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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The General Teaching Council for Wales was re-named the Education Workforce Council (“the Council”) by section 2 of the Education (Wales) Act 2014 (“the 2014 Act”).

Part 1 of these Regulations sets out the provisions in relation to interpretation, the revocation of Regulations and the savings and transitional provisions.

Part 2 of these Regulations contains the provisions in relation to registration of the education workforce. Section 9 of the 2014 Act requires the Council to establish and maintain a register of the categories of person set out in the table in paragraph 1 of Schedule 2. Accordingly these Regulations make provision as to the form and manner in which the register is to be kept, and other matters relating to registration.

These Regulations revoke the Education (Specified Work and Registration) (Wales) Regulations 2010 (“the 2010 Regulations”). Part 2 of these Regulations re-make the provisions of the 2010 Regulations with some minor changes.

Part 3 of these Regulations specifies the work that may be carried out in schools by qualified teachers and persons who satisfy specified requirements. The requirements to be satisfied are specified in Schedule 3.

These Regulations also provide for qualified teachers carrying out specified work in schools to be registered with the Council (regulation 18).

Part 4 of these Regulations provides that unless a person meets any of the conditions prescribed in these Regulations they may not provide further education in or for a further education institution unless they are registered with the Council.

Part 5 of these Regulations makes provision in relation to the disciplinary functions of the Council. Sections 26 to 32 of the 2014 Act confer disciplinary functions on the Council in relation to persons registered in the register (“registered persons”).

Regulation 20 provides for the establishment of one or more Investigating Committees, which will investigate, and determine whether to pursue proceedings against, registered persons where it is alleged that the teacher is guilty of unacceptable professional conduct or serious professional incompetence, or has been convicted (at any time) of a relevant offence, or it appears to them that a registered person may be so guilty or has been so convicted. Regulation 21 makes further provision in relation to the delegation of those committees’ functions to employees of the Council.

Regulation 22 provides for the establishment of Fitness to Practice Committees, which will hear disciplinary proceedings concerning unacceptable professional conduct and relevant offences and have power to make disciplinary orders (prohibition orders, suspension orders, conditional registration orders or reprimands); and hear applications in relation to those orders with the exception of reprimands.

Section 33 of the 2014 Act allows the Welsh Ministers to make provision in relation to the maintenance of records by the Council. Accordingly Part 6 of these Regulations requires the Council to maintain records for the persons set out in Part 2 of Schedule 4 to these Regulations. The information that must be contained in those records is set out in Part 3 of Schedule 4 to these Regulations and is similar to the information that is recorded in the register established and maintained by the Council under section 9 of the 2014 Act.

**Status:** This is the original version (as it was originally made).

Part 7 requires the employers of teachers registered with the Council and supply agencies to report cases of misconduct and incompetence to the Council. The information that must be supplied is set out in Schedule 5 to these Regulations.

Part 8 requires the Council to supply, on request, to registered persons and other persons about whom records are maintained, copies of the information held about them. Part 8 also requires the Council to supply information to employers and other bodies upon request.

Part 9 contains a provision in relation to service of notices pursuant to these Regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.