



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.

Changes to legislation: There are currently no known outstanding effects for the Education (Wales) Act 2014, Cross Heading: Requirements to be satisfied to provide services. (See end of Document for details)

- (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.

Commencement Information

- I1** S. 14 in force at 16.1.2015 for specified purposes by S.I. 2015/29, art. 2(g)
I2 S. 14 in force at 1.1.2016 in so far as not already in force by S.I. 2015/1688, art. 2(a)

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.

Commencement Information

- I3** S. 15 in force at 16.1.2015 by S.I. 2015/29, art. 2(h)

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

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

Commencement Information

I4 S. 16 in force at 1.1.2016 by S.I. 2015/1688, art. 2(b)

Changes to legislation:

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