



# Teaching and Higher Education Act 1998

## CHAPTER 30

### TEACHING AND HIGHER EDUCATION ACT 1998

#### PART I

##### THE TEACHING PROFESSION

#### CHAPTER I

##### THE GENERAL TEACHING COUNCIL FOR WALES

###### *The General Teaching Council for Wales: aims and constitution*

- 1 Aims and constitution of the Council

###### *Functions of the General Teaching Council for Wales*

- 2 Advisory functions of the Council.
- 3 Registration of teachers.
- 4 Regulations relating to registration.
- 4A Appeals against refusal of registration
- 5 Code of practice for registered teachers.
- 6 Disciplinary powers of Council in relation to registered teachers.
- 6A Power to promote teaching profession
- 7 Additional and ancillary functions of Council.

###### *Establishment of The General Teaching Council for Wales*

- 8 Establishment of The General Teaching Council for Wales.

###### *Functions of the General Teaching Council for Wales*

- 9 Functions of General Teaching Council for Wales: general.

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- 10 Further functions of General Teaching Council for Wales in relation to teachers.

*Supplementary*

- 11 Registration requirement for teachers at schools.  
12 Deduction of fees from salaries, etc.  
13 Consultation about qualified teacher status.  
14 Supply of information relating to teachers: general.  
15 Supply of information following dismissal, resignation, &c.  
15A Supply of information by contractor, agency, &c.

*The General Teaching Council for Scotland*

- 16 Duty to have regard to needs of disabled persons.  
17 Representation of special educational needs teachers on General Teaching Council for Scotland.

**CHAPTER II**

HEAD TEACHERS

- 18 Qualifications of head teachers.

**CHAPTER III**

TEACHER TRAINING

*Induction periods : teachers in Wales*

- 19 Requirement to serve induction period.

*Inspection of teacher training institutions*

- 20 Inspection of institutions training teachers for schools.  
21 Inspection of institutions training teachers for schools: Scotland.

**PART II**

FINANCIAL PROVISION FOR HIGHER AND FURTHER EDUCATION

**CHAPTER I**

ENGLAND AND WALES

*Student support*

- 22 New arrangements for giving financial support to students.  
23 Transfer or delegation of functions relating to student support.  
24 Supply of information in connection with student loans support.  
25 Transitional arrangements.

*Student fees*

- 26 Imposition of conditions as to fees at further or higher education institutions.

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### *Higher education funding*

- 27 Expenditure eligible for funding.

#### *Supplementary*

- 28 Interpretation of Chapter I.

## **CHAPTER II**

### **SCOTLAND**

- 29 Grants and loans: Scotland.  
30 Supply of information in connection with student loans: Scotland.  
31 Imposition of conditions as to fees at further and higher education institutions in Scotland.

## **PART III**

### **RIGHT TO TIME OFF FOR STUDY OR TRAINING**

- 32 Right of young persons to time off for study or training.  
33 Further provisions as to time off for study or training.

## **PART IV**

### **MISCELLANEOUS AND GENERAL**

#### *Inspection of vocational training, etc: Wales*

- 34 Inspection of vocational training by Her Majesty's chief inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.  
35 Inspection of careers services by Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.  
35A Inspection of other careers services etc. in Wales.

#### *Funding Councils: England, Wales and Scotland*

- 36 Power of funding councils in England and Wales to secure provision of certain further education.  
37 Joint exercise of functions of funding councils in Scotland.  
38 Scottish Further Education Funding Council: "relevant body" for purposes of s. 19(5) of Disability Discrimination Act 1995.

#### *Further and higher education institutions: England and Wales*

- 39 Unauthorised use of "university" in title of educational institution, etc.  
40 University college, etc., not to be treated as university.  
41 Charitable status of further and higher education corporations.

#### *General*

- 42 Orders and regulations.  
43 General interpretation.  
44 Minor and consequential amendments and repeals.  
45 Northern Ireland.

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46 Short title, commencement and extent.

## SCHEDULES

### SCHEDULE 1 — General Teaching Council for Wales

#### *Status of Council*

1 The Council shall not be regarded as the servant or...

#### *Powers*

2 (1) The Council may, subject to sub-paragraph (3), do anything...

#### *Chairman and members of Council*

3 (1) Regulations may make provision with respect to—

#### *Salaries, allowances, pensions and other payments*

4 (1) The Council— (a) shall pay to their members such...

#### *Staff*

5 (1) The Council may (subject to sub-paragraph (5)) appoint a...

6 (1) The Council , with the consent of the Secretary...

7 (1) Employment with the Council shall be included among the...

#### *Finance*

8 The Secretary of State may make grants to the Council...

#### *Committees*

9 (1) The Council— (a) may establish a committee for any...

#### *Delegation of functions*

10 (1) The Council may authorise the chairman, the chief officer...

#### *Proceedings*

11 (1) The following persons, namely— (a) two representatives of the...

12 The validity of the Council's proceedings shall not be affected...

13 Subject to the preceding provisions of this Schedule, the Council...

#### *Accounts*

14 (1) It shall be the duty of the Council—

#### *Annual reports*

15 The Council— (a) shall make an annual report to the...

#### *Application of seal and proof of instruments*

16 The application of the seal of the Council shall be...

17 Every document purporting to be an instrument made or issued...

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## 18 Power to amend Schedule

### SCHEDULE 2 — Disciplinary powers of Council

#### *Investigation, hearing and determination of disciplinary cases*

1 (1) Regulations may make provision for and in connection with...

#### *Disciplinary orders: general*

2 (1) Regulations may make provision for and in connection with...

#### *Conditional registration orders*

3 (1) Where a conditional registration order is made in relation...

#### *Suspension orders*

4 (1) Where a suspension order is made in relation to...

#### *Prohibition orders*

5 (1) Where a prohibition order is made in relation to...

#### *Appeals against disciplinary orders*

6 (1) Regulations shall make provision for conferring on a person...

#### *Supplementary provisions*

7 (1) Regulations may make provision for such incidental and supplementary...

#### *Interpretation*

8 (1) In this Schedule— “disciplinary order” has the meaning given...

### SCHEDULE 3 — Minor and consequential amendments

#### *Public Records Act 1958 (c.51)*

1 In Schedule 1 to the Public Records Act 1958 (definition...

#### *Superannuation Act 1972 (c.11)*

2 In Schedule 1 to the Superannuation Act 1972 (kinds of...

#### *House of Commons Disqualification Act 1975 (c.24)*

3 In Part III of Schedule 1 to the House of...

#### *Education (Scotland) Act 1980 (c.44)*

4 In section 133 of the Education (Scotland) Act 1980 (regulations)—...

#### *Education (Fees and Awards) Act 1983 (c.40)*

5 In section 1(6) of the Education (Fees and Awards) Act...

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*Education Reform Act 1988 (c.40)*

- 6 In section 232(6) of the Education Reform Act 1988 (orders...

*Further and Higher Education Act 1992 (c.13)*

- 7 In section 17 of the Further and Higher Education Act...  
8 In section 90(3) of that Act (interpretation), after “ “university””...

*Charities Act 1993 (c.10)*

- 9 In section 3 of the Charities Act 1993 (the register...

*Employment Rights Act 1996 (c.18)*

- 10 After section 47 of the Employment Rights Act 1996 insert—...  
11 In section 48 of that Act (complaints to employment tribunals)—...  
12 In section 58 of that Act (right to time off...  
13 In section 104 of that Act (assertion of statutory right)...  
14 In section 225 of that Act (rights during employment), after...

*Education Act 1996 (c.56)*

- 15 In section 578 of the Education Act 1996 (meaning of...

SCHEDULE 4 — Repeals

### Changes to legislation:

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### Changes and effects yet to be applied to :

- s. 3(3)(a) repealed by [2006 c. 47 Sch. 10](#)
- s. 22(1) words substituted by [2017 c. 29 s. 86\(2\)](#)
- s. 22(2)(a) words substituted by [2017 c. 29 s. 86\(3\)\(a\)](#)
- s. 22(2)(b) words substituted by [2017 c. 29 s. 86\(3\)\(a\)](#)
- s. 22(2)(c) words substituted by [2017 c. 29 s. 86\(3\)\(a\)](#)
- s. 22(2)(g) words inserted by [2017 c. 29 s. 86\(3\)\(b\)\(i\)](#)
- s. 22(2)(g) words inserted by [2017 c. 29 s. 86\(3\)\(b\)\(ii\)](#)
- s. 22(2)(i) words inserted by [2017 c. 29 s. 86\(3\)\(c\)](#)
- s. 22(2)(j) words substituted by [2017 c. 29 s. 86\(3\)\(d\)](#)
- s. 22(5) words inserted by [2017 c. 29 s. 86\(5\)\(a\)](#)
- s. 22(5)(a)(i) words inserted by [2017 c. 29 s. 86\(5\)\(b\)](#)
- s. 22(5)(c) words inserted by [2017 c. 29 s. 86\(5\)\(b\)](#)
- s. 22(5)(d)(ii) words inserted by [2017 c. 29 s. 86\(5\)\(c\)](#)
- s. 22(5)(f) words inserted by [2017 c. 29 s. 86\(5\)\(e\)\(i\)](#)
- s. 22(5)(f) words inserted by [2017 c. 29 s. 86\(5\)\(e\)\(ii\)](#)
- s. 22(5)(h) words inserted by [2017 c. 29 s. 86\(5\)\(f\)](#)
- s. 22(10) words inserted by [2017 c. 29 s. 86\(6\)](#)
- s. 23(7)(a)(i) words substituted by [2017 c. 29 s. 87\(2\)](#)
- s. 24(2) words inserted by [2017 c. 29 s. 87\(3\)\(a\)](#)
- s. 24(3)(b)(i) words inserted by [2017 c. 29 s. 87\(3\)\(a\)](#)
- s. 24(6)(c) words inserted by [2017 c. 29 s. 87\(3\)\(b\)\(i\)](#)
- s. 24(6)(c)(i) words inserted by [2017 c. 29 s. 87\(3\)\(b\)\(ii\)](#)
- s. 24(10) words substituted by [2017 c. 29 s. 87\(3\)\(c\)](#)
- s. 26(3) words omitted by [2011 c. 21 Sch. 5 para. 14\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 26 already (7.7.2005 for W. for the repeal only of s. 26(5), 14.1.2006 for E., 31.3.2011 in so far as not already in force) by Higher Education Act 2004 (c. 8), s. 52(6), Sch. 6 para. 7, Sch. 7; S.I. 2005/1833, art. 4(e); S.I. 2006/51, art. 2; S.I. 2011/297, art. 4(g))
- s. 26(3) words omitted by [2011 c. 21 Sch. 5 para. 14\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S. 26 already (7.7.2005 for W. for the repeal only of s. 26(5), 14.1.2006 for E., 31.3.2011 in so far as not already in force) by Higher Education Act 2004 (c. 8), s. 52(6), Sch. 6 para. 7, Sch. 7; S.I. 2005/1833, art. 4(e); S.I. 2006/51, art. 2; S.I. 2011/297, art. 4(g))
- s. 26(3)(c) and word omitted by [2011 c. 21 Sch. 5 para. 14\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 26 already (7.7.2005 for W. for the repeal only of s. 26(5), 14.1.2006 for E., 31.3.2011 in so far as not already in force) by Higher Education Act 2004 (c. 8), s. 52(6), Sch. 6 para. 7, Sch. 7; S.I. 2005/1833, art. 4(e); S.I. 2006/51, art. 2; S.I. 2011/297, art. 4(g))
- s. 26(11) words omitted by [2011 c. 21 Sch. 5 para. 14\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 26 already (7.7.2005 for W. for the repeal only of s. 26(5), 14.1.2006 for E., 31.3.2011 in so far as not already in force) by Higher Education Act 2004 (c. 8), s. 52(6), Sch. 6 para. 7, Sch. 7; S.I. 2005/1833, art. 4(e); S.I. 2006/51, art. 2; S.I. 2011/297, art. 4(g))
- s. 26(11)(b) words omitted by [2011 c. 21 Sch. 5 para. 14\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 26 already (7.7.2005 for W. for the repeal only of s. 26(5), 14.1.2006 for E., 31.3.2011 in so far as not already in force) by Higher Education Act 2004 (c. 8), s. 52(6), Sch. 6 para. 7, Sch. 7; S.I. 2005/1833, art. 4(e); S.I. 2006/51, art. 2; S.I. 2011/297, art. 4(g))
- s. 27 omitted by [2022 asc 1 Sch. 4 para. 10](#)
- s. 46(7) words inserted by [2017 c. 29 s. 86\(8\)\(a\)](#)

- s. 46(8) words inserted by 2017 c. 29 s. 86(8)(b)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**  
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(4A)(4B) inserted by 2017 c. 29 s. 86(4)
- s. 22(5)(ea) inserted by 2017 c. 29 s. 86(5)(d)
- s. 22(11) inserted by 2017 c. 29 s. 86(7)
- s. 28A inserted by 2022 c. 21 s. 15(1)