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WELSH STATUTORY INSTRUMENTS

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**2000 No. 2560 (W. 169 )**

**EDUCATION, WALES**

**The Teacher Training Incentive (Wales) Regulations 2000**

*Made* - - - - *21st September 2000*  
*Coming into force* - - *22nd September*  
*2000*

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 50 and 63(3) of the Education (No. 2) Act 1986<sup>(1)</sup>, and now vested in the National Assembly for Wales<sup>(2)</sup>, hereby makes the following Regulations:

**Citation, commencement, revocation and savings**

1.—(1) These Regulations may be cited as the Teacher Training Incentive (Wales) Regulations 2000 and shall come into force on 22nd September 2000.

(2) Subject to paragraph (3), the Education (Mathematics and Science Teacher Training Incentive) (Wales) Regulations 1999<sup>(3)</sup> are revoked.

(3) Those Regulations shall, however, continue to apply in relation to any person who has been awarded a grant under them if any payment of grant was made by the National Assembly (or the Secretary of State under corresponding arrangements applying in England) before 22nd September 2000 and the person is continuing to undergo, or has completed, the course in respect of which the grant was awarded.

**Interpretation**

2. In these Regulations —

“accredited institution” (“*sefydliad achrededig*”) means an institution accredited by the Higher Education Funding Council for Wales as a provider of courses satisfying such provisions as to curricula and other criteria as may be from time to time specified by the National Assembly<sup>(4)</sup>;

“maintained school” (“*ysgol a gynhelir*”) means a community, foundation or voluntary school or a community or foundation special school (within the meaning of the School Standards and Framework Act 1998 <sup>(5)</sup>);

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(1) 1986 c. 61. Section 63(3) is amended by paragraph 107(a) of Schedule 19 to the Education Act 1993 (c. 35).

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1999/2816 (W.17).

(4) A list of currently designated institutions may be obtained from the Higher Education Funding Council for Wales at Linden Court, The Orchards, Ty Glas Avenue, Llanishen, Cardiff, CF4 5DZ.

(5) 1998 c. 31.

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“post-graduate teacher training course” (“*cwrs ôl-raddedig o hyfforddiant athrawon*”) means a post-graduate course of initial training for teachers which –

- (a) is provided at an accredited institution in Wales; and
- (b) leads to a person who completes it successfully becoming a qualified teacher;

“qualified teacher” (“*athro neu athrawes gymwysedig*”) means a person who –

- (a) is a qualified teacher in accordance with provision made by or under regulations made for either Wales or England under section 218 of the Education Reform Act 1988<sup>(6)</sup>; or
- (b) is determined to be a qualified teacher by the National Assembly or the Secretary of State in accordance with any provision so made.

### **Incentives for persons to undergo teacher training**

**3.—**(1) The National Assembly may pay grants under this regulation by way of incentives for eligible persons to undergo a post-graduate teacher training course.

(2) The power conferred on the National Assembly by paragraph (1) above includes power to pay grant to an eligible person if that person has –

- (a) successfully completed a post-graduate course of initial training for teachers at an institution in England;
- (b) received the full amount of any instalments of grant payable in respect of the period when he or she was undergoing the course under any arrangements applying in England which the National Assembly is satisfied correspond to those made in pursuance of these Regulations; and
- (c) taken up a teaching post at a maintained school in Wales.

(3) In paragraphs (1) and (2) “eligible” means eligible for student support under regulations made under section 22 of the Teaching and Higher Education Act 1998<sup>(7)</sup>.

### **Conditions**

**4.—**(1) No payment shall be made under regulation 3 to a person –

- (a) who has already completed a course of initial training for teachers before 1st September 2000 or who is undertaking such a course which commenced before 1st September 2000;
- (b) who is employed to teach at any school or other educational institution (and who is not a qualified teacher); or
- (c) in relation to whom the Regulations referred to in paragraph (2) of regulation 1 continue to apply by virtue of paragraph (3) of that Regulation.

(2) No grant shall be paid under regulation 3 to a person unless he or she has made an application to the National Assembly in such form, at such time and containing such particulars as the National Assembly may determine.

(3) Nothing in this regulation shall be taken as limiting the power of the National Assembly to adopt criteria for eligibility for grants under regulation 3.

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(6) 1988 c. 40. The current Regulations are the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 (S.I. 1999/2817 (W.18)) and the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166).

(7) 1998 c. 30; the current Regulations are the Education (Student Support) Regulations 2000 (S.I. 2000/1121).

### **Further Conditions**

5.—(1) The National Assembly may impose requirements under which grant paid in pursuance of regulation 3 shall be repayable.

- (2) A requirement may be imposed under paragraph (1) only if –
- (a) it is a requirement which has as its objective ensuring that the purpose of making the grant is fulfilled;
  - (b) it provides for repayment of grant where, after receiving any instalment of grant, the recipient fails to meet any eligibility criteria adopted by the National Assembly in relation to a subsequent instalment; or
  - (c) it provides for repayment of grant where the recipient has provided in, or in connection with, his or her application for grant information which is false or materially misleading.

### **Amount and payment of grant**

6.—(1) Grants under regulation 3 shall not exceed such amounts as the National Assembly may determine.

(2) Different amounts may be determined under paragraph (1) for different cases and circumstances.

(3) In the case of grant payable to a person by virtue of regulation 3(2), the total amount payable by the National Assembly shall not exceed the difference between the amount of grant he or she received from the Secretary of State under corresponding arrangements applying in England and the amount determined by the National Assembly under paragraph (1) above as the maximum amount of grant payable to a person who –

- (a) successfully completes, at an accredited institution, a course of the same description as the course at the institution in England;
- (b) meets all relevant conditions contained in these Regulations; and
- (c) meets any relevant criteria for eligibility for grants under regulation 3 adopted by the National Assembly.

(4) Grants under regulation 3 may be paid in a lump sum or in such instalments and at such times as the National Assembly determines, and the National Assembly may in particular determine that instalments shall be payable on dates which are after the person has taken up a teaching post as a qualified teacher.

(5) In the case of any grant payable while a person is undergoing a post-graduate teacher training course, the National Assembly may provide funds to an accredited institution for payment to that person at such times as it may direct.

### **Payment of incentives to school governing bodies for taking on graduate teachers**

7.—(1) The National Assembly may, in accordance with the following paragraphs of this regulation, pay grants under this paragraph by way of incentives to encourage governing bodies of maintained schools to employ, and secure the provision of training for, persons seeking to become qualified teachers by completing, in accordance with paragraph 7 of Schedule 3 to the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999, the requisite period of service as a graduate teacher.

(2) Grants under paragraph (1) shall be payable in a lump sum or in such instalments, and at such times, as the National Assembly thinks fit.

(3) Regulation 5 applies in relation to grants under paragraph (1) as it applies in relation to grants under regulation 3.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(8)

21st September 2000

*Rhodri Morgan*  
First Secretary National Assembly For Wales

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## EXPLANATORY NOTE

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

The Education (Mathematics and Science Teacher Training Incentive) (Wales) Regulations 1999 provided for the payment of grants by way of incentives to encourage more people to undergo college-based post-graduate teacher training courses to teach mathematics or science at secondary level. The 1999 Regulations are revoked by the present Regulations save in the case of those who have already received a payment of grant under the 1999 Regulations before 22nd September 2000.

Under these new Regulations incentive grants may be paid in respect of such courses to teach all subjects. Where a person receives any instalments of grant in respect of a course at an institution in England for which incentive grants are payable under parallel arrangements, the Regulations enable the National Assembly to pay any remaining instalments to which that person would have been entitled by virtue of these Regulations had he or she completed a course in Wales in respect of which grant was paid under these Regulations.

The Regulations include an entirely new provision enabling grants to be paid to encourage schools to take on and train graduate teachers.

The Regulations are explained in more detail below.

The 1999 Regulations are revoked but any person who has received a payment under those Regulations will continue to be covered by those Regulations (REGULATION 1).

REGULATION 2 contains definitions of terms used in the Regulations.

Grants may be paid by way of incentives for persons eligible for student support to undertake college-based post-graduate teacher training to teach any subject (REGULATION 3).

REGULATION 4 sets out a number of cases where grant may not be paid under regulation 3.

REGULATION 5 allows the National Assembly to make payment of grant under regulation 3 subject to a requirement that it shall be repaid in specified circumstances.

REGULATION 6 provides for the National Assembly to determine the amount of grant, which may be paid in a lump sum or in instalments (some of which may be deferred until after the person qualifies as a teacher and has taken up a teaching post).

Incentive payments may be paid to the governing bodies of maintained schools to encourage them to take on and train graduate teachers under the scheme known as “the Graduate Teachers' Programme” (REGULATION 7).