
WELSH STATUTORY INSTRUMENTS

2015 No. 140

The Education Workforce Council (Main Functions) (Wales) Regulations 2015

PART 4

[^{F1}Requirements relating to further education teachers]

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19.—[^{F2}(1A) A person may not provide education in or for a further education institution unless—

- (a) the conditions in paragraphs (1B) and (1C) are met, or
- (b) paragraph (1D) applies.

(1B) The first condition is that the person must be registered under section 9 of the 2014 Act (register maintained by the Council) in the category of further education teacher.

(1C) The second condition is that the person must—

- (a) have at least one of the specified qualifications, or
- (b) meet the alternative requirement specified in Part 2 of Schedule 6.

(1D) A person who complies with the first condition but who does not comply with the second condition may, if they are working towards a specified qualification, work as a further education teacher for a period not exceeding—

- (a) 3 years from the date on which they started working towards the qualification where the person is employed full-time, or
- (b) 5 years from the date on which they started working towards the qualification where the person is employed part-time.

(1E) When calculating the periods specified in paragraph 1D(a) and (b), any period of absence from work is to be disregarded if it is—

- (a) in exercise of a person's—
 - (i) right to maternity leave conferred by section 71 or 73 of the 1996 Act or a contract of employment and where the person has the right to return to work by virtue of either of these sections or a contract of employment;
 - (ii) right to parental leave conferred by section 76 of the 1996 Act;
 - (iii) right to paternity leave conferred by section 80A or 80B of the 1996 Act;
 - (iv) right to adoption leave conferred by section 75A or 75B of the 1996 Act;
 - (v) right to shared parental leave conferred by section 75E or 75G of the 1996 Act; or
 - (vi) right to parental bereavement leave conferred by section 80EA of the 1996 Act, or
- (b) because of pregnancy.]

(2) Paragraph (1) does not apply to a person where that person only—

- (a) teaches higher education in or for a further education institution;
 - (b) provides on a temporary or occasional basis training updates for—
 - (i) industry,
 - (ii) commerce, or
 - (iii) professional practice;
 - (c) hires premises from a further education institute or otherwise makes use of a further education institution’s premises with its consent; ^{F3}...
 - (d) provides training at the request and specific to the requirements of an external body or organisation.
 - ^{F4}(e) acts as a volunteer; or
 - (f) provides on a temporary or occasional basis training in relation to a profession and the person holds the qualifications or experience necessary in order to practise that profession.]
- ^{F5}(3) For the purposes of this regulation and regulation 19ZA, a specified qualification means a qualification listed in Part 1 of Schedule 6.]

Textual Amendments

- F1** Reg. 19 heading substituted (10.5.2024) by [The Education Workforce Council \(Additional Categories of Registration and Further Education Teacher Qualifications\) \(Wales\) Order 2024 \(S.I. 2024/613\)](#), arts. 1(2), **10(2)**
- F2** Reg. 19(1A)-(1E) substituted for reg. 19(1) (10.5.2024) by [The Education Workforce Council \(Additional Categories of Registration and Further Education Teacher Qualifications\) \(Wales\) Order 2024 \(S.I. 2024/613\)](#), arts. 1(2), **10(3)**
- F3** Word in reg. 19(2)(c) omitted (10.5.2024) by virtue of [The Education Workforce Council \(Additional Categories of Registration and Further Education Teacher Qualifications\) \(Wales\) Order 2024 \(S.I. 2024/613\)](#), arts. 1(2), **10(4)(a)**
- F4** Reg. 19(2)(e)(f) inserted (10.5.2024) by [The Education Workforce Council \(Additional Categories of Registration and Further Education Teacher Qualifications\) \(Wales\) Order 2024 \(S.I. 2024/613\)](#), arts. 1(2), **10(4)(b)**
- F5** Reg. 19(3) inserted (10.5.2024) by [The Education Workforce Council \(Additional Categories of Registration and Further Education Teacher Qualifications\) \(Wales\) Order 2024 \(S.I. 2024/613\)](#), arts. 1(2), **10(5)**

Commencement Information

- I1** Reg. 19 in force at 1.4.2015, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education Workforce Council (Main Functions) (Wales) Regulations 2015, Section 19.