



# Education (Wales) Act 2014

2014 anaw 5

## PART 2

### EDUCATION WORKFORCE

#### *Requirements to be satisfied to provide services*

#### **14 School teachers and school learning support workers**

- (1) The Welsh Ministers may by regulations provide that specified services may not be provided by a person in a school unless—
  - (a) the person—
    - (i) is a qualified teacher (see section 132 of the 2002 Act), or
    - (ii) satisfies specified requirements, and
  - (b) the person is registered in a specified category of registration.
- (2) Regulations under subsection (1) specifying services for the purpose of this section may make provision by reference to—
  - (a) one or more specified activities, or
  - (b) the circumstances in which activities are carried out.
- (3) Provision made by virtue of subsection (2) may, in particular, be made by reference to an activity specified in a document of the kind mentioned in section 124(3) of the 2002 Act.
- (4) A requirement of regulations under subsection (1) may, in particular, relate to—
  - (a) the possession of a specified qualification or experience of a specified kind;
  - (b) participation in or completion of a specified programme or course of training;
  - (c) compliance with a specified condition;
  - (d) an exercise of discretion by the Welsh Ministers, another specified person or another person of a specified description.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Regulations under subsection (1) may limit the period of time during which work may be provided by a person in reliance on subsection (1)(a)(ii).
- (6) In this section, “school” means—
- (a) a school maintained by a local authority in Wales, and
  - (b) a special school in Wales not so maintained.

## **15 Further education teachers**

- (1) The Welsh Ministers may by regulations—
- (a) provide that education may not be provided by a person in or for a further education institution in Wales unless the person—
    - (i) has a specified qualification, and
    - (ii) is registered in the category of further education teacher;
  - (b) specify conditions to be complied with by or in respect of a person providing education in or for a further education institution in Wales.
- (2) Regulations under subsection (1) may provide that a specified provision of the regulations is not to apply where a specified condition (which may refer to the opinion of a specified person) is satisfied.
- (3) Regulations under subsection (1) may impose a function on—
- (a) a local authority in Wales;
  - (b) a governing body (within the meaning of section 90(1) of the [Further and Higher Education Act 1992 \(c. 13\)](#)) of a further education institution in Wales.
- (4) For the purposes of this section, “education” has the meaning given by section 140(3) of the 2002 Act.

## **16 Further education learning support workers**

- (1) The Welsh Ministers may by regulations provide that a person may not (directly or indirectly) provide the services described in subsection (2) in or for a further education institution in Wales unless the person—
- (a) satisfies any specified requirements, and
  - (b) is registered in the category of further education learning support worker.
- (2) The services are—
- (a) enabling or assisting a learner to participate in education,
  - (b) supporting a learner’s independence, achievement or progression, or
  - (c) supporting a person who is providing education in or for a further education institution.
- (3) A requirement of regulations under subsection (1) may, in particular, relate to—
- (a) the possession of a specified qualification or experience of a specified kind;
  - (b) participation in or completion of a specified programme or course of training;
  - (c) compliance with a specified condition;
  - (d) an exercise of discretion by the Welsh Ministers, another specified person or another person of a specified description.

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*Status: This is the original version (as it was originally enacted).*

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- (4) For the purposes of this section, “education” has the meaning given by section 140(3) of the 2002 Act.