

EDUCATION ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: School Workforce

Abolition of the Training and Development Agency for Schools

Section 14: Abolition of the Training and Development Agency for Schools

115. *Section 14* repeals sections 74 to 84 of, and Schedule 13 to, EA 2005 which established the Training and Development Agency for Schools (“the TDA”) and conferred functions on it. Repealing these sections will abolish the TDA.

Section 15: Training the school workforce: functions of Secretary of State and Welsh Ministers

116. *Section 15* amends Part 2 of EA 2002 and Part 3 of EA 2005 to ensure that, after the abolition of the TDA, the Secretary of State has the power to exercise the functions that the TDA currently exercises and to confer functions on the Welsh Ministers in relation to teacher training.
117. *Subsection (2)* amends section 14 of EA 2002. Section 14 gives the Secretary of State (in relation to England) or the Welsh Ministers (in relation to Wales) the power to give, or make arrangements for the giving of, financial assistance to any person for or in connection with any of the purposes mentioned in section 14(2). This amendment enables the Secretary of State and the Welsh Ministers to provide financial support to any person to receive training to become a teacher or a member of the school workforce. It also allows financial support to be given for training for people who are already teachers or members of the school workforce. The amendment to section 14(2ZA) enables financial support under section 14 to be given to those receiving training in higher education institutions.
118. *Subsection (3)* amends section 16 of EA 2002 which sets out the terms on which financial assistance under section 14 may be given. It provides that, when financial assistance is given for the purposes of teacher training, the Secretary of State or the Welsh Ministers will not be able to impose terms and conditions on higher education institutions relating to the admission of students or the selection of staff as a condition of funding. This is to ensure that the autonomy of higher education institutions is not compromised.
119. *Subsection (5)* amends Part 3 of EA 2005 to ensure that Welsh Ministers have the power to exercise the functions that the TDA currently exercises in relation to Wales. It imposes a general duty on the Welsh Ministers to ensure sufficient facilities are available for the training of teachers to serve in Wales and confers a power to promote careers in the school workforce in Wales.
120. *Subsection (6)* is concerned with the joint exercise of functions relating to the training of the school workforce by the Secretary of State and the Higher Education Funding

*These notes refer to the Education Act 2011 (c.21)
which received Royal Assent on 15 November 2011*

Council for Wales (HEFCW). *Subsection (7)* enables the Secretary of State to request efficiency studies of institutions that are receiving financial support in the same way that HEFCW can and *subsection (8)* enables HEFCW and the Secretary of State to share information about training the school workforce and to require such information from others.

Section 16: Abolition of the TDA: consequential amendments

121. **Section 16** gives effect to Schedule 5 which makes consequential amendments to other legislation to reflect the changes made by provisions in this Act relating to the training of the school workforce. Most of the changes are to remove references to the TDA or to replace them with references to the Secretary of State.

Section 17: Abolition of the TDA: transfer schemes

122. **Section 17** gives effect to Schedule 6 which allows the Secretary of State to set up a transfer scheme providing for the transfer of staff and property from the TDA to the Secretary of State.