



# Teaching and Higher Education Act 1998

## 1998 CHAPTER 30

### PART I

#### THE TEACHING PROFESSION

#### CHAPTER I

##### THE GENERAL TEACHING [F<sup>1</sup>COUNCIL FOR WALES]

###### Textual Amendments

- F1** Words in Pt. I Ch. I heading substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 2 para. 2](#); [S.I. 2012/924](#), art. 2

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

###### **F<sup>2</sup>1 Aims and constitution of the Council**

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###### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), art. 3(x) (with art. 4)

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

###### **F<sup>2</sup>2 Advisory functions of the Council.**

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**Changes to legislation:** Teaching and Higher Education Act 1998, Chapter I is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

### **F23 Registration of teachers.**

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#### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

### **F24 Regulations relating to registration.**

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#### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

### **F24A Appeals against refusal of registration**

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#### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

### **F25 Code of practice for registered teachers.**

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#### Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

### **F26 Disciplinary powers of Council in relation to registered teachers.**

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**Textual Amendments**

**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with [art. 4](#))

**F26A Power to promote teaching profession**

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**Textual Amendments**

**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with [art. 4](#))

**F27 Additional and ancillary functions of Council.**

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**Textual Amendments**

**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with [art. 4](#))

*Establishment of The General Teaching Council for Wales*

**F28 Establishment of The General Teaching Council for Wales.**

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**Textual Amendments**

**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with [art. 4](#))

*Functions of the General Teaching Council for Wales*

**F29 Functions of General Teaching Council for Wales: general.**

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**Textual Amendments**

**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with [art. 4](#))

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## **F<sup>2</sup>10 Further functions of General Teaching Council for Wales in relation to teachers.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with art. 4)

### *Supplementary*

## **F<sup>2</sup>11 Registration requirement for teachers at schools.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with art. 4)

## **F<sup>2</sup>12 Deduction of fees from salaries, etc.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with art. 4)

## **F<sup>2</sup>13 Consultation about qualified teacher status.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with art. 4)

## **F<sup>2</sup>14 Supply of information relating to teachers: general.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29, art. 3\(x\)](#) (with art. 4)

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## **<sup>F2</sup>15 Supply of information following dismissal, resignation, &c.**

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### **Textual Amendments**

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014](#) (anaw 5), s. 50(4), **Sch. 3 para. 3**; S.I. 2015/29, art. 3(x) (with art. 4)

## **<sup>F3</sup>15A Supply of information by contractor, agency, &c.**

- (1) This section applies to arrangements made by one person (the “agent”) for <sup>F4</sup>a registered teacher (the “teacher”)] to carry out work at the request of or with the consent of a relevant employer (whether or not under a contract).
- (2) <sup>F5</sup>Subsection (4) applies] where an agent—
- (a) has terminated the arrangements on a ground mentioned in <sup>F6</sup>section 15(1A)],
  - (b) might have terminated the arrangements on a ground mentioned in that <sup>F7</sup>subsection] if the worker had not terminated them, or
  - (c) might have refrained from making new arrangements for a <sup>F8</sup>teacher] on a ground mentioned in that <sup>F9</sup>subsection] if he had not ceased to make himself available for work.

<sup>F10</sup>(3) .....

- (4) <sup>F11</sup>... The agent shall provide prescribed information to <sup>F12</sup>the Council].

<sup>F13</sup>(5) .....

- (6) If the National Assembly thinks that an agent has failed or is likely to fail to comply with a duty arising under subsection (4), the National Assembly may direct the person to comply with the duty.

<sup>F14</sup>(7) .....

- (8) A direction under subsection (6) shall be enforceable, on the application of the National Assembly, by a mandatory order.

- (9) <sup>F15</sup>Subsection] (5) of section 15 shall apply for the purposes of this section as <sup>F16</sup>it applies] for the purposes of that section.]

### **Textual Amendments**

- F3** Ss. 15, 15A substituted for s. 15 (31.3.2003 for W. and 1.6.2003 for E.) by [Education Act 2002](#) (c. 32), s. 216(4), **Sch. 21 para. 83** (with ss. 210(8), 214(4)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/1115, art. 3
- F4** Words in s. 15A(1) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006](#) (c. 47), s. 65, **Sch. 9 para. 6(2)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F5** Words in s. 15A(2) substituted (1.4.2012) by [Education Act 2011](#) (c. 21), s. 82(3), **Sch. 2 para. 12(a)**; S.I. 2012/924, art. 2
- F6** Words in s. 15A(2)(a) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006](#) (c. 47), s. 65, **Sch. 9 para. 6(3)(a)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)

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- F7** Word in s. 15A(2)(b) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(b\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F8** Word in s. 15A(2)(c) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(c\)\(i\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F9** Word in s. 15A(2)(c) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(c\)\(ii\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F10** S. 15A(3) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F11** Words in s. 15A(4) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(c\)\(i\)](#); S.I. 2012/924, art. 2
- F12** Words in s. 15A(4) substituted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(c\)\(ii\)](#); S.I. 2012/924, art. 2
- F13** S. 15A(5) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F14** S. 15A(7) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F15** Word in s. 15A(9) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(6\)\(a\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F16** Words in s. 15A(9) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(6\)\(b\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)

### *The General Teaching Council for Scotland*

#### **<sup>F17</sup>16 Duty to have regard to needs of disabled persons.**

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##### **Textual Amendments**

- F17** S. 16 repealed (2.4.2012) by [The Public Services Reform \(General Teaching Council for Scotland\) Order 2011 \(S.S.I. 2011/215\), art. 2, sch. 7](#)

#### **<sup>F18</sup>17 Representation of special educational needs teachers on General Teaching Council for Scotland.**

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##### **Textual Amendments**

- F18** S. 17 repealed (2.4.2012) by [The Public Services Reform \(General Teaching Council for Scotland\) Order 2011 \(S.S.I. 2011/215\), art. 2, sch. 7](#)

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**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\(1\)](#)