
WELSH STATUTORY INSTRUMENTS

2024 No. 613

**The Education Workforce Council (Additional
Categories of Registration and Further Education
Teacher Qualifications) (Wales) Order 2024**

PART 5

Amendment to the 2015 Regulations

Amendments to the 2015 Regulations

10.—(1) Regulation 19 of the 2015 Regulations is amended in accordance with paragraphs to (2) to (6).

(2) For the heading substitute “Requirements relating to further education teachers”.

(3) For paragraph (1), substitute—

“(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⁽¹⁾ 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;

(1) Sections 71 and 73 were substituted by Part 1 of Schedule 4 to the Employment Relations Act 1999 (c. 29). Section 71 was amended by paragraph 31, and section 73 by paragraph 32, of Schedule 1 to the Work and Families Act 2006 (c. 18) and both

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- (ii) right to parental leave conferred by section 76 of the 1996 Act(2);
 - (iii) right to paternity leave conferred by section 80A or 80B of the 1996 Act(3);
 - (iv) right to adoption leave conferred by section 75A or 75B of the 1996 Act(4);
 - (v) right to shared parental leave conferred by section 75E or 75G of the 1996 Act(5); or
 - (vi) right to parental bereavement leave conferred by section 80EA of the 1996 Act(6), or
- (b) because of pregnancy.”
- (4) In paragraph (2)—
- (a) at the end of sub-paragraph (c) omit “or”;
 - (b) after sub-paragraph (d) insert the following—
 - “(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.”
- (5) After paragraph (2), insert the following—
- “(3) For the purposes of this regulation and regulation 19ZA, a specified qualification means a qualification listed in Part 1 of Schedule 6.”

sections were amended by section 17 of the Employment Act 2002 (c. 22). Section 71 was further amended by section 118(1), (2)(a) and (b) of the Children and Families Act 2014 (c. 6). Section 73 was further amended by section 118(1), (3)(a), (b) and (c) of the Children and Families Act 2014.

- (2) Section 76 was substituted by Part 1 of Schedule 4 to the Employment Relations Act 1999 (c. 29).
- (3) Sections 80A and 80B were inserted by section 1 of the Employment Act 2002 (c. 22). Section 80A was further amended by section 118(1) and (6) of, and paragraphs 29 and 32 of Schedule 7 to, the Children and Families Act 2014. Section 80B was further amended by sections 118(1) and (7), 121(2)(a) and (b), 122(4) and 128(2)(b) of, and paragraphs 29 and 33 of Schedule 7 to, the Children and Families Act 2014 and by regulation 147(a), (b) and (c) of S.I. 2016/413 (W. 131).
- (4) Sections 75A and 75B were inserted by section 3 of the Employment Act 2002 (c. 22). Section 75A was amended by paragraph 33 of Schedule 1 to the Work and Families Act 2006 (c. 18), by sections 118(1), (4)(a), (b) and (c) and 121(1) of the Children and Families Act 2014, by regulation 145 of S.I. 2016/413 (W. 131) and by paragraph 11(10) of Schedule 1 to S.I. 2018/1413. Section 75B was further amended by paragraph 34 of Schedule 1 to the Work and Families Act 2006 (c. 18), by section 118(1), (5)(a), (b) and (c) of the Children and Families Act 2014 and by paragraph 11(11) of Schedule 1 to S.I. 2018/1413.
- (5) Sections 75E and 75G were inserted into the Employment Rights Act 1996 (c. 18) by section 117(1) of the Children and Families Act 2014 (c. 6). Section 75G was amended by regulation 146(a) and (b) of S.I. 2016/413 (W. 131).
- (6) Section 80EA was inserted by paragraph 2 of Part 1 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24).