 6A and 6B

5. After regulation 6 (requirement to serve an induction period) insert—

“Time limit for satisfactory completion of an induction period

6A.—(1) An induction period must be satisfactorily completed within 5 years beginning with the later of the date of award of qualified teacher status or 7 November 2022 (“the time limit”).

(2) But where the appropriate body extends the time limit in accordance with regulation 6B, the induction period must be satisfactorily completed within the extended time limit.

Extension of time limit for satisfactory completion of an induction period

6B.—(1) The appropriate body must extend the time limit in regulation 6A(1) for a person (whether or not it, or any period of extension, has already expired) where—

(a) that person’s induction period is extended in accordance with regulation 10, 13(2)(b), 16(2)(c) or 3(c), and

(b) there is insufficient time available within the time limit for the appropriate body to make a decision in accordance with regulation 13(2).

(2) The appropriate body may extend the time limit in regulation 6A(1) for a person (whether or not it, or any period of extension, has already expired) where it is satisfied that there are good reasons for doing so and the person consents.

(3) An extension, or the total period of extension where there is more than one must not exceed 2 years beginning with the day following the day on which the time limit in regulation 6A(1) expired, unless it is necessary by virtue of paragraph (1).

(4) The appropriate body must, within 10 working days beginning with the day on which the time limit in regulation 6A(1) was extended under paragraph (1) or (2), send written notice of the extension to—

(a) the person concerned,

(b) where the person concerned is employed at a relevant school or FE college, the governing body and the head teacher,

(2) 1996 c. 56. Section 19A(2) was inserted by the Curriculum and Assessment (Wales) Act 2021 (asc 4), Schedule 2, paragraphs 1 and 4.

- (c) where the person concerned is employed at an independent school, the proprietor and the head teacher,
- (d) where the person is not employed by the appropriate body, any other employer (if not entitled to notice under (b) or (c)), and
- (e) the Council.

(5) Notice under paragraph (4) may be given by facsimile, electronic mail or other similar means which are capable of producing a document containing the text of the communication, and a notice sent by such a method is to be regarded as given when it is received in legible form.”

Amendment of regulation 7 (institutions in which an induction period may be served)

6. In regulation 7, omit paragraph (2)(b) and the “, or” before it.

Amendment of regulation 8 (length of an induction period)

7. In regulation 8—
- (a) in paragraph (1) for “(3) and (4)” substitute “(3), (4) and (8)”;
 - (b) in paragraph (3)—
 - (i) at the end of sub-paragraph (d) omit “or”,
 - (ii) at the end of sub-paragraph (e) for “.” substitute “; or”, and
 - (iii) after sub-paragraph (e) insert—
 - “(f) where paragraph (8) applies.”;
 - (c) in paragraph (4)(b) for “in all other cases” substitute “where paragraph (3)(a), (b), (c) or (e) applies”;
 - (d) at the end insert—
 - “(8) The appropriate body may, with the consent of the person concerned, reduce the length of the induction period which the person is required to serve to a minimum of one school term or 110 school sessions if the appropriate body is satisfied that the person has achieved the standards mentioned in section 18 of the 2014 Act.”

Amendment of regulation 13 (completion of an induction period)

8. In regulation 13(4), for “three” substitute “10”.

12 October 2022

Jeremy Miles
Minister for Education and Welsh Language, one
of the Welsh Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 (S.I. 2015/484 (W. 41)) (“the principal Regulations”), which require persons who gain qualified teacher status to satisfactorily complete an induction period for the purposes of their employment as a teacher at a relevant school (subject to exceptions).

Regulation 3 amends the definitions of “governing body”, “head teacher” and “working day” in regulation 3(1) of the principal Regulations, and inserts a definition of “pupil referral unit”.

Regulation 4 amends regulation 5 of the principal Regulations to provide that the appropriate body for a pupil referral unit is the authority maintaining it.

Regulation 5 inserts new regulations 6A and 6B into the principal Regulations. Regulation 6A introduces a time limit for the satisfactory completion of an induction period by a person. Regulation 6B prescribes the circumstances in which that time limit may or must be extended by an appropriate body.

Regulation 6 amends regulation 7 of the principal Regulations to enable an induction period to be served in a pupil referral unit.

Regulation 7 amends regulation 8 of the principal Regulations, to provide for the length of an induction period to be reduced by an appropriate body in certain circumstances.

Regulation 8 increases the length of the period specified within regulation 13(4) of the principal Regulations, within which the appropriate body is required to send notice of its decision about the completion of the induction period, to 10 working days.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations has been undertaken and a copy can be obtained from the Pedagogy, Early Career and Welsh Practitioners branch, the Pedagogy, Leadership and Professional Learning Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or inductioninfo@gov.wales.