



# 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- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), art. 3(x) (with art. 4)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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*Status: This version of this part contains provisions that are prospective.*

*Changes to legislation: Teaching and Higher Education Act 1998, Part I is up to date with all changes known to be in force on or before 06 May 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**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)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**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)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**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)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**F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)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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*Status: This version of this part contains provisions that are prospective.*

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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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**F2<sup>10</sup> 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*

**F2<sup>11</sup> 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)

**F2<sup>12</sup> Deduction of fees from salaries, etc.**

.....

**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)

**F2<sup>13</sup> 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)

**F2<sup>14</sup> Supply of information relating to teachers: general.**

.....

**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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PROSPECTIVE

## CHAPTER II

### HEAD TEACHERS

#### <sup>F19</sup>18 Qualifications of head teachers.

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#### Textual Amendments

**F19** S. 18 repealed (1.10.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 84](#), [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 5

## CHAPTER III

### TEACHER TRAINING

*Induction periods [<sup>F20</sup>: teachers in Wales]*

#### Textual Amendments

**F20** Words in s. 19 cross-heading inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 2 para. 13](#); S.I. 2012/924, art. 2

#### <sup>F21</sup>19 Requirement to serve induction period.

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#### Textual Amendments

**F21** S. 19 repealed (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)

*Inspection of teacher training institutions*

#### <sup>F22</sup>20 Inspection of institutions training teachers for schools.

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#### Textual Amendments

**F22** S. 20 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(b), [Sch. 19 Pt. 3](#)

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## 21 Inspection of institutions training teachers for schools: Scotland.

In section 66 of the <sup>M1</sup>Education (Scotland) Act 1980 (inspection of educational establishments), after subsection (1A) there shall be inserted—

“(1B) Notwithstanding subsection (1) above, the Secretary of State shall have power to cause inspection to be made of the education and training, wherever it is carried out, provided by institutions within the higher education sector (within the meaning of the <sup>M2</sup>Further and Higher Education (Scotland) Act 1992) wholly or mainly for persons preparing to be, or persons who are, teachers in schools, and such inspections shall be made by Her Majesty’s Inspectors or other persons appointed by the Secretary of State for the purpose.”

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### Marginal Citations

**M1** 1980 c. 44.

**M2** 1992 c. 37.



**Status:**

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**Changes to legislation:**

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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\(1\)](#)