
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require the employers of teachers and of others whose work relates to the provision of education and supply agencies to report cases of misconduct to the National Assembly for Wales (“the National Assembly”), and cases of incompetence to the General Teaching Council for Wales (“the Council”).

Employers must make a report to the National Assembly if they cease to use a person’s services on a specified ground or if they might have done so had that person not already ceased to provide his or her services. The specified grounds are a person’s unsuitability to work with children, a person’s misconduct and a person’s health where that concerns the safety and welfare of children. Where the ground relates to a registered teacher’s incompetence, the report must be made to the Council.

Agents must make a report to the National Assembly if they have arranged for a worker to carry out work on behalf of a local education authority, a governing body or a proprietor of an independent school and terminate those arrangements on a specified ground, or might have done so had the worker not already terminated the arrangements or ceased to be available for work. The specified grounds are a person’s unsuitability to work with children, a person’s misconduct and a person’s health where that concerns the safety and welfare of children. Where the ground relates to a registered teacher’s incompetence, the report must be made to the Council.

The Schedule sets out the information to be provided in the reports.