
WELSH STATUTORY INSTRUMENTS

2015 No. 140

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

PART 5

Disciplinary functions

Membership and procedure of Committees

26.—(1) The Council must include on an Investigating Committee or a Fitness to Practice Committee (“a Committee”)—

- (a) one or more lay members; and
- (b) one or more registered person member.

(2) The quorum for a meeting of a Committee is three members, including one lay member and one registered person member.

(3) A person who is a member of the Council must not be appointed as a member of a Committee.

(4) A person who is a member of the Investigating Committee investigating a case must not be appointed as a member of the Fitness to Practice Committee which determines that case.

(5) Subject to paragraphs (1) to (4) and regulations 37, 39 and 40, the Council may make such provision as it see fit as to—

- (a) the membership of a Committee;
- (b) the terms on which a Committee’s members are to hold and vacate office; and
- (c) the procedure of a Committee.

(6) In this regulation—

- (a) “lay member” (“*aelod lleyg*”) means a member of the Committee who is not—
 - (i) a registered person;
 - (ii) employed, or engaged to provide relevant services within the period of 5 years ending with the date of that person’s appointment to the Committee;
 - (iii) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006⁽¹⁾);
 - (iv) subject to a disciplinary order made under the 2014 Act by virtue of which the person is ineligible to register; or
 - (v) disqualified from working in a post equivalent to a category of registration;
- (b) “registered person member” (“*aelod sy’n berson cofrestredig*”) means a person who is—
 - (i) a registered person from the same category of registration as the registered person who is the subject of the disciplinary proceedings; and

(ii) employed, or engaged otherwise than under a contract of employment, in one of the posts described in the categories of registration on the date of that registered person member's appointment to the Committee.

(7) A registered person member who ceases to be registered person or who ceases to be employed or engaged in one of the posts described in the categories of registration must cease to be a registered person member.

(8) A lay member who becomes a registered person ceases to be regarded as a lay member.