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WELSH STATUTORY INSTRUMENTS

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**2015 No. 140**

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

**PART 5**

**Disciplinary functions**

**Disciplinary orders**

**35.**—(1) A disciplinary order must record the decision of the [F1Fitness to Practise] Committee, the date on which the order is made, and the date on which the order takes effect.

(2) A disciplinary order takes effect on the date on which notice of it is served on the person in relation to whom it is made except where a [F1Fitness to Practise] Committee otherwise decide.

(3) A [F1Fitness to Practise] Committee must serve a notice of the disciplinary order on the person in relation to whom it is made containing the following information—

- (a) the text of the order;
- (b) a description of the effect of the order;
- (c) the [F1Fitness to Practise] Committee's reasons for making the order;
- (d) notification of the registered person's right to appeal to the High Court against the order and the time period for making such an appeal;
- (e) where the order is a conditional registration order, an explanation of—
  - (i) the steps a [F1Fitness to Practise] Committee are empowered to take should the registered person fail to comply with a condition specified in it; and
  - (ii) that person's right to apply to vary or revoke a condition specified in the order and the method for making such an application;
- (f) where the order is a suspension order which specifies conditions, an explanation of the registered person's right to apply to vary or revoke a condition specified in the order and the method for making such an application; and
- (g) where the order is a prohibition order, an explanation of the registered person's right to apply for a determination that they are eligible for registration and the method for making such an application.

(4) A [F1Fitness to Practise] Committee must serve notice of the order on the registered persons present or last employer and, where relevant, agent.

(5) Where following the determination of a case by a [F1Fitness to Practise] Committee it decides not to make a disciplinary order in relation to a registered person, the committee must notify the registered person concerned and their employer—

- (a) of its decision and the reasons for it; and
- (b) whether it decided that the case against them was not proved.

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**Changes to legislation:** There are currently no known outstanding effects for the The Education Workforce Council (Main Functions) (Wales) Regulations 2015, Section 35. (See end of Document for details)

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(6) Where it does not find the case against a registered person proved, a [F1Fitness to Practise] Committee must at the registered person's request publish a statement to that effect.

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**Textual Amendments**

**F1** Words in Regulations substituted (1.3.2024) by The Education Workforce Council (Main Functions) (Wales) (Amendment) Regulations 2024 (S.I. 2024/74), regs. 1(2), **2(2)**

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**Commencement Information**

**I1** Reg. 35 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 35.