

Education and Life-Long Learning Committee

Cynulliad Cenedlaethol Cymru

The National Assembly for Wales

Parc Cathays / Cathays Park

Caerdydd / Cardiff

CF10 3NQ

Date 16 March 2001

Dear Colleague

AMENDMENTS TO THE GENERAL TEACHING COUNCIL FOR WALES (FUNCTIONS) REGULATIONS 2000 AND THE GENERAL TEACHING COUNCIL FOR WALES (ADDITIONAL FUNCTIONS) ORDER 2000

You may recall that in 1999 the Welsh Office issued a consultation document on the administrative arrangements of the General Teaching Council for Wales. Flowing from this, regulations covering the registration of teachers (*General Teaching Council for Wales (Functions) Regulations 2000*), and an order covering the information to be kept on those not on the register (*General Teaching Council for Wales (Additional Functions) Order 2000*) are now in force and a consultation on the Council's disciplinary function has just ended.

It was not possible, at the time that the regulations and order were introduced, to include the types of disciplinary order that could be issued by the Council, as the consultation on the disciplinary function had not then taken place.

Now that it has, however, we would like to amend the regulations and order to provide for the General Teaching Council for Wales to record on the register and keep details of the terms of any disciplinary order that it imposes, and I enclose drafts of

i) General Teaching Council for Wales (Functions) (Amendment) Regulations 2001, and;

ii) General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001.

General Teaching Council for Wales (Functions) (Amendment) Regulations 2001

Q. Do you agree with the addition to the Regulations that enables the Council to record on its register the terms of any disciplinary order it imposes ?

General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001.

The General Teaching Council for Wales also maintains records about teachers and others who, for a variety of reasons, are not, or cannot be on the register. This information mirrors that recorded on the register and is necessary in order to allow the Council to register teachers quickly. We propose that the extra information described above should also be kept for those who are not on the register.

Q. Do you agree with the additions to the records the Council maintains about teachers and others not on the register ?

Responses

Could you please send your response by 11 May to:

Gareth Kedward

General Teaching Council for Wales Liaison Unit

TLD2

National Assembly for Wales

Cathays Park

Cardiff

CF10 3NQ

By telephone 029 2082 3138

By fax on 029 2082 5823

GTCW.enquiries@wales.gsi.gov.uk

Further Copies

Additional copies of the draft amendment regulations and order can be obtained from Gareth Kedward at the address above and can also be found on the Assembly website at www.wales.gov.uk. Copies of the original Regulations and Order will also be found on the same site.

If you wish to discuss the contents of the regulations, please contact Cath Dixon or me at the same address and fax number quoted above. Cath's telephone number is 029

Yours sincerely

Sue Lovell

Head of General Teaching Council for Wales Liaison Unit

	NATIONAL ASSEMBLY FOR WALES
	STATUTORY INSTRUMENTS
	2001 No. (W.)
	EDUCATION, WALES
	The General Teaching Council for Wales (Functions) (Amendment) Regulations 2001
	EXPLANATORY NOTE <i>(This note does not form part of the Regulations.)</i>
	These Regulations amend the General Teaching Council for Wales (Functions) Regulations 2000.
	They make provisions for the Register of teachers maintained by the General Teaching Council for Wales to record the terms of disciplinary orders made by the General Teaching Council for Wales or the General Teaching Council for England. Reprimands issued by either of these Councils are to remain on the Register for a period of two years from the date the reprimand is issued.
	The Regulations also make provision for this information to be passed to employers upon request.

	STATUTORY INSTRUMENTS
	2001 No. (W.)
	EDUCATION, WALES
	The General Teaching Council for Wales (Functions) (Amendment) Regulations 2001
	<i>Made 2001</i> <i>Coming into force 2001</i>
	In exercise of the powers conferred on the Secretary of State by sections 3(1), 4 (2)(d) and (j), 4(3) and 14(3) and 42(6) and (7) of the Teaching and Higher Education Act 1998 (a) and now vested in the National Assembly for Wales (b) , and having consulted the General Teaching Council for Wales in accordance with section 42(9) of that Act, the National Assembly for Wales makes the following Regulations:
	Citation and commencement
	1. -(1) These Regulations are called the General Teaching Council for Wales (Functions)(Amendment) Regulations 2001 and shall come into force on [2001].

Amendment of the General Teaching Council for Wales (Functions) Regulations 2000

2. The General Teaching Council for Wales (Functions) Regulations 2000**(c)** are amended by –

(a) the insertion after paragraph (2) of regulation 6 of the following paragraph:

"(3) Part II of Schedule 1 makes provision for specific information recorded on the Register to be removed after a specified period of time."

(b) the insertion after "Regulation 6" in Schedule 1 of a new heading:

"Part I"

(c) the insertion after paragraph 22 of Schedule 1 of the following paragraphs:

"22A. The terms of any disciplinary order, other than a reprimand, for the time being in force, made by the Council or the General Teaching Council for England.

22B. The terms of any reprimand issued by the Council or the General Teaching Council for England.";

(d) the addition at the end of Schedule 1, of the following Part:

"PART II

Period of time after which matters are to be removed from the Register

The terms of reprimands issued by the Council or the General Teaching Council for England are to be removed from the register after a period of 2 years from the date the reprimand was issued.";

(e) the insertion after paragraph 13 of Schedule 2 of the following paragraphs:

"13A. The terms of any disciplinary order, other than a reprimand, for the time being in force, made by the Council or the General Teaching Council for England.

13B. The terms of any reprimand issued by the Council or the General Teaching Council for England and recorded on the register."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**d**).

[] 2001

The Presiding Officer of the National Assembly

[ENDNOTES – WILL APPEAR IN PRINTED VERSION AS FOOTNOTES]

(a) 1998 c. 30. The relevant provisions apply in relation to the General Teaching Council for Wales by virtue of sections 8 and 9 of the Act and the General Teaching Council for Wales Order 1998 (S. I. 1998/2911). For the meaning of "prescribed" and "regulations" see section 43(1).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999/672.

(c) S.I. 2000/1979 (W.140).

d. 1998 c.38.

	NATIONAL ASSEMBLY FOR WALES
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	STATUTORY INSTRUMENTS
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	2001 No. (W.)
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	EDUCATION, WALES
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	The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001
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	EXPLANATORY NOTE
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	<i>(This note does not form part of the Order.)</i>
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	This Order amends The General Teaching Council for Wales (Additional Functions) Order 2000. It provides for the recording of any disciplinary orders made against a teacher by the General Teaching Council for Wales or the General Teaching Council for England. Reprimands issued by either of the Councils are to be recorded against the name of the teacher for a period of 2 years from the date the reprimand is issued.
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	STATUTORY INSTRUMENTS
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	2001 No. (W.)
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	EDUCATION, WALES
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	The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001
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	<i>Made 2001</i>
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	<i>Coming into force 2001</i>
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In exercise of the powers conferred on the Secretary of State by sections 7(1) and (4) and 42(6) and (7) of the Teaching and Higher Act 1998(a) and now vested in the National Assembly for Wales(b), the National Assembly for Wales, being of the opinion that the General Teaching Council for Wales may, having regard to their general objectives, appropriately discharge the additional functions hereby conferred and having carried out such consultation as appears to it to be appropriate, makes the following Order:

Citation and commencement

1. This Order is called the General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001 and shall come into force on [..... 2001].

Amendment of the General Teaching Council for Wales (Additional Functions) Order 2000

2. The General Teaching Council for Wales (Additional Functions) Order 2000(c) is be amended as follows –

(a) in article 3, after paragraph (3), there shall be inserted –

"(4) Part III of the Schedule to this Order makes provision for specific information contained in the records mentioned in paragraph (1) to be removed after a specified period of time.";

(b) in Part II of the Schedule, after paragraph 23 there shall be inserted –

23A. The terms of any disciplinary order, other than a reprimand, for the time being in force, made by the Council or the General Teaching Council for England.

23B. The terms of any reprimand issued by the Council or the General Teaching Council for England."; and

(c) at the end of Part II of the Schedule to this Order there shall be added the following Part –

"PART III

Period of time after which information is to be removed from the records

The terms of reprimands issued by the Council or the General Teaching Council for England are to be removed from the records after a period of 2 years from the date the reprimand was issued."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(d). [] 2001

The Presiding Officer of the National Assembly

[ENDNOTES – WILL APPEAR IN PRINTED VERSION AS FOOTNOTES]

(a) 1998 c.30. The relevant provisions apply in relation to the General Teaching Council for Wales by virtue of sections 8 and 9 of the Act and the General Teaching Council for Wales Order 1998 (S.I. 1998/2911).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 2000/1941 (W.139).

(d) 1998 c.38.