

*Changes to legislation: There are currently no known outstanding effects for the Education (Wales) Act 2014, SCHEDULE 2. (See end of Document for details)*

## SCHEDULE 2

(introduced by section 9(3))

### CATEGORIES OF REGISTRATION

- 1 The first column in table 1 sets out the categories of registration and the second column describes the category by reference to the persons who fall within it.

**TABLE 1**

Category	Description
School teacher	A person who is a qualified teacher and who provides (or wishes to provide) any services specified in regulations made under section 14 in a school.
School learning support worker	[ <sup>F1</sup> A person who satisfies the requirements specified in regulations made under section 14(1)(a)(ii) and who supports (or wishes to support) the provision of any of the services specified in regulations made under that section in a school.]
Further education teacher	A person who provides (or wishes to provide) education (as defined by section 140(3) of the 2002 Act) in or for a further education institution in Wales.
Further education learning support worker	A person <sup>F2</sup> ... who directly or indirectly provides (or wishes to provide) any of the services described in section 16(2) in or for a further education institution in Wales.
[ <sup>F3</sup> Youth worker	A person who provides (or wishes to provide) youth development services and who— (a) possesses at least one of the qualifications specified as youth worker qualifications in an order made under paragraph 2, or (b) otherwise meets such alternative requirements as are specified in an order under that paragraph.
Youth support worker	A person who provides (or wishes to provide) youth development services and who— (c) possesses at least one of the qualifications specified as youth support worker qualifications in an order made under paragraph 2, or

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	(d) otherwise meets such alternative requirements as are specified in an order under that paragraph.
Work based learning practitioner	A person who provides (or wishes to provide) work based learning practitioner services.]
[ <sup>F4</sup> Independent school teacher	A person who provides (or wishes to provide) independent school teacher services in or for an independent school in Wales.
Independent school learning support worker	A person who supports (or wishes to support) the provision of independent school teacher services in or for an independent school in Wales.
Independent special post-16 institution teacher	A person who provides (or wishes to provide) independent special post-16 institution teacher services in or for an independent special post-16 institution in Wales.
Independent special post-16 institution learning support worker	A person who supports (or wishes to support) the provision of independent special post-16 institution teacher services in or for an independent special post-16 institution in Wales.]

#### Textual Amendments

- F1** Words in Sch. 2 para. 1 Table 1 substituted (22.5.2023) by [The Education Workforce Council \(Additional Categories of Registration\) \(Wales\) Order 2023 \(S.I. 2023/551\)](#), arts. 1(2), **11(2)(a)**
- F2** Words in Sch. 2 para. 1 Table 1 omitted (22.5.2023) by virtue of [The Education Workforce Council \(Additional Categories of Registration\) \(Wales\) Order 2023 \(S.I. 2023/551\)](#), arts. 1(2), **11(2)(b)**
- F3** Words in Sch. 2 para. 1 inserted (1.3.2017) by [The Education Workforce Council \(Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners\) Order 2016 \(S.I. 2016/1183\)](#), arts. 1(2), **8(2)**
- F4** Words in Sch. 2 para. 1 Table 1 inserted (22.5.2023) by [The Education Workforce Council \(Additional Categories of Registration\) \(Wales\) Order 2023 \(S.I. 2023/551\)](#), arts. 1(2), **11(2)(c)**

#### Commencement Information

- I1** Sch. 2 para. 1 in force at 16.1.2015 for specified purposes by [S.I. 2015/29](#), **art. 2(z)**
- I2** Sch. 2 para. 1 in force at 1.1.2016 for specified purposes by [S.I. 2015/1688](#), **art. 2(c)**

#### *Changing the categories of registered worker*

- 2 (1) The Welsh Ministers may by order add, amend or remove a category of registration (or the description of a category) which may include, amongst other things, adding a category of registration relating to independent schools (within the meaning of section 463 of the 1996 Act), and amending or removing such a category.

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- (2) An order under sub-paragraph (1) may make such provision about or in connection with the new category of registration as the Welsh Ministers consider necessary or expedient.
- (3) In particular, an order under sub-paragraph (1) may specify services that may not be provided by a person unless the person—
  - (a) satisfies any specified requirements, and
  - (b) is registered.
- (4) An order specifying services for the purposes of sub-paragraph (3) may make provision by reference to—
  - (a) one or more specified activities, or
  - (b) the circumstances in which activities are carried out.
- (5) A requirement of such an order 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.
- (6) Before making an order under this paragraph, the Welsh Ministers must consult such persons as they consider appropriate.
- (7) An order made under this paragraph may modify this Act or any other enactment.

#### Commencement Information

**I3** Sch. 2 para. 2 in force at 1.4.2015 by S.I. 2015/29, art. 3(v)

#### Interpretation

[<sup>F53</sup> In this Schedule—

[<sup>F6</sup>“independent school” (“*ysgol annibynnol*”) has the meaning given in section 463 of the 1996 Act;

“independent school teacher services” (“*gwasanaethau athro neu athrawes ysgol annibynnol*”) are services specified as such in an order made under paragraph 2;

“independent special post-16 institution” (“*sefydliad ôl-16 arbennig annibynnol*”) has the meaning given in section 56(6) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2);

“independent special post-16 institution teacher services” (“*gwasanaethau athro neu athrawes sefydliad ôl-16 arbennig annibynnol*”) are services specified as such in an order made under paragraph 2;]

“school” (“*ysgol*”) means—

- (a) a school maintained by a local authority in Wales;
- (b) a special school in Wales not so maintained;

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“work based learning” (“*dysgu seiliedig ar waith*”) means education or training provided—

- (a) for persons aged 16 or above (regardless of whether it is also provided for persons under 16), and
- (b) to develop knowledge and skills relevant to a particular trade, occupation or employer;

“work based learning practitioner services” (“*gwasanaethau ymarferydd dysgu seiliedig ar waith*”) are—

- (a) the co-ordination and delivery of work based learning;
- (b) the assessment of the knowledge and skills of a person receiving (or about to receive) work based learning;

“youth development services” (“*gwasanaethau datblygu ieuencid*”) are services—

- (a) provided mainly to persons who are aged no younger than 11 and no older than 25, and
- (b) which promote—
  - (i) the development of the skills or knowledge of such persons, or
  - (ii) the intellectual, emotional or social development of such persons.]

#### **Textual Amendments**

- F5** Sch. 2 para. 3 substituted (1.3.2017) by [The Education Workforce Council \(Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners\) Order 2016 \(S.I. 2016/1183\)](#), arts. 1(2), **8(3)**
- F6** Words in Sch. 2 para. 3 inserted (22.5.2023) by [The Education Workforce Council \(Additional Categories of Registration\) \(Wales\) Order 2023 \(S.I. 2023/551\)](#), arts. 1(2), **11(3)**

#### **Commencement Information**

- I4** Sch. 2 para. 3 in force at 16.1.2015 by [S.I. 2015/29](#), **art. 2(z)**

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